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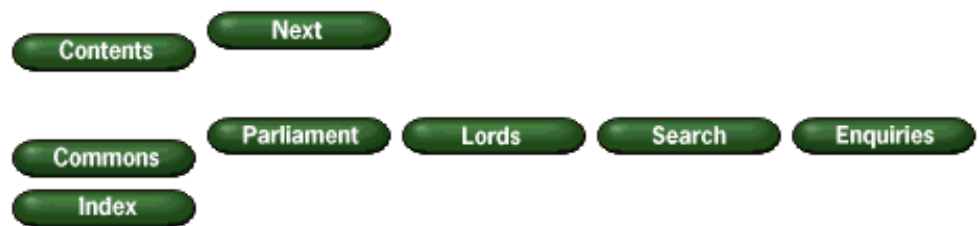
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## Foreign Affairs - Ninth Report

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## Memorandum from Rt Hon Robin Cook MP

1. In my resignation speech I said, "Iraq probably has no weapons of mass destruction in the commonly understood sense of the term—namely, a credible device capable of being delivered against a strategic city target". This would now appear to be correct. Such weapons require substantial industrial plant and a large workforce. It is inconceivable that both could have been kept concealed for the two months we have been in occupation of Iraq.

2. I have never ruled out the possibility that we may unearth some old stocks of biological toxins or chemical agents and it is possible that we may yet find some battlefield chemical shells. Nevertheless, this would not constitute Weapons of Mass Destruction and would not justify the claim before the war that Iraq posed what the Prime Minister described as "a current and serious threat" (Foreword to the September dossier).

3. There arise from the present position on the ground five clusters of questions which I hope your inquiry will be able to resolve:

4. *Why is there such a difference between the claims made before the war and the reality established after the war?*

5. The following claims are now unlikely to be substantiated, however much longer time is given.

— "Iraq continues to produce chemical agents for chemical weapons; has rebuilt previously destroyed production plants across Iraq" (The Prime Minister, (Hansard) 24 September, at Column three). If we have not yet identified any of these "rebuilt production plants" it is unlikely that we ever will. A chemical production facility is a substantial enterprise and there is probably no country that has been more mapped by aerial surveillance than Iraq.

— "Saddam continues in his efforts to develop nuclear weapons" (The Prime Minister's Foreword to the September dossier.) Again it is unlikely that we will now find a nuclear programme capable of producing a nuclear weapon on a timescale that would justify urgent action. A nuclear weapons programme requires substantial industrial sites and will often release identifiable radiation signals.

The Prime Minister further added on 24 September "We know that Saddam has been trying to buy significant quantities of uranium from Africa". Since the February presentation by the IAEA to the Security Council we know that the documents which provided the primary evidence for this claim were crude forgeries.

— "Saddam has existing and active plans for the use of chemical and biological weapons, which could be activated within 45 minutes" (The Prime Minister, (Hansard) 24 September, Column 3). We have now inspected every munitions storage facility in Iraq and have found no chemical or biological weapon and none within a 45 minute radius of artillery deployments. I note that the Government no longer predicts that they will find actual weapons but that they will produce evidence of programmes. As this Committee shadows the Foreign Office, it is only fair to note that the Foreign Office, and Jack Straw, were notably more cautious in their claims.

6. *Did the Government itself come to doubt these claims before the war?*

7. It is now admitted by the State Department that Colin Powell had serious doubts about the intelligence material and spent four days challenging it before his presentation to the Security Council in February. His presentation was more cautious than the September dossier and the uranium from Africa claim was rejected by him.

8. Given the close relationship between State and Foreign Office did they share with us their doubts? If they did not, are we not concerned that they concealed those doubts from us?

9. None of the above claims from the September debate were repeated by the Government in the March debate. This is curious given the pressure they were under to secure a majority for military action. Had the Government itself come to doubt the reliability of the September claims? If so, should Ministers not have corrected the record before asking the House to vote on war?

10. *Could biological or chemical agents have fallen into the hands of terrorists since the war?*

11. In his speech on 18 March, the Prime Minister laid great stress on the danger that a capability for Weapons of Mass Destruction might pass from rogue states to terrorist organisations. "The possibility of the two coming together—of terrorist groups in possession of weapons of mass destruction or even of a so-called dirty radiological bomb—is now, in my judgment, a real and present danger to Britain and its national security." (Hansard, 18 March, column 788)

12. Government statements have repeatedly quantified the volume of chemical and biological agents in Iraq which remain unaccounted for. Most frequently they quote 10,000 litres of anthrax. Until the war any such stocks would be securely guarded by the inner core of Saddam's elaborate security forces. However, since the war and the collapse of the security apparatus, they presumably have been left unguarded and unsecured.

13. Does the Government really believe that such stocks of chemical and biological agents existed at the time of the war? If so, what assurances can they offer that they have not since become accessible to any of the terrorist organisations in the region? Instead of eliminating the risk of transfer of Weapons of Mass Destruction to terrorist organisations, could the war have opened potential access to such material by terrorists? In particular, could the looting of the Al Tuwaitta nuclear plant not have provided precisely the radiological material for a dirty bomb about which the Prime Minister expressed specific concern?

14. *Why do we not allow the UN Weapon Inspectors back into Iraq?*

15. The war was justified by Saddam's failure to show sufficient compliance with the UN Weapons Inspectors. Ironically, it is now we who are refusing any compliance with the same inspectors.

16. I can understand that in view of their longstanding hostility to the UN Inspectors the US may not be willing to admit them into their sector. Presumably, though, it would still be open to British forces to admit the UN Weapons Inspectors to the territory they occupy.

17. It is difficult to resist the conclusion that the primary reason for keeping out the United Nations Weapons Inspectors is that they would confirm there was no immediate threat from a credible Weapons of Mass Destruction.

18. *Does the absence of Weapons of Mass Destruction undermine the legal basis of the war?*

19. Throughout the build-up to war the Government studiously avoided justifying invasion on the grounds that it would remove Saddam. "I have never put the justification for action as regime change." (The Prime Minister, (Hansard) 18 March, column 772). Undoubtedly, the principal reason for such caution was the legal advice that there was no basis in international law for an attack to remove Saddam.

20. The Attorney General's legal advice is founded entirely on the failure of Saddam to comply with the "obligations on Iraq to eliminate its weapons of mass destruction". I am no lawyer, but it does appear arguable that if Iraq had no Weapons of Mass Destruction there could in logic be no legal basis for a war to eliminate them.

21. In present circumstances the Attorney General's opinion would appear to be sound in theory but unsound in fact. As Menzies Campbell observed in the recent debate, it must be doubtful if the Attorney General would have given the same opinion if he had known then that it would prove so difficult to find any prohibited weapons.

22. I fully understand why the Foreign Affairs Committee has chosen to focus the present inquiry on the justification for the war. However, there has been a much wider impact on our international relations from Britain's participation in the unilateral decision of the United States to launch a pre-emptive strike. The Iraq war has divided us from our principle partners in Europe. It has removed us from the inside track which we had built up with Russia under Putin. It has undermined the authority of the Security Council as the forum for multilateral decisions on peace and security. It has reduced our standing throughout the Third World, where few countries supported US intervention. It has broken up the impressive global coalition against world terrorism, which came into being in response to the attack on the twin towers.

23. These consequences represent damage to our national interests greater than any gain for Britain from its part in the war. I hope that in longer time the Foreign Affairs may be able to review the impact of the war on Britain's foreign relations.

*Robin Cook MP*

*17 June 2003*





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## Memorandum from Dr Thomas David Inch

### SOME QUESTIONS PROMPTED BY THE IRAQ DOSSIER<sup>[1]</sup>

As requested below are some questions that could be asked to help establish the strength and margin for error or risk of misinterpretation of intelligence data. It is possible that all the interpretations are correct and well founded but as the report is written there are too many unconvincing points which now in a post war situation should be clarified.

P17 para 2. Was there any evidence that the attempts at procurement were successful?

P18 para 3. What was the evidence that mustard could be made in weeks and nerve agents in months?

This statement suggests the intelligence source knew the facilities to be used and how the facilities would be used.

P19 para 5. It is important to find what the raw data actually said about 45minutes.

P19 para 8. If it is known that Iraq continued to produce nerve agent then it should be known where that was when the intelligence was obtained. Post event chemical analysis of the site should be able to confirm the allegation.

P20 para 8. Similarly analysis should reveal whether there was misuse of the precursor chemicals at Fallujah2.

P20 para 9. More information should be sought on the suppliers of the illegal equipment and whether the Inspectors visited this complex on their return last year.

P22 para 12. More information is required on whether Iraq has a legitimate castor oil industry. Also we need to know whether the plant construction would allow the easy production of ricin.

P22 para 14. I am puzzled by the importance given in the dossier to aflatoxins. The materials are not particularly acutely toxic and in solution may not have been weaponised in high concentration. For the sake of the overall credibility of the dossier some indication of the real significance of this information would be helpful.

P24 para 16. The summary groups anthrax, botulinum, aflatoxins and ricin together and suggests a common biological agent production capability. This seems odd since the biological agent anthrax is very different from the others which are chemical toxins. Also ricin is very different since it is not cultured but harvested from a cultivated crop.

*Dr Thomas Inch*

*June 2003*

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## Memorandum from Terence Taylor, International Institute for Strategic Studies-US

1. If I can make a useful contribution to the Committee's deliberations it would be to set the context in which the government's highest-level decision-makers were determining and explaining their policies with regard to Iraq. My perspective of the issues concerning Iraq are those of an independent analyst with an intimate knowledge of the UN inspection process in the 1990s as a Commissioner with the UN Special Commission on Iraq (UNSCOM) and as a Chief Inspector in the field in Iraq. In the former capacity I had a good overview of all the inspection activities in all areas of concern, nuclear, biological, chemical and missiles. In the latter capacity I experienced first hand the Iraqi regime's persistent denials, elaborate concealment measures and information attack on the UN communications at all points of our operations from New York to Baghdad. As far as UNSCOM was concerned it was through years of dedicated and professional work of inspectors from 44 different countries that parts of the clandestine weapons programmes were brought to light as the Iraqi regime failed to meet its obligations under the UN Security Council Resolutions to declare and show these prohibited activities. Also clear evidence of efforts to continue these weapons programmes was discovered while inspectors were in the country.

2. The Iraqi regime's behaviour and responses are important considerations for the Committee to take into account as a key element in high-level decision-makers deliberations. These aspects rightly had to weigh heavily in assessments of the risks involved in failing to deal effectively with the Iraqi's persistent non-compliance with the obligations placed on them by the various UN Security Council resolutions. This factor, in addition to national intelligence and the mountain of evidence provided through the years of UN inspections by UNSCOM, the successor organisation the UN Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA), had to be a vital element in putting the classified and open source information into context. The Iraqi regime was repeatedly found to be acting in bad faith, doing the minimum necessary to give a semblance of co-operation and making admissions only when it was certain that UN inspectors had uncovered the truth. This was the case from 1991 through to 2003 during two generations of inspection efforts.

3. Even without the intelligence information there was substantial evidence from UN sources that programmes continued. As far as the general public was concerned this substantial evidence became obscured by pressure from some quarters for "smoking guns", that is to say more immediate and "new" information. It is the UN sourced information that convinced the Security Council to repeatedly take the consensus view that Iraq had failed to reveal all that it should about its weapons programmes. Even during the period of inspections following Resolution 1441 of November 2002 there was no serious dispute over the view that Iraq continued to be in breach of its legal obligations.

4. From the information available from UN sources alone it would not have been a safe assessment to conclude that Iraq did not pose a serious risk to its neighbours and to the wider world from its nuclear, biological and chemical capabilities, particularly if given the opportunity, to regenerate them. There was evidence from UN sources of efforts to acquire materials for these programmes while inspections were in progress, let alone the information deriving from national intelligence agencies. Other weighty considerations included the weapons programme personnel that remained in place and the "mobilisation" production techniques employed in, for example, the biological weapons programme to help avoid detection and reduce the vulnerability of what, for the Iraqi regime, were high value military assets.

5. In UNSCOM's final report of 1999 the then Executive Chairman concluded that Iraq continued to hide substantial information about prohibited programmes and probably continued to develop them. Subsequently an independent panel of international experts headed by Ambassador Amorin endorsed this opinion. What is more UNMOVIC reviewed this evidence at the start of their work and came to the same conclusion. In his official reports to the Security Council Dr Hans Blix, the head of UNMOVIC, repeatedly asserted that the Iraqi regime failed to meet its obligations to provide convincing answers on the outstanding issues and, in his words "played catch as catch can", with the inspectors instead of meeting the clear obligation to declare and show verifiable evidence of their claims. Thus in the final phase of inspections the Iraqi behaviour, in the words of the Spanish Foreign Minister Sra Ana Palacio, in her statement in the final Security Council meeting before military operations began, "confirmed our worst fears" that Iraq was playing the same game as in the 1990s. That is to draw out the inspection process as a form of negotiation in the hope that, as in the latter part of the inspection process of the 1990s, the military pressure would ease and the regime could survive and continue rebuilding its weapons capabilities so central to Sadaam Hussein's strategy.

6. With the information available to members of the Security Council in March 2003 it would have been hard to conclude anything other than Iraq presented a serious threat to international security. There was no credible evidence that more inspections would resolve the issue and, in any case this activity could not be considered as the "serious consequences" that all fifteen members of the Security Council had agreed to in Resolution 1441 if Iraq continued to be in breach of its obligations (which none of them disputed).

7. I believe it is essential that the Committee take account of these considerations in assessing whether or not the government misled Parliament and the public about the seriousness of the risks posed by Iraq's continued defiance of the UN. Finally the Iraq Survey Group, composed of a large number of specialists with the right kind of scientific and technical expertise and including a significant number of personnel with substantial experience of inspections in Iraq, has yet to be fully deployed. It is likely that more evidence will be unearthed on Iraq's nuclear, biological, chemical and missile programmes over the coming months.

*Terence Taylor*

President and Executive Director

International Institute for Strategic Studies—US

*June 2003*





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## Memorandum from Andrew Wilkie

### RELEVANCE

1. For most of the last four and a half years I've been employed as a Senior Intelligence Analyst at the Australian Office of National Assessments, initially as a Senior Strategic Analyst, more recently as the Senior Transnational Issues Analyst. Prior to that I was a Lieutenant Colonel of infantry in the Army.

2. ONA is the senior Australian intelligence agency responsible for providing assessments to the Prime Minister and senior ministers on any offshore issue of importance to Australia.

3. I resigned on 11 March this year out of concern for the Australian government's support for an invasion of Iraq.

4. There has been some suggestion by the Australian government since I resigned that I was not involved in the Iraq issue. This assertion is inaccurate.

5. For a start, because of my military background I was required to be familiar with any issue likely to lead to war, and I was routinely employed as a military analyst. Hence I'd covered the Kosovo and Afghanistan conflicts, and was on standby to cover Iraq once the war began. In fact only half an hour before I resigned I was involved in an Iraq National Intelligence Watch Office planning meeting.

6. I've also worked specifically on Weapons of Mass Destruction. For instance, in 1998 I prepared the formal ONA assessment on WMD and terrorism, and represented ONA at the annual quadripartite working group on WMD held that year here at GCHQ in Cheltenham. More recently, in December 2001 I represented ONA at the annual Australian intelligence agencies WMD working group held at the Australian Secret Intelligence Service training facility.

7. My public observations about Iraq's links with al Qaida are also I believe reasonably well informed. During 1999 I was the only ONA analyst covering global terrorism, while more recently I've been involved in the issue to a lesser degree but including responsibility during 2002 for briefing on two occasions the peak Australian Federal-State coordinating body for politically motivated violence, known as SAC-PAV.

8. Finally, in my former core role as the Senior ONA Transnational Issues Analyst I was involved routinely in matters relating to Iraq. This provided me with virtually unrestricted access to the intelligence database on that country, a privilege not accorded to many other people in ONA given the careful compartmentalisation of intelligence in force there. In particular, my formal December 2002 assessment on the possible humanitarian implications of a war in Iraq required me to research in detail the threat posed by Saddam Hussein, including his WMD programme.

### RESIGNATION

9. I resigned from ONA because of my strong belief that an invasion of Iraq at that time would be wrong. It had nothing to do with whether or not the war would be quick and successful or slow and disastrous, but everything to do with my assessment that invading Iraq would not be the most sensible and ethical way to solve the Iraq issue.

10. At the time I resigned I put on the public record three fundamental concerns. Firstly, that I believed Iraq did not pose a serious enough security threat to other countries to justify starting a war. Secondly, that the risks of a war were not justified. And thirdly that supporting a war would be dumb policy given that options short of war were yet to be

exhausted.

11. Obviously my first concern is the most relevant today, and it's useful to understand that I put on the public record at the time I resigned my assessment that Iraq's conventional armed forces were weak and no threat to anyone, that Iraq's WMD programme was disjointed and contained, and that there was no hard evidence of any active cooperation between Iraq and al Qaida. I believe that any lingering questions about my understanding of the Iraq issue should be silenced by the accuracy of my pre-war assessments.

12. I've been asked since I resigned why I chose not to express my concerns in ONA itself. My answer is that, just as I came to understand my personal concerns, so too I came to understand that my position was too radical for ONA's politically correct position on Iraq. So I either had to shut-up and put-up, or do something about it. I obviously chose the latter, knowing that I'd have only one shot at it so I'd better make it count. By doing what I did I hoped to stay true to my personal beliefs while at the same time re-energising the political and public debate in Australia about the war.

13. Most recently, I've travelled to London for this enquiry out of a genuine interest in helping the UK public to get to the bottom of the mess, and also out of hope that by doing so I might help to unlock the political and public debate in Australia about the misleading justification for the war.

14. Frankly, I'm not going to let go of this. Too many people are dying in Iraq, too much damage has been done, too dangerous a precedent has been set, too many brave soldiers have been put at risk, too much money has been spent, and there is now too much extra risk of terrorism. Some Australians have I fear become de-sensitised to habitual government dishonesty. I'm not one of them.

#### CONCERNS

15. So what was it about the UK's approach to the Iraq war in particular that concerned me? Well it's important that I point out that there was no single issue, or shocking secret report, or classified intelligence assessment, that I can refer to in order to prove my assertion that the Iraq WMD threat was blatantly exaggerated for political purposes. It's not that simple or dramatic. Rather, I believe that the British government, like its American and Australian counter-parts, was guilty of playing out the exaggeration over many months in sometimes bold but often more subtle ways.

16. I want to make it very clear that my opposition to this war was in no way intended as an endorsement of Saddam Hussein. He is clearly a horrid person and one who had to be dealt with eventually. His demise is a good thing, though I strongly object to the notion that his removal has somehow justified any government dishonesty before the war.

17. And I am not saying that Iraq did not have a WMD programme. The accumulated evidence on this is so extensive that the existence of some programme was almost a certainty. In all probability at least some evidence of it will probably be found eventually in Iraq.

18. Nor am I saying that British, American and Australian intelligence agencies did not over-estimate to some degree the Iraq WMD threat. This is an important aspect of the matter and one that I'm sure will be considered in the various capitals in due course.

19. What I am saying, quite simply, is that the British, American and Australian governments grossly exaggerated the threat posed by Iraq's WMD programme in order to justify the war. Each government of course had its own reasons for doing this; though for all their position had clearly been contaminated by years of building frustration with Saddam Hussein, a strong sense of unfinished business after the 1991 Gulf War, and the costs and risks of the grinding containment operations. London and Canberra in particular were driven by their strong desire to stay in step with Washington, at any cost.

20. In the UK the exaggeration of the Iraq WMD threat was achieved through a string of public statements, nowhere more apparent than in the September 2002 Dossier entitled "Iraq's Weapons of Mass Destruction—The Assessment of the British Government."

21. I found this document to be fundamentally flawed because of the way in which it filled the significant intelligent gaps that existed on Iraq with piles of arguable information based on worst-case assumptions finely tuned to the UK government's pre-determined

commitment to support a US invasion of Iraq.

22. Two key intelligence gaps are especially important here; the pre-1991 Gulf War WMD which to this day remain unaccounted for, and the question mark over exactly what mischief Iraq got up to between the withdrawal of UNSCOM in 1998 and the arrival of UNMOVIC in November 2002.

23. In regard to the WMD unaccounted for, the Dossier implies that Iraq could have still had up to 360 tonnes of bulk chemical agent, up to 3,000 tonnes of pre-cursor chemicals, enough growth media to produce tens of thousands of litres of biological agent, and over 30,000 special munitions suitable for delivery of chemical and biological agents.

24. This list appears to me to be simply ridiculous, not least because no-one, not even the Iraqis themselves, seem to know exactly how much chemical and biological agent was ever produced by Iraq, exactly how much was used during the 1980-88 Iran-Iraq War, or exactly how much was destroyed outside of UNSCOM control.

25. The list of unaccounted for material also seems to me to be absurd because it fails to properly consider the critical issues of agent purity and degradation over time. The simple fact of the matter is that most chemical and biological agents soon break down unless produced to a very high level of purity and then effectively stabilised. But Iraq always had great difficulties achieving high levels of agent purity, and British claims about Iraq having the knowledge and capability to add stabiliser is, in my opinion, unsubstantiated by hard intelligence.

26. The exception to all this is of course mustard gas, which can remain potent for many years. But this is a pretty crude agent that needs to be used in vast quantities, in ideal conditions, to be effective as a WMD. The limited quantities identified in the list of agents unaccounted for do not satisfy this criterion. In fact, the 550 shells mentioned by Colin Powell during his address to the UN Security Council on 5 February 2003 would between them amount to no more than a couple of tonnes of agent capable only of attacking one small military target.

27. In my opinion, the importance of this whole pre-1991 weapons issue has been a gross exaggeration. It could never have been a key component of some more recent massive WMD programme posing an imminent threat to us all.

28. Which brings me to the matter of what Iraq could have got up to between 1998 and 2002. And this is where I find the British statements particularly unconvincing.

29. Much of the basis for the claims about Iraq recommencing the production of chemical and biological agents relate to the rebuilding of facilities previously associated in some way with Iraq's WMD programme as well as the building of new facilities.

30. But the British material fails to include any hard evidence that such facilities were again involved in the actual production of WMD. In fact the September Dossier sometimes suggests quite the opposite. For instance, it refers to the Tarmiyah chemical research centre, but notes that it undertook research, development and production of the chemicals needed for Iraq's civil industry, which could not be imported because of international sanctions.

31. An important issue here is the technical and practical difficulties of rebuilding, hiding, supplying and operating chemical and biological facilities on such a scale as to constitute a genuine national WMD programme. The governments in London, Washington and Canberra would have you think this is not too difficult for an evil dictator with lots of oil money. But this is downright misleading. For the Iraqis to rebuild their WMD programme since 1998, virtually from scratch, would have been an enormous undertaking. Remember that even the United States never perfected the weaponisation of anthrax.

32. Not helping the UK government's case here is the inaccuracy of some of its material. For example, the September Dossier singles out the Amariyah Serum and Vaccine Plant west of Baghdad as a facility of concern; despite reports that journalists were allowed into the buildings at the plant within hours of the Dossier's release, only to find empty fridges.

33. Of course the issue of accuracy is especially relevant to the by now well-known and discredited claim that Iraq was seeking to procure uranium from Niger. My understanding of this matter is that the CIA knew as far back as early 2002 that the uranium purchase

story was false.

34. Not that this stopped the African uranium story from helping to underpin the case for war in London, Washington and Canberra. Just like how the story about the thousands of aluminium tubes was given a central role, despite the fact that the International Atomic Energy Agency had serious concerns about the whole story since December 2001. Or the fact that the gas centrifuge that might just have been made with the tubes would have sucked up enormous quantities of uranium and electricity, and required a vast and obvious industrial complex. Mind you the story was just too attractive to leave out of the case for war. Plus it was a rare opportunity for the Australian Prime Minister to be a player given the involvement of Australian intelligence agencies in this particular matter.

35. These matters are not recounted with the benefit of hindsight. Rather, these are the sorts of issues which contributed to my decision before the war to resign. And I was not alone. The sorts of doubts I had were shared by others, so much so that the strong, unambiguous language contained in the September Dossier, and other statements, seems to have been more the work of salespeople than professional intelligence officers.

36. The claim that the Dossier and other statements reflect accurately the view of the UK Joint Intelligence Committee just doesn't ring true to me. I saw countless JIC assessments whilst at ONA, in fact ONA is routinely invited to comment on them when they are in draft form, but never did I see such a string of unqualified and strong judgments as was contained in the September Dossier. Remember that the JIC process, by design, produces a compromise intelligence assessment. So its output is full of terms like "probably" and "could". Contentious issues are either dropped or heavily qualified. But all of this had been cut from the Dossier, like it was always dropped from the public statements made by the political leadership in London, Washington and Canberra.

37. This issue isn't particularly headline grabbing, but it goes to the heart of the deception over Iraq. I emphasise that the intelligence agencies were producing measured assessments. All it took to completely distort their work was for the politicians to drop a few words like "uncorroborated evidence suggests", and to insert a word or two like "massive" to create an entirely new threat.

38. A troubling aspect of the Coalition's case for war is the misleading way in which Iraqi dual-use facilities and materials were invariably referred to during the lead up to the war. Such sites and materials fill all countries; why there would be dozens and dozens of facilities within a few miles of the House of Commons that are capable of producing deadly chemical and bacteriological agents. And in numerous places in the United Kingdom there would be stored many of the potential ingredients for such brews. This situation is repeated throughout the United States and in Australia.

39. So I think it was preposterous how the governments in London, Washington and Canberra made such a big deal over Iraq dual-use sites and materials, often in the absence of any corroborating intelligence. The reports were sometimes just plain wrong. For instance, the British and American governments made much of the Fallujah II chlorine and phenol plant, despite the fact that UNMOVIC had found it to be inoperative.

40. Of course one of the reasons for such inaccuracies was the flood of disinformation that came out of Iraq in recent years from opponents of the regime desperate for US intervention. Such poor human intelligence would once have been discarded by competent intelligence agencies. But the apparent direct political interference with intelligence agencies in the US, and more subtle political pressure apparently applied in London and Canberra, meant that the rules were different with Iraq. Intelligence that once would have been discarded was now usable, with qualification. The problem was that the juicy bits of intelligence most in accord with the governments' positions were being latched onto and the qualifications were being dropped.

41. I think a big problem for the British and Australian governments now is the fact that their intelligence agencies were making it very clear before the war that the US was intent on invading Iraq for many strategic and domestic reasons, not just because of WMD and terrorism.

42. If you superimpose this insight over the case for war being made in London and Canberra, you come up with a very interesting situation indeed. Now the repeated justifications for the war look much more hollow. No longer could it appear that we all got

the WMD issue terribly wrong. Much more likely is the proposition that the British and Australian governments were deliberately intent on using WMD to exaggerate the Iraq threat so as to stay in step with the US.

43. Of course there's a danger of getting so close to the detail and fancy language that you loose sight of the obvious. Please remember that we were all sold this war on the basis of an imminent threat from Iraq's massive WMD programme. This has not been found, and whatever might still be found can now not match the pre-war description. So the issue is not whether the pre-war assessments and rhetoric were right or wrong. They were wrong. It's as simple as that. The issue now is why they where so wrong. It was either an intelligence failure or a policy failure. I think it was the latter.

44. Against this backdrop I'm sure you'd understand my position that the British claim of Iraq getting WMD away in 45 minutes is absurd.

*Andrew Wilkie*

19 June 2003







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## Memorandum from Alastair Campbell

1. I am grateful to the FAC for the opportunity to be able to explain how the Government has sought to handle communications issues concerning Iraq.

2. Overall strategy on Iraq was laid down by the Prime Minister and other Cabinet Members responsible for policy following agreement in Cabinet and, as matters progressed, endorsement by the House of Commons. My role as the Prime Minister's Director of Communications and Strategy was to help take our communications strategy forward. I chaired the cross departmental Iraq communications group, comprised of senior officials from No 10, FCO, MOD, DIFD, Cabinet Office, SIS, DIS, CIC. This met weekly to discuss and review forward communications strategy. We continue to meet, though not every week. I also chaired the regular morning media meeting of key departments to help take the strategy forward on a day to day basis.

3. From where I sat, what the Government was seeking to communicate was that a brutal, Iraqi regime possessed and had used WMD, was in persistent defiance of the UN, and a threat to the region and the stability of the world. I saw a Prime Minister determined to play his part in dealing with the issue, who was convinced that the UN was the place to resolve it and who worked flat out to achieve that, because he was determined to avoid conflict if at all possible. If conflict came, he was determined that it should be prosecuted with real vigour to force the collapse of the regime and help rebuild Iraq for the Iraqis. And he was concerned throughout that Cabinet, Parliament and the country were properly informed and engaged in debating and deciding the policies that flowed from these positions as the situation evolved.

4. My role was to help the Prime Minister and his ministerial colleagues communicate this to various audiences, in the UK and overseas.

5. Much of the debate on the issues under investigation by the Committee concerns two documents presented by the Government on Iraq.

6. It is important to separate out these two documents. They are not comparable in terms of their scale, breadth or intended impact. The first was vital in explaining the reasons for the Government's concern about Iraq, the WMD programmes and its persistent refusal to accept UN obligations. The second was not.

7. The first, the dossier entitled "Iraq's Weapons of Mass Destruction, the Assessment of the British Government", was a very substantial document which was presented to a recalled House of Commons by the Prime Minister in September 2002. It involved detailed planning and preparation over many months. Initially, the FCO was in the lead on this project. However, once the decision was taken that intelligence should form the basis of the dossier, the Joint Intelligence Committee took the lead on it and its Chairman took responsibility for drawing up the contents which were regularly reviewed as the document evolved. The Prime Minister's officials, and senior FCO officials were involved with the Chairman of the JIC in discussions upon the content, the planning of the document, and its presentation. That has never been an issue. I had several discussions with the Chairman of the JIC on presentational issues arising from the dossier and, in common with other officials, made drafting suggestions as the document evolved. I also submitted to him suggestions made by the Prime Minister on a draft which he read. The Prime Minister's suggestions, and mine, were for the JIC Chairman to accept or reject as he saw fit. It was the Chairman of the JIC who signed off the final version of the dossier.

8. We were conscious of the fact that it was a major break with precedent for the intelligence community to allow so much of their information to be put into the public

domain in this way and for them to co-operate so closely with us on a document which itself was a response to the considerable Parliamentary and public interest in the reasons for the Government's concern about Iraq and its WMD. This break with precedent was not something that we took lightly, as I know the Security and Intelligence Co-ordinator, the Chairman of the JIC and the Heads of the Intelligence Agencies involved would acknowledge. I emphasised at all times both in our discussions and in any written outcomes of our various meetings circulated within the system that nothing should be published unless the JIC and the Intelligence Agencies were 100% happy. This, allied to the fact that the dossier was being presented to Parliament by the Prime Minister, meant that the utmost care was taken by all involved in its preparation.

9. The intelligence judgements were entirely those of the JIC and there was no question of anyone seeking to override them. The allegation, repeatedly reported by a BBC correspondent, and subsequently by others on the BBC and elsewhere, that I, or anyone in Downing Street, exaggerated and distorted intelligence to help persuade Parliament and the country to go to war, with all that entailed for the loss of UK and Iraqi lives, is totally untrue. It is hard to think of a more serious allegation in this context and it is false. The allegation on the BBC that we abused intelligence in an attempt to "sex up" the dossier is simply untrue, and I have the support of the Security and Intelligence Co-ordinator, the Chairman of the JIC, and the Heads of the Intelligence Agencies involved, in saying that. The claim in the original BBC story that the "45 minute" command and control point was put in at my or No. 10's insistence against the wishes of the Intelligence Agencies is also false, and I say that with their support too. I have been privately seeking, without success, acknowledgement from the BBC's Director of News that this story is not true. It is a serious allegation not just against me but against the JIC and the Intelligence Agencies, in that it suggests they would have allowed something to be said in their name which was not a true representation of what they believed. I should add that, with the full support of the JIC chairman, we issued a denial of the BBC story an hour after it was first broadcast at 6am on 29 May. This denial was barely mentioned in the many subsequent BBC reports. Even when it was emphasised that this was a denial by the leadership of the intelligence community, this had no impact upon the BBC's coverage.

10. These allegations were wrong. It is doubly wrong, when the entire leadership of the UK intelligence community has made it clear that the stories were wrong, that the BBC persists in defending their accuracy, and continues therefore to attack the integrity of the Government, the integrity of the JIC and Intelligence Agencies, and my integrity too.

11. The second document under investigation, "Iraq, its infrastructure of concealment, deception and intimidation," (February 2003) was intended as a briefing paper for journalists to inform them of the way in which the Iraqi state was dominated by its security apparatus and therefore well placed to conceal WMD. When new SIS intelligence material came to light, which was authorised for use in the public domain, which revealed the scale of the regime's programme of deception and concealment, it was my idea, as I recall, to base a briefing paper for the media upon it and this approach was agreed by the Iraq communications group in early January, and the paper worked on during that month. But compared to the WMD dossier presented to Parliament by the Prime Minister, this was nowhere near as significant, nor ever intended to be.

12. The WMD dossier published in September 2002 to Parliament received considerable attention around the world, as indeed we had planned for with a substantial print run, translated versions and a boosted website capacity across government. In contrast, the February 2003 briefing paper was given to the six representatives of the UK Sunday newspapers travelling on the Prime Minister's plane to a meeting with President Bush. It had very limited media attention, and the now controversial section based on the article by Dr Al-Marashi next to none. It was placed in the library of the House for the information of Members because on the day after the Prime Minister returned from the US he was making a statement to Parliament to update the House on Iraq. It is true that Secretary of State Powell referred to it in the US but the overall impact of this briefing paper was minuscule compared to the huge focus in many parts of the world on the WMD dossier. It was only when the "plagiarism" issue came to light that media and public attention grew.

13. It has been acknowledged by the Prime Minister, the Foreign Secretary, the FCO Permanent Secretary, me, and the CIC, that the procedures it went through were not adequate for such a paper. Material should not have been used without its provenance being clear and properly acknowledged. The briefing paper would have lost nothing had

that been so; indeed, its accuracy has not been seriously challenged. That is, however, not the point. Strict quality controls were particularly important in view of the fact that there was intelligence-based material elsewhere in the document. That is why, once the provenance of all the material became known to us, we immediately acknowledged the error, discussed it widely at a senior level in Government, made clear that it should not have happened in this way and put in place new procedures. Where they related to the handling of any document with an intelligence input, these were agreed with the Security and Intelligence Co-ordinator. In addition, procedures were introduced with the CIC to ensure all material was properly sourced. As the Committee will be aware, following its initial examination of this, the Intelligence and Security Committee said in their report on the 10 June 2003:

"We have been assured that systems have now been put in place to ensure that this cannot happen again, in that the JIC Chairman endorses any material on behalf of the intelligence community prior to the publication."

14. The Prime Minister has said publicly that Dr Al-Marashi should have been acknowledged as a source, and that the journal in which his article was published, MERIA, should have been credited as the publisher, and this has been repeated by those who speak on his behalf.

15. As to how the mistake occurred, I understand that once the group I chair commissioned the paper from the CIC in January, the CIC approached various Government agencies and departments asking for material they had which related to the theme we had discussed. It was during this process that Dr. Al-Marashi's article of September 2002 in MERIA journal was submitted to the CIC. It was following this, in the CIC, during the third week of January that the material was simply absorbed into the briefing paper, without attribution, and it then formed the basis of Section 2. From that point on, everyone who was asked to comment on the paper assumed this information was Government-sourced material. Thereafter editing changes were made in the normal way which explains why there are some differences between the article and the final text in the briefing paper. The changes were made because the officials making them believed they rendered the account more accurate. They were not aware they were commenting upon work which included parts of Dr Al-Marashi's article. The removal of the attribution was the mistake which we have acknowledged and I am happy to take responsibility for the briefing paper.

16. We are satisfied that our new procedures will minimise the risks of such mistakes being made in the future.

17. There is one other point I would like to draw to the FAC's attention.

18. It relates to the claim, first reported in the media on 7 February, and then repeated many times since, including in evidence to the committee, that the briefing paper was written by my staff in Number 10, including my personal assistant. This is untrue. The story naming the four people first appeared in the Guardian on 7 February. It said that the briefing paper was posted on the No.10 website at the end of January and alleged that these four junior civil servants had worked on the paper. First, I should point out that it was not posted until Monday 3 February. The four people named were a member of the support team in my Department, my PA, a member of our web-team, and a member of the CIC. The support team member's only role was to save the document onto the disk that we took on the flight to the US. My PA's only involvement was that she typed in changes that I made on the plane. The web-team member posted the paper on the No 10 website, and nothing else. The fourth person was a member of the CIC, and I have already explained their role in this. The reality is that the paper was commissioned by my group, prepared in the CIC, and signed off for use as a briefing paper for the Sunday papers on 31 January by me after I edited out repetitions and changed the title. I made the Prime Minister aware of the nature of the document and its intended purpose prior to the press office giving the paper to Sunday newspaper journalists the following day.

19. There was certainly no intention to do anything other than set out the facts about this aspect of the Iraqi regime.

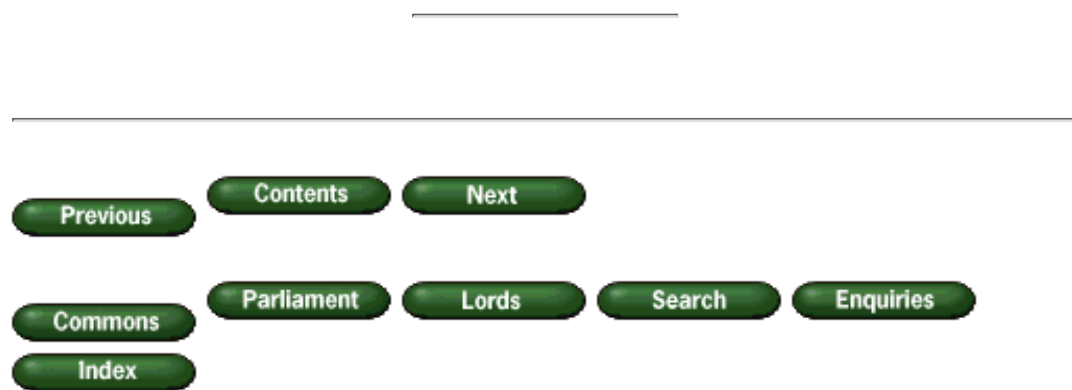
20. To conclude, our communications strategy on Iraq has been based on the desire to explain as effectively as possible the Government's policy. Given the importance of the

issue we have also sought to share with the public the best information and assessment available to us. I believe, in often difficult and controversial circumstances, that we upheld very high standards that reflected well upon the Prime Minister, the Government, the Intelligence Agencies and those of us supporting the communications effort. The September WMD dossier was vitally important to our communications and I believe its integrity is beyond question. It did not "make the case for war". It set out the Government's best assessment at the time for Parliament and the public. The February briefing paper was far less important. Amid the many months of constant communications, including Parliamentary statements, debates and questions, visits at home and abroad, meetings, briefings, speeches, articles, interviews and regular updates for the media around the world and around the clock, I hope that the mistake made will be viewed in that context. It should not define the totality of our communications, nor legitimise the repetition of false allegations made on the BBC, nor obscure the fact that the Prime Minister led the country into conflict not because of a dossier or briefing paper but because of an Iraqi regime that refused to respect the will of the UN and disarm itself peacefully of its WMD.

21. I hope this is helpful and look forward to being questioned upon it.

*Alastair Campbell*

24 June 2003





## Supplementary memorandum from Alastair Campbell

### 1. URANIUM IN THE SEPTEMBER 2002 DOSSIER

I understand the Foreign Secretary has been discussing the basis of the uranium from Africa point made in the September 2002 dossier with you during your private session.

### 2. IRAQ COMMUNICATION GROUP ON THE FEBRUARY 2003 BRIEFING PAPER

On the subject of the meetings of the Iraq communication group to discuss the February paper, you asked who represented the Cabinet Office at those meetings. As I indicated to the Committee, John Scarlett attended the four meetings at which the issue of Iraq's infrastructure of concealment was one of several items discussed. He was not consulted on the paper, and nor did he see it in draft or final form. He was aware of the fact that SIS had authorised the use of the intelligence material in the public domain in accordance with the procedures as they existed at that time. Other more junior representatives of the Cabinet Office were also present.

### 3. INTELLIGENCE MATERIAL IN THE FEBRUARY 2003 BRIEFING PAPER

As I have already made clear to the Committee the new intelligence material was provided by SIS and authorised by them for use in the public domain. This was in accordance with the rules as they existed at the time.

4. I have discussed with SIS your request to identify the intelligence material in the February briefing paper. They would like me to tell the Committee that the first and third parts of the February briefing paper were based on information provided by SIS from a range of sources.

5. I indicated during my session with you that there may be reasons why SIS would not want me to say in every circumstance which piece of information came from intelligence material. Aware that I was likely to be asked about this when I appeared before you, I had already asked SIS whether there were any specific examples I could refer to. The Committee will recall, for example, that I spoke of Iraqi issues of bugging, the following of inspectors, organising car crashes and I discussed this when questioned by the Committee. The reason I hesitated in going further was that these were specifics I was authorised to mention. That is why I felt the need to go back to them to discuss your questions. SIS have asked me not to go beyond these examples for on-going operational security reasons, but to confirm that Sections 1 and 3 were based on information provided by them.

6. A few parts of Section 2 of the briefing paper were also based on intelligence information. SIS have authorised me to indicate that these are:

From page 9:

"It has long been known that Al-Mukhabarat uses intelligence to target Iraqis. It forces Iraqis living abroad to work for Saddam by threatening dire consequences for relatives still inside Iraq.

It is reported that an Iraqi cannot work for a foreign firm inside Iraq without also working for Al-Mukhabarat directly or as an informant. This includes those allowed to work with foreign media organisations.

All Iraqis working with foreigners have to have a special permit which is not granted unless they work for Al-Mukhabarat.

They carry out tests which include approaches to Iraqi officials with false information to see whether they report it to Baghdad or foreigners."

From page 10:

"Each neighbourhood, every office and school, every hotel and coffee shop has an officer assigned to cover it and one or more agents in it who report what is said and what is seen.

Al-Amn Al-Aam runs a programme of provocation where their agent in a coffee house or work place will voice dissident views and report on anyone who agrees with those views."

From page 11:

"An Al-Amn Al-Aam agent or officer will sometimes approach an Iraqi official pretending to recruit him for some opposition or espionage purpose, and then arrest him if he does not report it.

They also look for foreigners who might be breaking Iraqi law or seeking to stir up anti-regime feelings among native Iraqis.

Technically, it is illegal for an Iraqi official or military officer to talk to a foreigner without permission from a security officer."

For ongoing operational reasons, SIS has asked me not to break down the sourcing of their contribution.

## 7. SEPTEMBER 2002 DOSSIER

The JIC Chairman and I believe that the following is an accurate reflection of my requests for changes to the text of the WMD dossier. In addition to the points below, I made a small number of style points, checked that the text was consistent throughout and avoided unnecessary repetitions.

8. First, I would like to draw your attention to a meeting I chaired on 9 September 2002, which was the planning meeting for the WMD dossier. The records show that I made the following points.

I said the dossier must be, and be seen to be, the work of the JIC Chairman and his team, and "its credibility depends fundamentally upon that".

I emphasised "it goes without saying that there should be nothing published that you (the JIC Chairman and the Intelligence Agencies) are not 100% happy with".

The JIC Chairman first sent me a draft of the dossier on 10 September.

To the best of my recollection, and that of Chairman of the JIC, I did not make any comments on the text of the draft at that stage.

On 17 September, he sent me a further draft.

As far as we recall, our discussions on the text took place over 17 and 18 September. The following are the changes I requested, and the responses of the JIC Chairman.

As I told the committee on Wednesday, I suggested the use of "vivid and horrifying" in the human rights section was unnecessary. It was removed.

I suggested that in the light of Iraq's agreement on 16 September to allow UN inspectors to return to Iraq, we should further address the issue of Iraq's current concealment plans as assessed by the JIC. This was agreed.

On Saddam's sons, the draft said they "may have" the authority to launch CW/BW attacks. I asked why it said "may have" rather than "have". "May have" was retained because it was the best assessment of all the information, human and technical, that was available to the JIC.

As I told the committee on Wednesday, the draft said Iraq had sought to secure uranium. I asked if any had been secured. I was told that the intelligence did not lead to that conclusion.

I asked if the issue of the aluminium tubes could be put in the executive summary. It was concluded that it should not form part of the executive summary, but remain in the body of the text where it explained that there was no definitive intelligence that the tubes were

destined for a nuclear programme.

I asked if it was possible to include the range of extended range missiles in the executive summary. It was included.

As I told the committee, I made a suggestion about the passage on illicit earnings. This was included.

I asked if it was possible to list the numbers of shells and sprays in the Iraqi armour. It was not.

In a passage dealing with dual use facilities, I suggested the phrase "could be used" might be replaced by "(are) capable of being used". This was agreed.

I felt that a passage on how long it might take for Iraq to develop nuclear weapons should be explained more clearly. This was done.

I asked if it could be made clearer at what stage of the process different JIC assessments were being put to Prime Minister and other ministers. I was told this was already being addressed in the opening chapter.

The JIC chairman circulated a further draft, including to JIC members, on 19 September. He asked for any final comments by 3 pm that day. Neither of us can recall that I made any further points thereafter.

The following day the TIC Chairman sent the final version. He said he was content that the dossier reflected as fully and accurately as it could the intelligence at that time.

9. As so many of the allegations have been made in the media, there is a further point I would like to make. The Sunday Times reported on 1 June that I pressured John Scarlett to write a conclusion and he refused. The reality is that John Scarlett drafted a conclusion and asked for my view. I said I did not think it added anything. John Scarlett said this confirmed him in the view he was already developing that it was not necessary to have a conclusion to the dossier.

10. Finally, concerning the most serious allegation against me, that I inserted the 45 minute intelligence whilst knowing it to be untrue, the Chairman of the JIC has confirmed that this was already included in the first draft that he sent me (10 September). It was not inserted at my request. The Chairman of the JIC has also confirmed, and authorised me to say, that it reflected recent intelligence incorporated already in the JIC's classified assessment and that I played no part in the decision to include the intelligence in the dossier. The full text of the dossier, including the executive summary, was signed off by the Chairman with the full agreement of the JIC.

I hope this is helpful and that you feel it deals with all the points you asked me to address.

*Alastair Campbell*

Director of Communications and Strategy, 10 Downing Street

24 June 2003

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## Memorandum from Gareth Howell

1. For someone in possession of Sky Television including the Parliamentary Channel and Al Jazeera, and in possession of an enforced stay at home due to RTA on the British roads, I have probably grasped rather better than most Jo Publics, the complexity, and the simplicity, of the Decision to go to War in Iraq. Your detailing me with a number of postponed, and now cancelled, discussions on the question of the "War against Terror" allowed me to research your committee's interview of the Foreign Secretary with regard to the manoeuvrings of the UK at the security council, and Resolution 1441. I felt that the Rt Hon Jack Straw's reasoning was immaculate at all times, and that the procedure followed was the next best thing to a favourable security council resolution vote.

2. If the Prime Minister did make up his mind in August/September last year at Camp David as Claire Short suggests, and I believe that she is correct in this contention, then the wrong questions were being asked. If the Prime Minister and government persuaded the House of Commons to agree to a war on the basis of an amendment and substantive resolution, which provided for all shades and sympathies, other than the outright Arab sympathiser, then it is no harm done to the government, which wanted its way and not much good done to the reputation of parliament, who were persuaded in a thoroughly foolish way to discuss WMD *ad infinitum*.

3. Let us acknowledge that a large Nation of Nation states, which has its seat of military power and weapons of mass destruction (!) destroyed on one fateful day in late 2001, that nation is likely to imagine rightly or wrongly, that there are other states in the world which are now prepared to use WMD against civilian populations as the USA did in Japan in 1945, and that the world order has irrevocably changed.

4. Let us also acknowledge that the discovery that the tragedy of that day in 2001 allowed them to discover that it was one of their own former trained agents, a son of Saudi Arabia, who was the principal protagonist, and there was a perfect recipe for that Nation of Nation states to lash out fairly wildly at anybody who breathed a word against them.

5. Don't let us look at all at the possibility, discussed by Washington bureaucrats, that this was a colonialist or imperialist campaign of perfectly clear identity. It may extend the power of the dollar as the only currency available in Iraq today but so what? The socialist groups in the UK are not the only ones who talk in such language.

6. The God given right of the US government to determine the complexion and identity of governments and leaders worldwide has been only slightly disputed for some time now, but to find a leader by proxy, such as Bin Laden calculated, gave much greater frustration, than the possibly laughable and unseatable Fidel Castro in Cuba.

### MILITARY BASES AND SOVEREIGN STATES

7. There are three military US airforce bases in Saudi Arabia. As we recall from the OPEC stranglehold of the early 70's the Saudis had the power and still have the power to exert total chaos on the world oil markets. Thirty per cent of the oil on the international markets comes from the Kingdom; if it were turned of even out of whim, the world economy would be turned to chaos, lots or little, as the Saudis might have had the gift to choose. Within two days of the US forces approaching Baghdad, they began to build an air/military base North West of the city. An announcement in the press stated that the airbases of the US in Saudi were to be closed, which of course is as unlikely as the sands to run out in the Sahara desert. What is verifiable fact though is that the US government has another base in the area and quite close to Saudi Arabia from which to enjoy further freedom of Arabia. With regard to the rights of sovereign states it would be rather easier to



make a local incursion into Saudi Arabia from a neighbouring country than it would from the country itself. Imagine the worldwide contempt for US bases in every home country if a US strike against a sovereign state were made from that state itself!! It is a most unusual circumstance to find a "Holy Terror" calling the tune worldwide for a few months after foul terrorist acts, but an even more unusual circumstance to commit destructive acts on a host nation state from the territory of that nation state itself.

8. Remarks such as these are highly speculative, and although I agree with the Member for Blaenau, Gwent in the debate of the 4 June 2003 that from the beginning to end the whole conflict has been about OIL, it is still begging the question not to discuss the meaning and deception of the expression developed in political parlance and jargon as WMD.

#### WMD

9. I have recently made a short and belated study of  $E=Mc^2$  the illustrious Einsteinian formula which says that energy equals mass times the square of the constant where the constant is the speed of light. With such leaps of imagination the nuclear bomb came into being in the 1940's, but not everybody is aware, and certainly few parliamentarians, that a primitive nuclear device may be created using Heavy Water. Heavy water may be extracted from Sea water. It is there in the Gulf. It is not a dangerous substance except in so far as it is necessary to slow down the excessively fast movement of atoms which creates the reaction. To my understanding Heavy Water is part of a weapon of mass destruction. If I were a weapons inspector intent on playing up the importance of the job and playing politics too, if I found Heavy Water in somebody's backyard I would most certainly be able to report back to the powers that be and confide that the owner of the back yard had those weapons. However if I were quick, and I were the owner of the backyard, and I thought that the IAEA inspector/former chairman Hans Blix were going to cause trouble and catch me with the Heavy Water in my back yard, I think I know what I would do with it. "Pour it down the drain", and let it flow gently back to the Arabian gulf. To me this has been the most amusing aspect of the Parliamentary debate, that absolutely nobody to my knowledge has mentioned the details of nuclear devices and their simplicity.

#### OUTSPOKEN

10. Chairman you don't need me to lecture you or your committee on the rights and wrongs of the Campaign of the Scottish member who has been suspended from parliament Mr Jack Galloway, the eloquent Scottish member. I happen to believe that he was the only member who represented the Arab view effectively; I believe there are a good many British citizens of all religious persuasions who think the same. I do not want to devalue my comments above by making any such conciliatory remarks other than to say that Mr. Galloway's contention to me, outside your committee room 18 months ago that if I had any real feelings for the Arab cause, which I do on account of personal relationship, I would not go any where near a committee which is merely a puppet of government policy. I neither believe that your committee's work is just that. Mr Straw's evidence to you is always useful, but the appointment of an enthusiast for the orthodox synagogue after the last election to the Foreign Office suggested clearly that the Middle East would be the centre of Foreign office policy in these sessions.

*Gareth Howell*

*June 2003*







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## Memorandum from Laura Quillia

I'm from the US and I feel grateful how Britain has backed us up. I also feel saddened by the thought that the parliament needs to investigate the war. Many great things have happened because of the war. Many that Britain should be proud of. To say it was wrong is wrong and to try to give the Minister a Black Eye would be stepping on your own feet. Let the world remember you as The Great Britain who will help others who needed. Hasn't the war shown that Iraq was and still is in need of great help? It was under a horrible man and followers. That the WMD may not be immediately visible, but, wasn't it when we all found many tortured people, mass graves, no participation for the inspectors, the lies, the starving people, the homeless children and wife's, the victims from the leaders chemical testing, the poor people next to a leaders castle, money transactions that fed other countries and leaders to help support terrorists, the leader who took the poor peoples money and lied to the world of it's doing, the children that were jailed because they would not join their military, and let's not forget the constant reluctant French and Russia (what are they truly hiding)? There is much more that have been found maybe in pieces, but, when put together it spells WMD. I see WMD in all that I've said. Many it's not a big bomb but to be destructive it does not have to be. America was hit by planes, it wasn't a big bomb, but, you might as well say it was. Let it go and don't make yourselves look bad. The world is watching, Britain is a leader. There is no doubt time will be on Britain and US side. The world will stand up and thank all. Maybe, not immediately, but, in time. I know I'm thankful.

*Laura Quillia*

*June 2003*

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## Memorandum from Peter Jones

### FCO CLAIMS REGARDING IRAQ'S WEAPONS OF MASS DESTRUCTION

#### LETTER FROM PETER JONES TO THE CHAIRMAN OF THE COMMITTEE

1. I listened with interest to the interview you gave this evening on Radio Four's *The World Tonight* programme, and am pleased to learn that the select committee you chair proposes to take up the question of the extent to which the Foreign and Commonwealth Office provided accurate and complete evidence to Parliament. I understand from the interview that the remit of your enquiry will include the content of the "Downing Street Dossier" issued in September 2002 and wondered whether you would find the enclosed letter a useful resource.
2. The enclosed open letter to the Prime Minister was circulated to MPs, media sources and others in the early stages of the recent war in Iraq. It compares the claims made in the dossier with the latest available analysis from UN Weapons Inspectors, and refers to a number of useful UN sources. The conclusions are that the most reliable evidence available indicates that Iraq had no substantial, deployable WMD programmes; almost all of the foul chemical and biological weapons that had been amassed were verifiably put beyond use, and some disposal sites remained too dangerous to investigate. This accounting was achieved despite the fact that bombing on numerous occasions damaged Iraqi facilities where relevant documents and personnel were located. In the peaceful US, by contrast, Undersecretary of Defense Dov Zakheim reported in 2002 that his Department still could not properly account for at least \$1.1 trillion from the fiscal year 2000, and that the assistant inspector general of the Department wouldn't even touch the unsupported money expenditures for fiscal 2001 because "material amounts" still couldn't be accounted for properly in the year.
3. You may also wish to note the Prime Minister's letter dated 22 May 2003 to Lynne Jones MP regarding the fabricated evidence supplied to UN Inspectors that suggested Iraq had attempted to procure uranium from Niger. Mr Blair referred to a 31 March written answer from Mike O'Brien stating, "the documents referred to by Dr El Baradei were not supplied by the UK". This is followed by unsupported repetition of the assertions that Iraq sought to obtain uranium, and that there were links between the Saddam Hussein regime and Al Qaida.
4. No doubt the Government will argue or imply in response that there was additional intelligence that supported the view that Iraq was a threat to us, and in breach of its obligations under various UN resolutions (most recently UNSCR 1441), and that this could not be disclosed in the dossier. Although this is no justification for using demonstrably false information in the dossier, it should be remembered that 1441 also placed obligations on all nations to pass relevant information to the UNMOVIC inspectors. The inspectors followed up many leads provided by intelligence sources and were reported to be frustrated by the fact that these always resulted in wild goose chases. If the Government possessed information of sufficient reliability and importance to justify an otherwise illegal attack on a foreign power, surely this should have been passed to UNMOVIC; and surely it should have led UNMOVIC to evidence of a functioning weapons programme.
5. This longstanding requirement makes the UN weapons inspection documents the key source against which to measure the accuracy and completeness of FCO information. If the dossier is anything to go by then against this standard FCO information fares very poorly.

*Peter Jones*

3 June 2003

**Annex**

## LETTER FROM PETER JONES TO THE PRIME MINISTER

*What is the Justification for War in Iraq?*

With the commencement of war in Iraq, there is a building consensus amongst politicians and the media that the debate is now over, the votes have been cast, and it is time to get behind British and American troops deployed in the Gulf. However, there are still many people who are interested in understanding the reasons why force has now been employed with the inevitable suffering that this means for the people of Iraq. I therefore write to seek an explanation from you about the reasoning behind and justification for the attack on Iraq. However, I should like to present my own summary of the position in the form of an open letter, and would be grateful if you could take into account the following remarks in considering your response. I am also circulating it to friends and media sources to seek their views.

For many months now we have heard a case put forward for war with Iraq. Saddam Hussein's regime is said to possess dangerous weaponry, which might be passed on to a terrorist group, and used by terrorists upon the civilian population of the UK or our allies. It is widely recognised that fundamentalist al-Qaida is not a natural ally of the fiercely secular Ba'athists, and that Iraq no more "harbours" al-Qaida than do Germany, the US and UK, but I will leave this issue to one side. The mere possibility of a connection is taken to constitute a "direct" threat to us, and one that must be brought to an end, either through the Iraqi leadership demonstrating that it has no proscribed weapons, or by militarily enforced disarmament.

The intelligence evidence that Iraq has weapons of mass destruction was summarised in September 2002 in the dossier "Iraq's Weapons Of Mass Destruction—The Assessment Of The British Government". The document sets out the case for your Government's belief that Iraq has chemical, biological or nuclear weapons of mass destruction, and missile systems to deliver them, a message that has before and since been constantly repeated. Iraq's response has been to repeat its claim that all proscribed weapons were destroyed after the Gulf War and to deny that it has attempted to create weapons of mass destruction since that time. To gain an understanding of which of these views is more likely to be true, it is helpful to compare the claims of the dossier with the recent findings from the UNMOVIC weapons inspectors, in particular the reports to the UN Security Council on 7 March 2003, and the UNMOVIC Draft Work Plan of 17 March 2003. Each of the areas of concern can be addressed independently, and from this analysis, an assessment of the risk Iraq poses can be reached.

*Missile systems:* President Bush has already dismissed the issue of missiles as "irrelevant" to the decision to go to war with Iraq, and they appear not to be the weapons you fear will fall into the hands of terrorists, so I will not spend many words on them. The controversial demand that Iraq destroy al-Samoud II missiles which, by the calculations of weapons inspectors may be capable of exceeding the 150km limit by a small distance (provided their guidance systems are not fitted) has already resulted in a number of these missiles being put out of action. Dr. Blix as concluded that at most 16 scud missiles are unaccounted for out of 819 (UNMOVIC Draft Work Plan, 17 March 2003, p 26). The positioning of our troop in well-publicised sites near Iraq's borders indicates that there were few fears about long-range missile attacks. Monitoring and inspection of missiles would surely be an adequate means of policing this "irrelevant" issue.

*Nuclear weapons One—fissile material:* The argument that there is a nuclear threat from Iraq appears in paragraphs 20-23 of the Dossier. It is stated that, whilst Iraq's nuclear programme was dismantled after the first Gulf War, "Iraq retains expertise and design data relating to nuclear weapons." However, Iraq lacks the materials to produce fissile material itself, and is prevented from obtaining it by the sanctions regime. The dossier points to evidence that Iraq is trying to obtain the materials it would need to restart a nuclear weapons programme, which would no doubt provide ample evidence of hostile intent. The section concludes that: "If (sanctions) were removed or prove ineffective, it would take Iraq at least five years to produce sufficient fissile material for a weapon indigenously." The dossier's authors then judge that if Iraq obtained fissile material and other essential

components from foreign sources the timeline for production of a nuclear weapon would be shortened and Iraq could produce a nuclear weapon in between one and two years."

Much of the urgency of the threat therefore depends on whether Iraq is indeed attempting to obtain the materials it would need to make a nuclear weapon. The dossier states that: "there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa", a disturbing claim. It is disturbing principally because this "intelligence" source was providing faked information. Director of the International Atomic Energy Agency (IAEA), Dr ElBaradei, made the following rarely mentioned observation in his report to the UN Security Council on 7 March 2003:

"With regard to *Uranium Acquisition*, the IAEA has made progress in its investigation into reports that Iraq sought to buy uranium from Niger in recent years. The investigation was centred on documents provided by a number of States that pointed to an agreement between Niger and Iraq for the sale of uranium between 1999-2001.

The IAEA has discussed these reports with the Governments of Iraq and Niger, both of which have denied that any such activity took place. For its part, Iraq has provided the IAEA with a comprehensive explanation of its relations with Niger, and has described a visit by an Iraqi official to a number of African countries, including Niger, in February 1999, which Iraq thought might have given rise to the reports. The IAEA was also able to review correspondence coming from various bodies of the Government of Niger, and to compare the form, format, contents and signatures of that correspondence with those of the alleged procurement-related documentation.

Based on thorough analysis, the IAEA has concluded, with the concurrence of outside experts, that these documents—which formed the basis for the reports of recent uranium transactions between Iraq and Niger are in fact not authentic. We have therefore concluded that these specific allegations are unfounded."

The seriousness of this deception is considerable, and it is therefore crucial that there is an investigation of how this evidence came to be put into circulation. Please could you advise me whether the UK was one of the states that provided fabricated information to the UN inspectors; and if so, what steps have been taken to discover who fabricated it, and what disciplinary proceedings are being taken against staff who through negligence or deception may have helped (mis)lead this country into war?

Your Government's dossier notes that, "Iraq's known holdings of processed uranium are under IAEA supervision." In fact the UN Security Council disarmament panel chairman, Ambassador Amorim, reported (S/1999/356) to the Security Council on 27 March 1999 that:

"In February 1994, the IAEA completed the removal from Iraq of all weapon-usable nuclear material essentially research reactor fuel. On the basis of its findings, the Agency is able to state that there is no indication that Iraq possesses nuclear weapons or any meaningful amounts of weapon-usable nuclear material or that Iraq has retained any practical capability (facilities or hardware) for the production of such material."

The security situation in the Middle East would be greatly improved if this kind of IAEA supervision were extended to other nuclear powers there, such as Israel, whose nuclear programme is an open secret. Yet because uncritical US support has helped make Israel a "special case", above international law, their highly developed nuclear programme is allowed to continue without any form of inspection.

*Nuclear weapons Two—other materials:* The IAEA and UNMOVIC inspectors have also made interesting discoveries regarding other evidence that has been cited against Iraq. This evidence principally concerns "dual use" technologies such as high tolerance aluminium tubes and permanent magnets that might be of use in building a centrifuge to enrich uranium for use in a nuclear warhead. Of course, given that Iraq was not in fact seeking to obtain fissile materials, there is less reason to believe that the "dual use" technologies were ever destined for a nuclear programme, but the inspectors were able to set minds at rest still further.

*Aluminium tubes:* In his most recent report to the Security Council, Dr ElBaradei sets out the position regarding Iraq's attempts to procure large quantities of high-strength

aluminium tubes very clearly:

"As previously reported, Iraq has maintained that these aluminium tubes were sought for rocket production. Extensive field investigation and document analysis have failed to uncover any evidence that Iraq intended to use these 81mm tubes for any project other than the reverse engineering of rockets. The Iraqi decision-making process with regard to the design of these rockets was well documented. Iraq has provided copies of design documents, procurement records, minutes of committee meetings and supporting data and samples. A thorough analysis of this information, together with information gathered from interviews with Iraqi personnel, has allowed the IAEA to develop a coherent picture of attempted purchases and intended usage of the 81mm aluminium tubes, as well as the rationale behind the changes in the tolerances."

He adds that:

"Based on available evidence, the IAEA team has concluded that Iraq's efforts to import these aluminium tubes were not likely to have been related to the manufacture of centrifuges and, moreover, that it was highly unlikely that Iraq could have achieved the considerable re-design needed to use them in a revived centrifuge programme. However, this issue will continue to be scrutinized and investigated."

So Iraq had permitted uses for the tubes they tried, unsuccessfully, to import, and would not have been able to adapt them for use in a centrifuge programme. Again, there is no evidence that justifies military action.

*Magnets:* Iraq has attempted to import, and gain the capability to produce, high strength permanent magnets, which could be of use in a centrifugal uranium enrichment programme. We have seen already, though, that there is no evidence Iraq possesses or has tried to obtain either the uranium or high-strength tubes that such a programme would require. But did Iraq have a legitimate use for magnets? Dr ElBaradei thinks so:

"(S)ince 1998, Iraq has purchased high-strength magnets for various uses. Iraq has declared inventories of magnets of 12 different designs. The IAEA has verified that previously acquired magnets have been used for missile guidance systems, industrial machinery, electricity meters and field telephones. Through visits to research and production sites, reviews of engineering drawings and analyses of sample magnets, IAEA experts familiar with the use of such magnets in centrifuge enrichment have verified that none of the magnets that Iraq has declared could be used directly for a centrifuge magnetic bearing."

Given these other uses, and the difficulty of importing materials under the sanctions regime, Iraq would have a good reason to want to develop a domestic capacity to produce enrichment centrifuge magnets. The IAEA centrifuge experts concluded that "replacement of foreign procurement with domestic magnet production seems reasonable from an economic point of view." In any case, although Iraq signed a contract for a magnet production plant to be installed in 2003, "The delivery has not yet occurred, and Iraqi documentation and interviews of Iraqi personnel indicate that this contract will not be executed."

Since there is no evidence of even a far-distant nuclear threat from Iraq, or that Iraq has taken steps to reinstate any kind of nuclear weapons programme, one of the most compelling reasons for war must be dismissed.

*Residue of chemical and biological weapons:* The dossier also asserts that there is a residue of chemical and biological weapons in Iraq's possession from stocks held before the Gulf War. The missiles and other systems Iraq's possession would be capable of delivering such weapons (up to 150km). In the dossier, the Joint Intelligence Committee concluded that, "These chemical and biological capabilities represented the most immediate threat from Iraqi weapons of mass destruction."

The Iraqis are thought to have continued chemical and biological weapons research and development since the Gulf War, and the dossier emphasises that, "Saddam continues to attach great importance to the possession of weapons of mass destruction and ballistic missiles which he regards as being the basis for Iraq's regional power. He is determined to retain these capabilities". Therefore, the Iraqi claim that all remaining stocks of weapons and precursor agents were unilaterally destroyed after the Gulf War are rejected:

"No convincing proof of any kind has been produced to support this claim. In particular, Iraq could not explain large discrepancies between the amount of growth media (nutrients required for the specialised growth of (biological) agent) it procured before 1991 and the amounts of agent it admits to having manufactured."

The Amorim report was rather more positive in its assessment of the position in 1999:

"UNSCOM and IAEA have been effective in uncovering and destroying many elements of Iraq's proscribed weapons programmes in accordance with the mandate provided by the Security Council . . . UNSCOM has achieved considerable progress in establishing material balances of Iraq's proscribed weapons. Although important elements still have to be resolved, the bulk of Iraq's proscribed weapons programmes has been eliminated."

The figures usually used to substantiate that Iraq has chemical and biological weapons are derived from the 1999 Amorim report, mentioned above. However, on the day that weapons inspectors were again pulled out of Iraq to allow bombing to begin, Dr Blix provided the Security Council with a fresh assessment of its stocks. In both documents, the method by which the figures are arrived at is simple: first, the inspectors look at the consignments of noxious chemicals we, the US and others exported to Iraq for use against Iran, and Iraq's estimates of the quantity of weapons it was able to produce with them; then the volume that Iraq has accounted for to the inspectors' satisfaction is subtracted; and the result is Saddam's arsenal—or in the Amorim's more sober terms, "discrepancies" that require investigation.

Of course, it is recognised by the inspectors that, since many of the numbers used in the calculations are estimates, there must always be an element of uncertainty about the fate of the last remnants of the Iraqi arsenal. However, the weapons inspectors have attempted to quantify the residual weapons issues:

1. "550 artillery shells filled with mustard declared to have been lost shortly after the Gulf War . . ." (Paragraph 21, Amorim report) this out of "70,000 projectiles filled with chemical agents, principally Mustard" (UNMOVIC Draft Work Plan 17 March 2003, p 45) that Iraq has declared and verifiably explained. Iraq says that the appearance of a remainder is due to the figures given in the "Currently Accurate, Full And Complete Declaration" (CAFCD) being approximations. New accounting given was to be reviewed by UNMOVIC as part of its new work plan.

2. "Five hundred R-400 bombs," (Paragraph 21, Amorim report). The R-400 bombs are capable of being adapted with greater or lesser efficiency to deliver a range of biological or chemical agents. In the Draft Work Plan, the number of remaining R-400 bombs not accounted for is given as "300 to 350", but it notes that the circumstances of the destruction of some weapons makes estimates difficult. Some R-400 bombs are said to have been destroyed by coalition bombing, along with the inventory of these weapons. Others were "either unilaterally destroyed in 1991 by burning and explosion or destroyed under UNSCOM supervision" but the numbers were hard to establish due to "hazardous conditions created by the method of destruction." The Al Azziziyah firing range was declared as the destruction area for all of the filled biological R-400 bombs and was excavated under the supervision of UNSCOM in 1997. However, inspectors deemed the risk from unexploded weapons to be too great to permit a full inspection of the site. Under pressure, Iraq has undertaken further re-excavation. As of 3 March 2003, "Iraq had recovered eight complete bombs, 94 base plates and over 250 bomb fragments from a number of excavation sites at the range." Surely the right way to proceed under these circumstances would have been to continue efforts to establish how many of the outstanding balance of R-400 bombs could be accounted for at Al Azziziyah?

3. Iraq acquired around 30,000 aerial bombs that could be filled with chemical agents between 1983-90. The number of these used up during the Iran-Iraq war is large, but disputed; an Iraqi Air Ministry report on which the Inspectors place reliance is said by Iraq not to have included data on "consumption of CW filled munitions positioned at three airbases. . . (which) had been occupied in 1991 and the records destroyed." During its time in Iraq, UNSCOM supervised the destruction of "more than 2,000 filled and some 10,000 empty bombs" but "was not able to fully verify Iraq's declared unilateral destruction of some 2,000 empty bombs and some 450 mustard bombs destroyed as declared by Iraq in a fire accident." There is probably insufficient evidence ever finally to establish the fate of



the few remaining filled and usable weapons, but the work plan concludes that "Iraq's inventory of aerial chemical and biological bombs was presumably eliminated," whilst advising that the low technological requirements to produce such weapons mean "its ability to reconstitute that inventory remains largely intact." Neither the inevitable uncertainty over what was destroyed in war damage and accident, nor a suspicion that Iraq has the minimal capabilities needed to manufacture proscribed weapons, would single it out as a unique threat to us.

4. All bulk Sarin stocks have been accounted for, and Dr Blix's work plan notes regarding the few "unaccounted for weaponized Sarin-type agents, it is unlikely that they would still be viable today." (p 64) Iraq does not appear to have the stocks of the essential Sarin precursor chemical, MLPC, and so lacks the capacity to produce more. There does not appear to be a threat of Sam attack from Iraq.

5. UNMOVIC has received intelligence reports regarding Iraqi attempts to build long-range Remote Piloted Vehicles (RPVs)/Unmanned Aerial Vehicles (UAVs) which could deliver a chemical or biological payload. Inspectors are aware of several permitted RPV projects in Iraq, and believe that Iraq might have the expertise to develop a chemical weapons delivery system, but the Draft Work Plan refers to no evidence that supports the view that Iraq has continued to develop RPVs or UAVs that would breach their obligations under UN Resolutions. Inspectors recommend further inspection as the way to resolve the question.

6. Iraq had a programme to produce the nerve agent VX, which it did not make disclosures about following the Gulf War. It is now admitted that 3.9 tonnes were produced; however, the kind of VX Iraq was capable of producing is unstable, and Iraq claims that its stocks were destroyed when they degraded. Disposal sites have been visited, and subsequent analysis of samples has confirmed that VX and its precursors were disposed of, but even the most sophisticated available techniques do not allow precise estimates of the amounts destroyed. There is nothing in the UN Draft Work Plan that suggests Iraq still has any VX, but concerns are raised that it still has the precursor chemicals needed to make more. That said, it also reports that:

"Iraq has declared that significant quantities of precursors for VX production were destroyed through aerial bombardment during the Gulf War (thionyl chloride, phosphorus pentasulphide, diisopropyl amine and chloroethanol), lost due to improper storage (phosphorus trichloride) or destroyed by Iraq in the absence of IJNSCOM inspectors "*(Iraqi choline)*"."

If even one of these claims is correct, then Iraq cannot produce VX, since there is no indigenous capacity to produce any of the precursors listed. The weapons inspectors also note that there is no indication that there are any facilities in Iraq capable of producing VX, which indicates that there is no direct threat of VX attack from Iraq.

7. Iraq's main chemical weapon was mustard gas. The weapons inspectors' reports accept that, apart from the contested 72 tonnes in the 1,000 or so mustard gas bombs already discussed, all stocks of mustard gas were verified as destroyed under UNSCOM supervision (Work Plan, p 60). However, some precursor chemicals are unaccounted for, and Iraq would be capable of manufacturing more of these itself—if it had any facilities suitable for doing so. UNMOVIC state that, "significant modifications would be required to convert existing chemical production facilities for this purpose." So, reassuringly, there is no threat of Iraq supplying terrorists with large amounts of mustard gas.

8. The Draft Work Plan expresses concerns that Iraq may still have in its possession up to 10,000 litres of anthrax in liquid suspension that is thought to have been deployed during the Gulf War. Iraq contends that the anthrax in question was destroyed at its Al Hakam facility in 1991, and has suggested methods that could be used to verify the amounts disposed of, but it was feared that "even if the use of advanced technology could quantify the amount of anthrax said to be dumped at the site, the results would still be open to interpretation." (Dr Blix's report to UNSC, 7 March 2003) However, before rushing to bomb Iraq, it might have been wise to establish whether there was evidence of disposal having taken place there, and to make an estimate of whether this was on a scale that could account for the missing quantity.

9. Iraq has declared that it produced 19,000 litres of a highly toxic kind of botulinum toxin, and that the unused supply of 7,565 litres was destroyed together with the filled

munitions in July 1991. The weapons inspectors have been unable to verify either the production or destruction of botulinum toxin by Iraq, due to the destruction of documents relating to the project. However, they reassuringly point out that "Any botulinum toxin that was produced and stored according to the methods described by Iraq and in the time period declared is unlikely to retain much, if any, of its potency. Therefore, any such stockpiles of botulinum toxin, whether in bulk storage or in weapons that remained in 1991, would not be active today." (Draft Work Plan, p 73)

10. UNMOVIC has looked closely at whether Iraq's declarations have covered all of their biological weapons projects. UNSCOM did not find any substantial evidence that agents other than those disclosed by Iraq had been part of the BW programme, although there were indications that it had been interested in how they might be produced. UNMOVIC assesses that "probably little would have been achieved in Iraq's BW viral research programme prior to the Gulf War." However, the Draft Work Plan requires Iraq to provide more information about the disposal of a vial of Brucella seed stock and an undefined quantity of the growth medium tryptone soya broth (TSB). But there is no clear evidence that these have been retained, or that they were ever used to create a weapon.

So that is Saddam's arsenal of weapons of mass destruction as identified by the weapons inspectors. To recap, it amounts at most to around 1,000 mustard gas shells and bombs; a suspicion surrounding some part of a stock of 10,000 litres of anthrax; an unquantified amount of the 3.9 tonnes of VX Iraq produced; and possibly some other materials that could be used, or adapted for use, in a weapons programme.

Clearly, considerable progress has been made on the verification of Iraq's claim that it destroyed its weapons in 1991, so much so that Inspectors' reports began to speak of "a possible 'point of impasse' in the further investigation of these issues", due to diminishing returns on inspection activity—100% verification has long been recognized as an impossibility by all involved in the process, as is made explicit in the Amorim report. This is quite an achievement in a country much of whose military administrative infrastructure was comprehensively destroyed by US/UK troops in the last Gulf War. It would be interesting to know how effectively the UK or US could account for all chemical and biological weapons obtained since the mid-1980s.

*Iraq's capacity to produce chemical and biological weapons:* The threat from Iraq is sometimes put in terms of the potential Iraq has to produce and proliferate dangerous weaponry. But if there is scant evidence that Iraq still retains chemical and biological weapons from its 1980s stockpile, there is less to support the idea that Iraq is actively trying to produce further stocks, despite the fact that:

"BW agents can be produced using low technology and simple equipment, generally dual-use, (and) Iraq possesses the capability and knowledge base through which biological warfare agents could be produced quickly and in volume." (Amorim report, paragraph 21)

Iraq possesses much machinery that would need only a little adaptation for use in a biological weapons programme, and has scientists with the necessary expertise; but surely this potential capability in no way amounts to the clear and present threat that might justify war. No production facilities for anthrax or botulinum toxin of any kind have been found.

Nor is there credible evidence that Iraq has been attempting to hide facilities from the inspectors. Dr Blix reported that searches at for underground facilities at "several specific locations" using "ground penetrating radar equipment" have revealed nothing. Inspectors have also investigated the claims that Iraq has developed mobile weapons laboratories.

"Several inspections have taken place at declared and undeclared sites in relation to mobile production facilities. Food testing mobile laboratories and mobile workshops have been seen, as well as large containers with seed processing equipment. No evidence of proscribed activities has so far been found. Iraq is expected to assist in the development of credible ways to conduct random checks of ground transportation." (Dr Blix's report to UNSC, 7 March 2003).

Dr Blix has also denied that the Iraqi regime has tried to clean up sites in advance of inspectors' visits. So, there is also nothing to suggest that Iraq has been trying to hide a continuing capacity to make chemical or biological weapons.

On the basis of easily available information, then, it seems clear that hardly any of the

claims about Iraq's weapons of mass destruction made in the Dossier stand up to scrutiny. The people best placed to assess Iraq's compliance with the inspection process, the UN weapons inspectors, have emphasised that the vast majority of Iraq's 1980s arsenal of weapons has been satisfactorily accounted for, and progress was still being made in many areas. Dr Blix's Draft Work Plan Sets out clearly the steps that Iraq could take to bring about the completion of the inspection process—provided the impossible aim of 100% verification based on estimates and calculations was set aside. A cynic might suggest that it was in order to make sure that Dr Blix's plan could never be seriously debated that the UK and US have decided on this moment to launch the long heralded war on Iraq, without the backing of the UN Security Council.

I do not imagine that what was released in the dossier represents the full scope of the intelligence information in your possession. However, I would hope that neither you nor President Bush is in material breach of your own obligations under UNSCR 1441 (2002), namely to:

"... give full support to UNMOVIC and the IABA in the discharge of their mandates, including by providing any information related to prohibited programmes or other aspects of their mandates, including on Iraqi attempts since 1998 to acquire prohibited items, and by recommending sites to be inspected, persons to be interviewed, conditions of such interviews, and data to be collected . . ."

Yet even with access to all the information you are able to provide, weapons inspectors told CBS News on February 21, 2003 that:

"the US claim that Iraq is developing missiles that could hit its neighbours—or US troops in the region, or even Israel—is just one of the claims coming from Washington that inspectors here are finding increasingly unbelievable. The inspectors have become so frustrated trying to chase down unspecific or ambiguous US leads that they've begun to express that anger privately in no uncertain terms."

<http://www.cbsnews.com/>

The inspectors described the intelligence information as "circumstantial, outdated or just plain wrong." If you have better information, why was this not given to the weapons inspectors? But if the intelligence the inspectors complain of is that which you have used as the basis of your appraisal of the danger posed by Iraq, the experience of the weapons inspectors who have found it to be groundless surely must make you reduce your trust in it: it certainly does not seem strong enough to justify a massive attack on a shattered country.

Saddam Hussein is undoubtedly a tyrant, a bully and a murderer; but in this he is scarcely unique amongst world leaders. He has distinguished himself from other dictators through the use of mustard gas and nerve agents on Iraqi Kurds at Halabja in northern Iraq, killing up to 5,000 people according to Human Rights Watch. But whilst his methods may have been different and appalling, his programme of ethnic cleansing differs little in its aims and ruthlessness from that carried out by our NATO ally Turkey against its own Kurdish population. For example, another Human Rights Watch estimate concerns the work of a Government backed right-wing organization called "Hizbullah", which alone killed more than a thousand suspected sympathizers of the Kurdish Workers' Party (PKK) in street shootings from 1992-95. ([www.hrw.org/press](http://www.hrw.org/press) This record suggests that the US/UK attacks are hardly going to improve the plight of the Iraqi Kurds if, as seems increasingly likely, Turkey invades Northern Iraq.

Saddam is repeatedly accused of making Iraq suffer under sanctions by diverting resources for his own use and stockpiling food and medical supplies; perhaps the US and UK attacks are to ensure that the population no longer has to suffer for his greed and insatiable desire for weapons? This view is not supported in the reports of the UN Office of the Iraq Programme on Oil-for-Food, which have never mentioned diversion of funds as a problem. Outgoing staff from the programme have been more outspoken in their dismissal of the accusation<sup>[2]</sup>. In fact, the UN has consistently identified that there are in fact three main reasons for poor nutrition and high infant mortality in Iraq under Oil-for-Food:

1. The programme has a massive budget shortfall because of lower than expected oil revenues. UN staff recognise that the oil-for-food programme is no substitute for normal

economic activity, and could at best keep the Iraqi people from starvation. It did not provide resources for major repairs to the electricity and water infrastructure. Many of the excess deaths in Iraq under sanctions have been due to the lack of clean water. The Office of the Iraq Programme Oil-for-Food Weekly Update issued on 18 March 2003 reported that 2,642 UN-approved humanitarian supply contracts, worth some \$5.4 billion, currently lack funds.

(<http://www.un.org/Depts/>)

2. Large numbers of orders have been put on hold awaiting approval; the latest update gives the number as "1,035 worth \$3.1 billion (26.9% of value)". Items are put on hold if they feature on the UN Goods Review List of possible dual-use technologies, and suppliers are required to give additional technical information to UNMOVIC and IAEA so that they can decide whether the imports are permissible. Many of the items on hold are required so that other items that have been bought under the scheme can be used. The otherwise useless purchases have to be warehoused, giving rise to rumours of stockpiling.

3. In his 19 November 2002 statement to the Security Council, Benon V. Sevan, Executive Director of the UN Iraq Programme, repeated another reason why Iraqis are suffering under the oil for food programme:

"At the risk of sounding like a broken record, I feel duty bound to reiterate yet again that it is essential to provide commercial protection for the Iraqi buyers. . . As detailed in the previous Note by the Office of the Iraq Programme, dated 19 September 2002, pharmaceuticals and medical supplies are delivered with short shelf life; high protein biscuits and therapeutic milk that fail quality control; items with essential components missing or defective; equipment delivered but not assembled; vehicles, machines and spare parts delivered in a damaged condition or with wrong technical specification; foodstuffs that, while being safe for human consumption, are of an inferior quality to that contracted. These are all largely due to the lack of commercial protection . . .

I should like to reiterate the repeated calls by the Secretary-General for allowing the inclusion of standard commercial protection provisions in the contracts signed by the Government of Iraq."

It appears that the Iraqi people are suffering because they are being sold substandard goods, often without key components, under a system that simply is not resourced to allow them a decent standard of living. There is a much more effective way of relieving their suffering than by dropping bombs on them—a comprehensive review of the impact of the sanctions regime, and its phased removal as Iraq verifiably complies with the elements of the UNMOVIC Draft Work Plan.

The US and UK say they are frustrated by the 12 years of "non-compliance". In order for the UN to retain credibility, the issue of Iraq's weapons must be resolved. But for Iraq it has been 12 years of isolation and sanctions, policed by an inspection team infiltrated by foreign intelligence agents, and with no clear indication of when or how these conditions could be lifted. With the return of inspectors, their findings if anything support the claims of the Iraqi regime rather than those of US/UK, which are being used as the justifications for unleashing our own terrible arsenal upon their country. Isn't the authority of the UN undermined much more severely by the apparent disregard of rich, powerful nations for the will of the Security Council and the word of the UN Charter?

Unanimous support for UNSCR 1441 was possible only because it did not automatically allow an attack on Iraq. To treat Iraq's recent actions, which Dr Blix has described as "proactive" but not "immediate" compliance with resolution 1441, as a material breach is a dubious decision; and to claim that this authorises the use of force by reviving UNSCR 678, which authorised the Gulf War, seems simply mendacious. Under the circumstances, France's determination not to allow a Security Council resolution that authorised the immediate use of force against Iraq, seems much more reasonable than President Bush's opposition to any resolution that did not—or the decision to go to war on flimsy evidence and without a further UNSCR vote.

Many people fear the consequences of our espousal of a doctrine of pre-emptive attack on potential enemies, based on partially disclosed intelligence information, and without the explicit support of the UN Security Council. If we are to consider ourselves justified in this war on Iraq, how much more justified would Pakistan and India be in "pre-empting" one

another? Indeed, would your doctrine not have justified Iraq in seeking the means to launch attack on US and UK military assets or civilians? Pre-emption cuts both ways, at least for those who give the same value to Iraqi lives as to all other people.

Your Government's impending action is strongly opposed by many members of your own party, parliamentary and otherwise, by a wide range of governments around the world, and by a broad cross-section of the populations of this and many other countries, including the US. So strongly is it opposed that we have seen demonstrations of popular dissent on an unprecedented scale in many countries—all this for a war that had not then commenced. It is worth recalling that the US action in Vietnam, which involved such widespread death and destruction in Vietnam, Cambodia and Laos, and made such terrible demands of the American people, was opposed on anything like this scale until it had been raging for five years.

In some ways, the fact that there is such a strong reaction against this war is a result of the rise of the discourse of human rights and humanitarianism that was the constant accompaniment of the military expeditions you undertook alongside President Clinton. The emphasis you and he placed on the framework of international law, and the protection of the basic rights of people in other countries rang a chord with many people; but they also came to see the importance of rich, powerful states observing those same laws and standards of conduct in their treatment of poorer, weaker nations, even those with valuable commodities that we might wish to control. People have watched for months as this "war in search of a justification" has crept closer, and recognised that an attack on Iraq was part of the Bush administration's plan long before terrorism struck the US. They refuse to stand by whilst the international laws we have been encouraged to believe in are flouted by our own governments.

Now that forces are committed and war is at hand, debate over the war is already being replaced by politicians' and journalists' displays of "getting behind our troops". Many, though, remain concerned that by involving UK troops in this criminal, reprehensible and extraordinarily dangerous war, you leave them and yourself open to war crimes charges in the future<sup>[3]</sup>, and think that the best way to "get behind our troops" is to make the truly tough decision and call off the attack on Iraq.

In the light above, I reiterate that I should like to know the justification for our currently military involvement in Iraq.

*Peter R L Jones*

*22 March 2003*

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2 Michael Stone, head of inspections via the UN's Multidisciplinary Observation Unit until 1998, wrote in the Independent that "Ministers and senior members of the Opposition frequently state that the Iraqi leadership have diverted supplies under this programme. This is a serious error. Some 150 international observers, travelling throughout Iraq, reported to the United Nations Multidisciplinary Observer Unit, of which I was the head. At no time was any diversion recorded. I made this clear in our reports to the UN Secretary General, and he reported in writing to the Security Council accordingly". Denis Halliday, who resigned as head of the United Nations humanitarian program in 1998, went further, saying that "Oil for food" was designed to fail", and describing the sanctions regime as "genocidal". (www.salon.com/people) [Back](#)

3 Opinion of Phil Shiner of Public Interest Lawyers: "The definition of war crimes is very broad and will catch indiscriminate methods of attack or weapon systems. The UK Government must ensure that all force used is targeted, discriminate, proportionate and necessary, otherwise its leaders face a similar fate to that of Milosovic." It appears that none of this violence is necessary. [Back](#)





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## Memorandum from the Public Affairs Unit, Church of England

1. The terms of reference of the Church of England's Public Affairs Unit (PAU) require it "to co-ordinate the thought and action of the Church in matters affecting the life of all in society". The PAU reports to the Archbishops' Council and, through it, to the General Synod.

2. The PAU warmly welcomes the decision by the Foreign Affairs Committee to hold an inquiry into "The Decision to go to War in Iraq". The PAU recognises that the focus of the inquiry is to consider whether the Foreign and Commonwealth Office, and the Government as whole, presented accurate and complete information to Parliament in the period leading up to military action in Iraq, particularly in relation to Iraq's weapons of mass destruction. The decision to launch this inquiry reflects the considerable Parliamentary and public unease as to the validity of claims made by the Government in its dossier to Parliament in September 2003.

3. The following submission does not evaluate whether Parliament was presented with accurate and complete information. Instead, it suggests that the current controversy surrounding the legitimacy of the war, fuelled by the present lack of post-war evidence for the existence of WMDs in Iraq, highlight the moral and political dilemmas intrinsic to the concept of pre-emptive military action. If governments intend to use pre-emptive defence as justification for military action then further thought needs to be given to developing clear and transparent rules underpinning its use. In the absence of a clear and imminent threat to international peace and security, pre-emptive military action inevitably raises particular ethical questions as to just cause, last resort and right intent.

4. From an ethical perspective the justice of a pre-emptive attack requires demonstrable and compelling evidence of the hostile intent and capability of a perceived aggressor. Moreover just war theory requires that other less belligerent means of averting the threat must have been considered and found wanting for good cause. Pre-emptive action can itself be destabilising to and a breach of international peace. As a result it is crucial that states considering pre-emptive action have more than probable cause to believe they must attack. Otherwise, questions will always be asked as to whether a pre-emptive attack was itself nothing more than an act of aggression.

5. It is noted that similar public and Parliamentary anxiety existed as to the legitimacy of armed humanitarian intervention in Kosovo. The Prime Minister sought to allay these fears by setting out his "Doctrine of the International Community", in a speech to the Economic Club of Chicago on 22 April 1999. Regardless of whether it was morally or politically right or wrong to intervene in Kosovo, the existence of such criteria provided a framework through which judgements could be made as to the legitimacy of that and future interventions.

6. The similar articulation of criteria regarding pre-emptive military action would have been welcome with reference to Iraq. The absence of such criteria contributed to the public's sense of unease about the motives and justification for the action taken against Iraq. The current inability to locate Iraq's WMDs merely heightens this disquiet.

7. No matter what conclusions the various inquiries make as to validity of the evidence presented to Parliament, and regardless of any future discovery of WMDs in Iraq, clearer guidelines need to be established concerning the use of pre-emptive military action. Such guidelines are important both for the credibility and authority of government and for public trust and confidence. It is to be hoped that the Committee will give this issue further consideration in the future.

*Rt Revd Tom Butler*

The Bishop of Southwark

Chairman of the Public Affairs Unit

*June 2003*

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Prepared 7 July 2003





## Memorandum from Richard Heller

### LETTER TO THE CHAIRMAN FROM RICHARD HELLER

I was glad to hear that the Select Committee is to hold an inquiry into the pre-war assessments of the threat from Saddam Hussein and their public presentation. I hope you will not mind a few suggestions for lines of questioning. I hope that they do not go wide of the Committee's terms of reference.

(1) When did the Prime Minister first commit Britain, in principle, to participate in an armed attack on Iraq? What discussion did he have with the Americans on the justification for such an attack?

(2) What conditions, if any, did he set for the actual engagement of our forces (eg did he say "with the support of a UN resolution" or "on internationally accepted proof that Saddam was in possession of weapons of mass destruction")?

(3) Arising from (2) did the Prime Minister hold out to the American administration any kind of promise, or express a high degree of confidence, that the UN would in fact authorize war to enforce the resolutions on WMD?

(4) Did the Prime Minister consider the possibility that the allies had already secured effective control over Saddam Hussein by the return of the UN weapons inspectors and the threat of war? Did he ever present the case for maintenance of this containment policy to the American administration (if necessary by presenting it as a great victory for American determination)?

(5) Was there any discussion by the allies of a making a humanitarian case for military action against Saddam Hussein, as an alternative to WMD? They took no action to enforce UN resolution 57/2332 on human rights in Iraq before the war and it was not mentioned in the Attorney General's legal defence of the war. The humanitarian case has been developed after the war: it is of course incompatible with the case based on weapons of mass destruction.

(6) Was the Attorney General invited to review the quality of the intelligence assessments before they were published as dossiers, given that they might be needed as evidence to justify war?

(7) What provision did the allies make for the capture, secure control and investigation of alleged sites of weapons of mass destruction in the planning of the war itself, and the presentation of any discoveries to the United Nations and international opinion?

There are two more fundamental questions to be answered about the war.

First, did the government ever consider a policy of "reasoned opposition" to the American plans for war in Iraq, and how to communicate it to the American people and Congress? Such opposition could have enjoyed widespread support in the United States given Tony Blair's high reputation as an ally after September 11 and the Afghan war. He might have said "We understand the administration's case but we still think it better that the allies continue to fight directly against Osama Bin Laden and other terrorist groups, and to complete the unfinished business in Afghanistan." Did he consider alternative uses for British forces, in support of American and Western objectives, in other theatres beside Iraq? (This is a particularly interesting question in view of Sir Michael Boyce's statement that after Iraq the British army is incapable of fighting another major war for two years).

Second, what benefit for Britain did the Prime Minister seek, and actually obtain, from our participation in the war? *The Americans would have fought the war without us.* All its

declared benefits—ending the threat from Saddam, liberating the Iraqi people—would have happened without us. What difference did Britain make to the outcome of the war?

*Richard Heller*

9 June 2003

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Prepared 7 July 2003



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## Memorandum submitted by Edward Hibbert

I write as a member of the public deeply concerned by the decision to initiate military action against Iraq at the time it was taken.

I am of the view that action might have been necessary at some point, but the only reason for it to occur when it did was the presence of an immediate and compelling threat. This was the stated justification. Without this, the lack of adequate humanitarian preparations for the possible consequences of action—for example, I believe DFID had an additional budget of £3.5 million for Iraq at that time—was deeply irresponsible.

Arguments that the worst predicted humanitarian disasters did not materialise are analogous to arguments that the money spent on house insurance is wasted because your house has not burnt down.

The key question, then, is whether there was such a threat. The failure to find any significant weapons of mass destruction creates a very strong presumption that there was not. The intelligence material at the Government's disposal is central to this issue—it appears to either have been significantly wrong, or to have been mis-represented. The controversy concerning the accuracy of material which was published (such as the attempts to obtain nuclear materials) suggest the former.

At the time, it was argued that intelligence could not be published in full for fear of reprisals against intelligence sources. With the change of regime in Iraq this argument no longer applies. I would strongly urge you to push for full publication of the intelligence on which the decision to go to war was taken.

On a separate point, again as a member of the public, I think your inquiry needs to interview the Prime Minister. I appreciate this may be difficult to achieve within your remit. But in the end, it was his decision, based on the information he had seen, and on his judgement. Without understanding those factors, your inquiry may be seen by many to be dealing only with the periphery of the matter.

None of the above is particularly novel. But it is important. I wish you the best of luck with your enquiry.

*Edward Hibbert*

*June 2003*

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## Memorandum from Mr A Qavi

I wish to draw to the committee's attention the report on the deliberations at the International Conference held at Ditchley Park over the weekend 12-14 April, 2002 which appeared in International Herald Tribune, London on 18 April last year. Appearing under the byline of William Pfaff and headlined "The NATO allies are drifting apart" it highlighted the division between the Americans and its European allies about war on terror.

The article made it clear that the war on Iraq, according to US participants, was being planned not because of any threat of WMDs from Saddam regime or regime change but as an example for the rest of the Middle East and in particular the Palestinians. I quote the relevant paragraphs:

"Those Americans at Ditchley who are close to the Bush administration insisted that the next step in the war against terrorism must be an attack on Iraq. They argue that the United States must unseat Saddam Hussein because only then will the other states of the Middle East (and troublesome states elsewhere) understand that Washington means to destroy its enemies wherever they are, and will do so whether the Europeans, or the "International Community," like it or not.

Victory over Saddam, Bush's supporters say, will unlock everything. Other Arabs will see that nothing can be gained from supporting terrorism. They will turn against Al Qaeda, and will tell the Palestinians to put away the bombs, arrest the bombers and take whatever settlement Israel offers.

Further on, the report says "Allies who can't believe their story, and oppose an attack on Iraq, were *twice* reminded by Americans at the conference that the United States does not need allies. It was suggested that if NATO fails to support the United States on Iraq, *it might find itself out of business.*" (My emphasis.)

Mr M A Qavi

June 2003

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## Memorandum from Philip Miller

It is sensible to debate the motion of war in Iraq even in retrospect. The desire or the requirement for going to war must always not be taken lightly.

If intent and funds are provided with adequate learning any man or woman is capable of producing Weapons of Mass Destruction from factories, airfields and medical facilities besides research departments of Universities and electricity generating stations.

These are under the United Nations remit to investigate the use of dual-use factory, manufacturing and medical facilities where the ability to produce weapons is also known alongside that of commercial use. Even recent surveys in the United Kingdom have shown that it is reasonably possible to gain weapons of mass destruction from fertilizer ingredients commonly used on the land.

There is also the issue of the Iraqi super gun which we in Britain helped build. This is an example of the use of dual-use facilities, components for this super gun were manufactured to precise dimensions, much more so than is usual for their common use but accessible in any manufacturing factory that could produce them.

Defecting scientists from Iraq from 1994-98 and in 2001 all described the use of strontium, tritium and Uranium 238 besides the use of heavy water which are needed for these to be produced. Iran also has a plan for six nuclear reactors for producing electricity today. Near the two central cities of Baghdad and Basra, radioactive containers have been found even after the war.

The two scientists called "Chemical Ali" and "Chemical Sally" by the armed personnel would be able with their resume alone to produce nerve agents and toxins. The Iraqi Scientists who of their own accord desired the presence of Mr Saddam Hussein's representatives at any and all meetings and interviews because Mr Hussein had shown himself repeatedly able to remove any and all opposition, the mass graves and the torture centre near Basra found by British troops confirm this.

The Weapons of Mass Destruction, their location and description can be explained. Dual use facilities can already produce them in the factories and medical facilities and physics research departments and electricity generating stations and airports in Iraq. The intent and ability to provide these can be found in the words and funds of Saddam Hussein witnessed by the media for some years. The actual presence of these amenities can be found in those who have produced them before, the Iraqi scientists and those who are defectors from the regime who were not in the country at the time but knew what was being planned. These scientist's resumes would make difficult reading for those opposed to war with Iraq because they describe the use of western universities and resources as with the Iraqi super gun where as with airports, unwittingly the west has trained those who would use and make quickly weapons of mass destruction. 45 minutes is about the time it would take a missile fired at Israel to arrive with a payload available from one of the six nuclear reactors being built in Iraq and now jointly monitored by the USA and Russia. While people are aware of war and how terrible it is, a much more serious one has been avoided.

*Philip Miller*

*June 2003*

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## Memorandum from Dr Martha Mundy

I should like to bring to your attention the article inserted below and attached from Asia Times. The following questions must be considered with regard to the intelligence concerning weapons of mass destruction on the basis of which the UK government decided to go to war against Iraq.

- (1) What part of this intelligence resulted from work of intelligence agencies/agents of HM Government?
- (2) What part of this intelligence resulted from work of intelligence agents/agencies of the US Government?
- (3) What part of this intelligence resulted from work of intelligence agents/agencies of the Israeli Government?

In short what was the division of labour between these agencies and to what extent does the UK retain sufficient independence from the interests/institutions of these two powerful countries in the Middle East to make independent decisions based on its own intelligence?

The attached article raises a series of major issues about the relation between HM intelligence services and the Israeli intelligence services.

*Dr Martha Mundy*

Senior Lecturer in Anthropology (Specialist in the countries of the Arab East) London School of Economics

*June 2003*

### Annex

ASSASSINATION AND THE LICENSE TO KILL, *ASIA TIMES*, 13 JUNE 2003

The world of counter-terrorism is certain to take a further step into the downward spiral of hit-teams and assassination as Western intelligence services try to find the means to defeat al-Qaeda and its myriad extremist offshoots. The US Central Intelligence Agency (CIA) and Britain's M16 (the secret service branch dealing with matters outside the British Islands), freed of many of the political and legal shackles imposed in the latter years of the Cold War, are expanding their covert capability and the means to use "executive action", a euphemism for assassination, to defeat the greatest threat to democracy since the collapse of communism. The main source of the experience and influence on operational tactics is perhaps one of the more surprising aspects of these developments.

Israel has played a significant and largely secret role within the dark world of Britain's covert operations against terrorist groups. As long ago as the early 1970s Rafael Eitan, the then head of the Israeli hit-squad known as the "Kidon" toured Northern Ireland and later the Special Air Services (SAS) base in Hereford, England. Rumor has it that Eitan was less than impressed with British training, tactics or their "kill" rate. Within months of his visit there began a number of fundamental changes in security policy and operations in the county. More SAS were to be there and a number of specialized anti-terrorist groups would eventually be formed, ranging from the 14th Intelligence and Security Company, once described as the "thinking man's SAS" to the Mobile Reconnaissance Force or MRF which would later become the Force Reconnaissance Unit (FRU). The FRU was to be later involved in the targeting of suspected Republicans for assassination by the infamous Loyalist death squads in Northern Island.

Indeed, Britain's overall counter-terror organization was held in such poor esteem by the experienced Israelis that Israel's intelligence service Mossad's Kidon hit-team took the law into its own hands by assassinating two of the Palestinian terrorists suspected of involvement in the Black September Massacre at the 1972 Munich Olympics. One was found dead in his London hotel room, while the second fell under the wheels of a car in High Holborn, much to the annoyance of MIS (the security service dealing with counter espionage against British organizations by foreign powers, including counter-terrorism) and the fury of Whitehall. The 1988 killing of three Irish Republican Army (IRA) members in Gibraltar by the SAS was reportedly viewed as a bungled operation by Mossad who had originally tracked the Irish terrorists who they suspected of running guns from Lebanon. Wishing to avoid further problems with London by not attempting to kill or capture them on British soil, the surveillance operation was handed over to MIS, and of course later to the SAS, whose heavy-handed approach finally prevented interrogation of the suspects.

Britain's tough new approach owes much to Israel Under Prime Minister Tony Blair, Britain's official approach is far more cooperative and Mossad have apparently met with little opposition to their clandestine center operating in London with some 15 intelligence officers and two or three members of the Kidon. The Israelis are thought to have a hit list of around 50 Islamic and Palestinian terrorists believed to be currently living in Britain. Most of these radicals are, to use Israeli parlance, to be "disposed of" and it is believed that a number have either fled the country or have gone under deep cover in consequence. According to Gordon Thomas, one of the world's leading experts on Israeli and British intelligence in particular, the highly effective Kidon is directly controlled by Mossad. It has some 38-40 highly trained assassins and includes at least four women. They operate throughout the world and wherever a potential or actual threat exists to the interests of Israel or its people. David Kimche, a 30-year veteran of Mossad and its deputy until his resignation in 1980, was largely responsible for the formulation of the Kidon philosophy that it must be "Israel first, last and always".

It is this deadly capability that both the CIA and now M16 are apparently seeking to emulate as they face the growing menace of Islamic terrorism. Though the CIA has a long track record of assassinations, its claws were drawn by successive US administrations with their fear of damaging publicity and international anger, ending with a legal ban on such action which has only recently been lifted. Britain on the other hand has no such legal complications as long as the killing takes place on foreign soil. Under the Intelligence Services Act of 1994, M16 officers have immunity from prosecution for crimes committed outside Great Britain. Although The Criminal Justice Bill of 1998 makes it illegal for any organization in Great Britain to conspire to commit offences abroad, Crown agents still have immunity. With the end of World War II the SOEs (Special Operations Executive) undoubted ability in both subversion and assassination was absorbed into the Secret Intelligence Service (SIS), and for many years afterwards Britain is believed to have made regular, if sparing use of assassination to further its foreign policy aims.

#### *A return to old ways for Secret Intelligence Service?*

George Young in 1956, at the time the deputy chief of M16, quite openly advocated the killing of the Egyptian leader Gamal Abdel Nasser, and in September 1960 a senior Foreign Office official, Howard Smith, who was later to become the director general of MIS, argued in an official document for the assassination of the young Congolese leader Patrice Lumumba. "I see only two possible solutions to the (Lumumba) problem. The first is the simple one of ensuring (his) removal from the scene by killing him."

Closer to home, the Littlejohn brothers were recruited in 1972 by John Wyman of MI6, who handled a number of agents in Northern Ireland and paid them substantial sums of taxpayers' money to infiltrate the IRA and to act as agent provocateurs, organizing and conducting bank robberies and bomb attacks in the Republic of Ireland. Wyman told them that there was "going to be a policy of political assassination" for which they were to make themselves available. "If I was told about any illegal act before it happened, I would always discuss it with London. I was always told to go ahead," said Kenneth Littlejohn, who went on to claim that the MI6 officer told him, "If there is any shooting, do what you've got to do." Wyman indeed gave the Littlejohns a list of IRA leaders to assassinate; these included Seamus Costello, Sean Qarland and Sean McStiofain. After Littlejohn passed on the name of Joe McCann, a leading Republican, to his MI6 handler, McCann was shot dead by British paratroopers a few days later as he walked, apparently unarmed,



through the Belfast market area.

In more recent times, the maverick former MIS officer David Shayler and Richard Tomlinson of MI6 have both vigorously argued that Britain's intelligence services had attempted to assassinate Libya's Colonel Muammar Gaddafi in February 1996 and had planned a similar fate for both the Iraqi dictator Saddam Hussein in 1991 and Serbia's Slobodan Milosovic in 1992. Whatever one may think of such claims, there is now at least official confirmation from the Stevens Inquiry into the "Shoot to Kill" policy in Northern Ireland that British security officials were indeed deeply involved in the assassination of a number of Catholics in the province.

The Guardian on April 28, 2001 headlined its article "Sinister role of secret army unit: Police investigate claims of collusion with paramilitaries" describes the organizations involved in covert British operations in Ireland. "The FRU was one of three army-sponsored undercover intelligence squads in Northern Ireland. The others were 22 Squadron SAS and 14 Company. The FRU, which was set up in Northern Ireland in 1980, dealt with recruiting and handling agents in paramilitary organizations." 14 Company specialized in surveillance while 22 SAS undertook "executive actions". "That means they killed people," said an army source. Many outside observers remain convinced that this is merely the tip of an iceberg and much is still being hidden by an ongoing official coverup.

#### *The SAS can provide the skills*

Another in-built advantage for the SIS is that they have a number of SAS personnel trained to work with the intelligence service and always available for any of its needs. This group is known as the "Increment" and is used for assassinations, sabotage or other dangerous jobs, such as arresting war criminals in the Balkans, says James Dunnigan, the renowned author of *How to Make War* (now in its fourth edition), adding that every SIS station chief has a direct line to the SAS headquarters at the Duke of York's Barracks in West London and a good working relationship with these covert action experts. The "Increment" also works closely with yet another shadowy SIS group called the UKN, a highly specialist surveillance team. Ex-SAS mercenaries have also been blamed for several assassinations on the African continent and a purported former member of the regiment, Tyrone Chadwick, was imprisoned in South Africa after admitting to a London-based journalist his and other former SAS mercenaries' leading role in several murders during the apartheid era, according to a commentary on the Strategy Page in June 2003.

The SIS has developed a reputation for going outside the agency and its military executive arm to hit some targets. Friendly foreign intelligence agencies have been used on a number of occasions and MI6 has shown a willingness to "sub-contract it to Mossad", according to a former British agent quoted by Peter Hillmore and Ed Vulliamy in "Spies: the Beautiful and the damned" (*The Observer*, October 12, 1997), adding that the assassination in Belgium of the British inventor of the Iraqi "Supergun", Gerald Bull, is widely believed to have been just such an act. And speculation still surrounds the "suicide" of Jonathan Moyle, the 28-year-old editor of the British trade journal *Defence Helicopter World* in March 1990—he was found hanging in a closet in a hotel room in Santiago, Chile. Intelligence sources have long suggested that there was a, so far unproven, SIS involvement in Moyle's death as his "Iraqgate" investigations were believed to be uncovering highly embarrassing facts for the senior management at Century House, then the headquarters for MI6 and the Conservative government of Margaret Thatcher.

#### *British spooks regain a license to kill*

Last year Israel's Prime Minister Ariel Sharon appointed General Meir Dagan, his friend and close colleague, to head Mossad. Security sources confirm that Dagan, a noted hawk, had served in the 1970s as head of the "Rimon" undercover anti-terrorist unit which is widely suspected of killing militants wanted by Israel. Following his retirement from the army in 1995, Dagan became Mossad's deputy chief. His appointment and past track record suggest that while the Sharon government may be publicly willing to sign up to President George W Bush's road map for Middle East peace, it will be allied to a deadly new secret campaign to destroy the terrorist infrastructure and eliminate its leadership. Leading Israeli politician Moshe Arens says, "Dagan is one of the old Sharon's assets. They got to know each other 33 years ago when Sharon, then head of Southern Command, cleared Gaza of `terrorists'. Dagan led a commando unit called `Rimon' which was known, how shall I put it, for its unconventional methods." Dagan is known to be keen to promote

the Israeli way of dealing with terrorism, and quickly paid an official visit to the CIA director George Tenet in September last year before his promotion had even been confirmed. According to usually reliable intelligence sources, it can be taken as highly significant that the CIA formally established an assassination team in November, less than two months later. This may be seen as not only a positive US response to the sharing of Israeli experience and expertise, but also as a direct result of the recent lifting of the US presidential ban on "executive action" following the al-Qaeda attacks of September 11, 2001.

Dagan and Mossad's growing influence on the Western intelligence community was further strengthened by meetings held in Britain in January of this year with Eliza Manningham Buller, the director general of MI5 and more importantly with Richard Dearlove, chief of the Secret Intelligence Service. It now seems likely that in the wake of these discussions Britain's MI6 was further encouraged to rebuild its muscle power through the expansion of its Special Operations Directorate to include a genuine anti-terrorist "Hunter-Killer" capability.

Though "C", the head of the MI5 has been traditionally able to call on the services of the SAS and the "Increment", a small special forces unit dedicated to secret intelligence, an ever increasing number of covert and potentially politically explosive operations required the use of contracted "retired" officers operating within commercial paramilitary companies; organized crime assets or even "friendly" foreign intelligence agencies such as Mossad. The SIS has now apparently decided, presumably with full approval of the Joint Intelligence Committee and the Cabinet Office, that it must have its own operatives to do much of the "dirty work" in future. In common with their colleagues at the CIA, the senior management at Vauxhall Cross are now busily returning the service to the bad old days of "political action" and assassination as the official, though of course deniable, policy for dealing with external threats.

Contacts within the Intelligence communities both in the UK and the US strongly advised AFI Research not to run this piece on assassination. However, we consider that such a response merely gave added credence to the suggestion that in the future the British authorities may indeed be prepared to use more "positive" methods, under certain circumstances, in dealing with both external and very probably, internal "enemies of the state". It now seem almost certain, therefore, that a limited number of selected and highly trained MI6 officers have once again been given a "license to kill", and perhaps very largely because of the experience and influence of the Israeli secret service.

(AFI Research, a leading source of specialist intelligence, defence, terrorism, conflict and political analysis)

*Richard M Bennett*

Asia Times

13 June 2003





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## Memorandum from the Oxford Research Group

### MOTIVES FOR WAR

1. Two anomalies exist in relation to the argument that the primary motive for the war with Iraq was the regime's holdings of weapons of mass destruction and that these presented an immediate threat to US and UK interests, with weapons available for launch within 45 minutes.

2. The lesser of the anomalies is that the Iraqi regime indicated that it would give access to disputed sites to the Central Intelligence Agency some months prior to the war (December 2002). This offer was ignored by the Bush administration, although even small-scale on-the-ground assessments would have indicated the scale and nature of the threat.

3. The much more significant anomaly stems from the recent statement from Mr Hans Blix, Head of UNMOVIC, that, prior to the war, his organisation was receiving high quality intelligence data from western sources, principally from the United States, yet this data did not result in any significant discoveries concerning the Iraqi WMD programme.

4. Immediately prior to the war, UNMOVIC had assembled a very large team of inspectors and had its own helicopters operational. It was working at a tempo that was far greater than that of its predecessor, UNSCOM, in the mid-1990s, and had the ability to send teams to several different sites in any one day.

5. It was therefore possible for US agencies and others to check their WMD presumptions with these very active UN inspection teams on the ground. In spite of this, there were no indications that a threatening WMD programme existed. It follows that statements indicating the existence of such a programme could not be substantiated, and that this motive for immediate recourse to war was not therefore tenable.

6. It could be argued that to be certain of such a circumstance, a substantial programme of further inspections would be required. UNMOVIC was in a position to do this, and could have been provided with the additional intelligence data, but was not given an opportunity to do so.

7. Since the war, a further motive has been rationalised—the necessity of destroying an abhorrent regime, whatever the threat from WMD. While there has been a huge welcome for the termination of the regime, there are two problems with this in the context of motives for, and the legality of, the war.

8. One is that there was no UN authorisation for such action. The other is that the regime had enjoyed substantial support from the United States and other western countries at times of particular human rights abuses. In April 1988, for example, one month after the regime had killed 5,000 civilians in a chemical attack on the Kurdish town of Hallabjah, the United States was actually fighting alongside the regime in a series of naval actions that destroyed significant components of the operational Iranian Navy in the Persian Gulf.

9. Three years later there was no intervention against the regime at a time when there was severe repression of Shi"ites in the South and Kurds in the North, in the immediate aftermath of the 1991 war, even though there were substantial US forces readily available in the region.

10. A development of the "regime termination" motive is that it allows the United States and its partners the opportunity to facilitate the emergence of a full independent democracy in Iraq. This is also a dubious motive—it would not be in US security interests to have Iraq

acting in a manner similar to that of the parliamentary democracy in Turkey, and full independence does not readily equate with the establishment of permanent US military bases in Iraq that appears currently to be in progress.

11. It is therefore difficult to argue for WMD destruction or regime termination as tenable reasons for the 2003 war, and it is appropriate to examine other factors. This note looks at one other factor, the strategic significance of Iraq's oil reserves.

12. There are two time-scales involved here—one of perhaps one-two years and the other of a one-three decades. Concerning the former, prior to the war, there was an argument that US control of Iraqi oil fields would diminish the immediate importance of a potentially unstable Saudi Arabia and would also present a remarkable investment opportunity for US oil majors. A counter-argument was that any war raised the risk of a disruption to the oil markets, this being presumed to be bad news for the oil majors.

13. This is rarely the case in practice. During previous periods of rapidly rising oil prices, such as 1974 and 1979, many of the oil majors were able to return record profits. This was mostly due to their ability to put retail prices up almost immediately after they rose at the point of production, even though there could be a 100-day supply chain. For example, oil at source might rise 20% in price. This price rise is then passed on to the consumer within 15 days, leaving 85 days worth of oil in the supply chain which has been bought at the old price but sold at the new.

14. In most circumstances, primary energy companies tend to benefit from "bull" markets, so if the war had resulted in a sudden oil price surge, one could have expected very good oil company returns within a year.

15. An alternative view relates to short-term political rather than economic gains. The argument here is that the US occupation of Iraq would be followed by Iraqi withdrawal from OPEC, substantially increased oil production and falling gasoline prices in the immediate run-up to the 2003 US Presidential Election. This view gets some support from the recent statement from the US appointee who is overseeing the Iraqi oil industry, Phillip Carroll, that withdrawal from OPEC might be appropriate (May 2003).

16. Even so, the idea of short-term commercial or political gain seems somewhat far-fetched as any kind of motive for a war of this intensity and uncertainty, and there is a much sounder argument that the Iraq crisis and war did not relate primarily to possible short-term gains for oil companies or the US Presidency. Any possible oil motive may actually have been much more concerned with long-term trends.

17. To get an idea of the importance of Iraqi oil in the coming decades, one can look at it in the following way. First, take the total known oil reserves for the Caspian Basin outside of Iran, then add the oil reserves of Siberia. Add to these the remaining North Sea oil reserves and then include the West Shetland fields. Finally, put in the entire oil reserves of the United States, including the Alaska fields that still have to be developed.

18. If we put all of these together, we get fairly close to 10% of all the oil reserves in the world. Iraq alone has more than this, and adding the other Gulf States we get close to 70% of world reserves. During the 1990s, Iraq increased its oil reserves by a figure close to half of total current US reserves.

19. This does give us some sense of perspective but only in the form of a snapshot. What is much more significant is the nature of the long-term trends in reserves, production and consumption. When we include this, we get a clear indication of the steadily increasing significance of Persian Gulf oil relative to every other part of the world. Thirty years ago, the United States was virtually self-sufficient in oil supplies but it now imports over 60% of its needs, with oil imports from the Middle East increasing steadily.

20. The recognition of this is nothing new—it was one of the deciding factors behind the development of the original US Joint Rapid Deployment Task Force nearly 25 years ago and its later growth into US Central Command. Moreover, it was a situation that was clearly recognised by the Republicans who came to power with Ronald Reagan, 20 years before George W Bush, and was amply demonstrated by one of the first pronouncements of the Reagan era.

21. Each year the committee of the US Joint Chiefs of Staff issues a Military Posture Statement (MPS) for the forthcoming financial year. In 1991, immediately after Ronald

Reagan had been elected, the 1992 MPS was eagerly awaited as a clear statement of the "re-arming of America" in the face of the perceived Soviet threat that had helped President Reagan into office.

22. The MPS certainly had much to say about East-West relations but its opening chapter was, to the surprise of many, much more concerned with the increasing vulnerability of the United States to resource conflict. Map after map portrayed a world in which the US was increasingly dependent on imported resources—93% for bauxite, 95% for cobalt, 97% for manganese and 98% for colomboium and tantalum. Most of these meant little to the non-expert but they underpinned the workings of a major industrial economy, and the Reagan administration was concerned with the potential for Soviet interference in Africa, Asia and other areas of the world providing sources of supply.

23. Much more significant, and subject to more detailed analysis, was the concern over oil supplies. Interestingly, this was over 20 years ago when US dependence on imported oil was much less than now, yet the MPS went into substantial detail about US vulnerabilities and the need to ensure Gulf security.

24. It is fair to say that much of this was in the context of the perceived Soviet threat to Persian Gulf oil supplies, but it was also in the immediate aftermath of the Iranian Revolution, and the Reagan security advisers were already becoming concerned over regional "threats" to Gulf oil, supplies.

25. Over 20 years later we see the trend towards increasing dependence on Gulf oil as a long-term phenomenon, stretching well into the future, but this was already recognised in the early 1980s. Moreover, many of the security advisers in the Reagan era of the 1980s are back in positions within the Bush administration, often in positions of greater influence.

26. What this all means is that there is a deep and pervading recognition at the heart of the administration in Washington that the most significant future vulnerability for the United States is its steadily growing dependence on Gulf oil. Mexico, Colombia and Venezuela may be useful sources of supply, albeit of a poorer quality, and the Caspian Basin and Siberia may help out somewhat. These, though, are essentially short-term answers to a persistent problem.

27. The Persian Gulf is where the oil is, and it can be argued that what has to be done is to make absolutely sure that the Gulf is securely controlled for many years to come. In the context of uncertainty over Saudi stability, Iraq is particularly significant as the holder of the second largest oil reserves in the world. Overall, this outlook is an unusual example of strategic thinking, not a common phenomenon in many political circles, and permeates the Bush administration to an extent that is rarely acknowledged.

28. In the three weeks of the Iraq War, and in its immediate aftermath, three things happened. The first is that the regime of Saddam Hussein was terminated, the second is that useable weapons of mass destruction were not subsequently found and the third is that the United States increased its control of oil reserves by 400%.

29. This may have no connection with UK government motives for the war with Iraq, but, in the light of problems with the other principle motives, it might be wise to consider this as the primary motivation for the Bush administration.

*Dr Paul Rogers*

Department of Peace Studies, Bradford University, and International Security Consultant to the Oxford Research Group

*June 2003*

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## Memorandum from Dr Glen Rangwala

### THE PRESENTATION OF THE 30 JANUARY 2003 DOSSIER

1. The 19-page dossier, entitled "Iraq—Its Infrastructure of Concealment, Deception and Intimidation", was released on 30 January 2003. The document begins with the statement that:

"This report draws upon a number of sources, including intelligence material (. . ."

2. The assertion that the intelligence agencies were involved in the production of the dossier was made more explicitly by Prime Minister Blair when he announced the release of the dossier to the House of Commons on 3 February 2003:

"We issued further intelligence over the weekend about the infrastructure of concealment. It is obviously difficult when we publish intelligence reports, but I hope that people have some sense of the integrity of our security services. They are not publishing this, or giving us this information, and making it up. It is the intelligence that they are receiving, and we are passing it on to people."

[www.parliament.the-stationery-office.co.uk](http://www.parliament.the-stationery-office.co.uk)

### A REVIEW OF THE CONTENTS OF THE 30 JANUARY 2003 DOSSIER

#### Sources

3. The bulk of the 19-page document (pp 6-16) is directly copied without acknowledgement from three different sources that are on the internet. The most extensively used source is an article in the on-line Israeli journal, *Middle East Review of International Affairs* (September 2002), entitled "Iraq's Security and Intelligence Network: A Guide and Analysis".

<http://meria.idc.ac.il/journal/2002/issue3/jv6n3a1.html>

4. The author of the piece is Mr Ibrahim al-Marashi, a postgraduate student then based at the Monterey Institute of International Studies, California, who is completing a doctorate at Oxford University. He has confirmed to me that his permission was not sought; in fact, he didn't even know about the British document until I contacted him on 4 February to enquire whether his permission was given.

5. In addition to Mr Marashi's work, there is also the use of two articles from the specialist security magazine, *Jane's Intelligence Review*. On-line summaries of articles by Mr Sean Boyne in 1997 and Mr Ken Gause in 2002 are on the GlobalSecurity.org website, at:

<http://globalsecurity.org/intell/world/iraq/>

These texts were also amalgamated in part into the UK dossier.

6. The fact that these sources were copied is most clear from the typographical errors and anomalous uses of grammar in the original pieces that are incorporated into the Downing Street document. For example, Mr Marashi had written:

"Saddam appointed, Sabir `Abd al-'Aziz al-Duri as head (. . .)"

There is a misplaced comma after the second word. On p 13, the British dossier incorporates the same misplaced comma:

"Saddam appointed, Sabir `Abd al-'Aziz al-Duri as head (. . .)"

7. Because the texts of these three authors are copied directly also results in a

proliferation of different transliterations (for example, different spellings of the Ba'th party, depending on which author is being copied).

*Modifications to the original articles*

8. The only exceptions to these acts of copying were the tweaking of specific phrases. For example, most of p 9 on the functions of the Mukhabarat (General Intelligence) is copied directly from Mr Marashi's article. However, Marashi writes of the Mukhabarat's role in:

"monitoring foreign embassies in Iraq".

This becomes in the British dossier:

"spying on foreign embassies in Iraq".

Similarly, on the same page, Marashi writes that the Mukhabarat had a role in:

"aiding opposition groups in hostile regimes"

The British dossier renders this as:

"supporting terrorist organisations in hostile regimes".

9. A further example is from the section on "Fedayeen Saddam" (Saddam's Self-Sacrificers). Most of this text is copied from the 1997 article by Sean Boyne. However, Boyne writes that the personnel of this organisation are:

"recruited from regions loyal to Saddam", and refers to their original grouping as "some 10,000-15,000 `bullies and country bumpkins."

10. This becomes in the British government's text, at pp 15-16, a reference to how its personnel are:

"press ganged from regions known to be loyal to Saddam" . . . "some 10,000-15,000 bullies."

11. The reference in Mr Boyne's article to how the organisation was made up of "bullies and country bumpkins" was shorn of its last three words in the UK dossier, perhaps to render a more threatening picture of the organisation than that contained in the original article.

12. Numbers are also increased or are rounded up. So, for example, the section on "Fedayeen Saddam" (pp 15-16) is directly copied from Boyne's article, almost word for word. The only substantive difference is that Mr Boyne estimates the personnel of the organisation to be 18,000-40,000 (Ken Gause, in another article that was substantially copied, estimates personnel in the region of 10,000-40,000). The British dossier instead writes "30,000 to 40,000". A similar bumping up of figures occurs with the description of the Directorate of Military Intelligence.

*Errors*

13. There is at least one serious substantive mistake in the British text, on p 14, about the Iraqi organisation the Military Security Service (al-Amn al-Askari). After an initial two paragraphs copied from Marashi's 2002 article, the remainder of the text is taken from the description by Sean Boyne in his 1997 article of a wholly different organisation called the General Security Service (al-Amn al-Amm). That is, it mixes up the descriptions of two different organisations.

14. The result is a confusion that renders the description incoherent. The description of the Military Security Service (al-Amn al-Askari) begins by relating how this organisation was created in 1992 (in a section copied from Marashi). It then describes how the Military Security Service moved headquarters in 1990 (in a piece copied from Boyne on the activities of the General Security Service), two years before the organisation was even created.

15. Later in the same section, the UK dossier claims that the head of the Military Security Service is Taha al-Ahbab. This is from Boyne's description of the General Security Service. In fact, the Military Security Service was headed by Thabet Khalil when the dossier was released.

FURTHER COMMENTS



16. The information in the UK dossier is presented as being an accurate statement of the current state of Iraq's security organisations. However, it may not be anything of the sort. Mr Marashi—the real and unwitting author of much of the document—refers in his article to his primary source as being the documents captured by Coalition forces in 1991, and which are now retained by the Massachusetts-based organisation, the Iraq Research and Documentation Project. His own focus is the activities of Iraq's intelligence agencies in Kuwait in the period from August 1990 to January 1991, as this is the subject of his thesis. As a result, much of the information presented as relevant to how Iraqi agencies are currently engaged with UNMOVIC is 12 years old.

17. When the document was first released as a Microsoft Word document, I checked the properties of the text in the File menu. It revealed the authors of the text as P. Hamill, J. Pratt, A. Blackshaw, and M. Khan. Those names were removed within hours from the downloadable file. However, in collaboration with journalists, I have since checked who these individuals are. The identity of the authors is as follows:

Paul Hamill, a Foreign Office official;

John Pratt, a junior official from the Prime Minister's Strategic Communications Unit;

Alison Blackshaw, Alastair Campbell's personal assistant;

Mustaza Khan, news editor of the 10 Downing Street website.

#### THE ORDERING OF THE DOSSIER

18. The dossier is ordered as follows:

p 1 is the summary.

pp 2-5 consists of, firstly, a repetition of the comments of Hans Blix, Executive Chairman of UNMOVIC, to the Security Council in January on the difficulties they were encountering. Further claims about the activities of al-Mukhabarat follow. These claims are not backed up, and have in some cases been specifically denied by Hans Blix. For example, the UK dossier claims on p 3 that:

"Journeys are monitored by security officers stationed on the route if they have prior intelligence. Any changes of destination are notified ahead by telephone or radio so that arrival is anticipated. The welcoming party is a give away."

This can be contrasted with the assessment of Hans Blix on 14 February 2003 that:

"Since we arrived in Iraq, we have conducted more than 400 inspections covering more than 300 sites. All inspections were performed without notice, and access was almost always provided promptly. In no case have we seen convincing evidence that the Iraqi side knew in advance that the inspectors were coming."

<http://www.un.org/Depts/unmovic/blix14Febasdel.htm>

Similarly, the UK dossier claims on p 3 that:

"Escorts are trained, for example, to start long arguments with other Iraqi officials `on behalf of UNMOVIC' while any incriminating evidence is hastily being hidden behind the scenes."

By contrast, Dr Blix relates in the same presentation of 14 February that:

"we note that access to sites has so far been without problems, including those that had never been declared or inspected, as well as to Presidential sites and private residences."

p 6 is a simplified version of Mr Marashi's diagram at:  
<http://cns.miiis.edu/research/iraq/pdfs/iraqint.pdf>

p 7 is copied (top) from Mr Gause (on the Presidential Secretariat), and (middle and bottom) from Mr Boyne (on the National Security Council).

p 8 is entirely copied from Mr Boyne (on the National Security Council).

p 9 is copied from Mr Marashi (on al-Mukhabarat), except for the final section, which is insubstantial.

p 10 is entirely copied from Mr Marashi (on the General Security Service), except for the

final section, which is insubstantial.

p 11 is entirely copied from Mr Marashi (on Special Security), except for the top section (on General Security), which is insubstantial.

p 12 is entirely copied from Mr Marashi (on Special Security).

p 13 is copied from Mr Gause (on Special Protection) and Mr Marashi (Military Intelligence).

p 14 is copied from Mr Marashi (first two paragraphs) and then wrongly copied from Mr Boyne (on Military Security). The last section, on the Special Republican Guard, is copied from Mr Marashi.

p 15 is copied from Messrs Gause and Boyne (on al-Hadi project / project 858).

pp 15-16 is copied from Boyne (on Fedayeen Saddam).

p 16: The final section, on the Tribal Chiefs' Bureau, seems to be copied from Anthony H. Cordesman, "Key Targets in Iraq", February 1998,  
[http://www.csis.org/stratassessment/reports/iraq\\_targets.pdf](http://www.csis.org/stratassessment/reports/iraq_targets.pdf), pg. 8

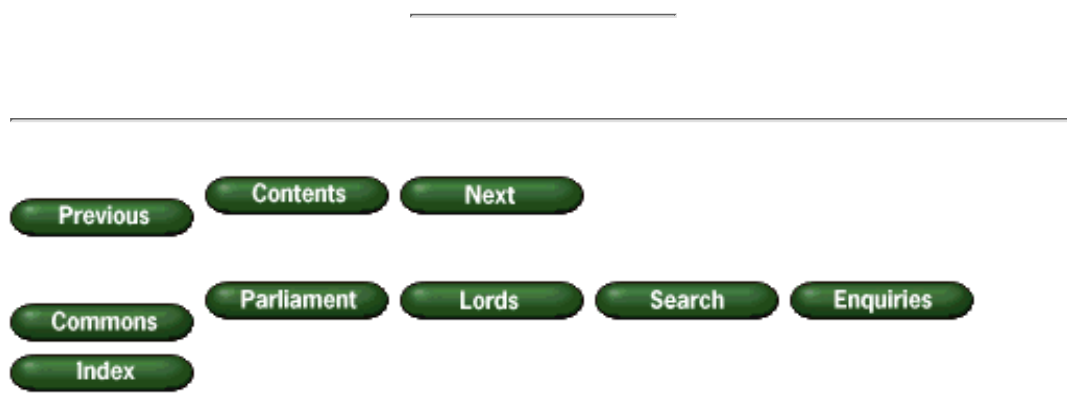
pp 17-19 make general claims about human rights in Iraq.

*Dr Glen Rangwala*

Newnham College

Cambridge

*16 June 2003*





## Memorandum from Dr Kamil Mahdi

1. Is it not correct that no new banned weapons were discovered in Iraq by UN weapons inspectors after 1994 with the exception of the Al-Samoud missiles (the illegality of which was questionable)? Does that not confirm the public statements made in exile in 1995 by the former head of the Iraqi military industrialisation commission, the man responsible for managing the non-conventional weapons programme, Hussain Kamil?

2. Hussain Kamil repeatedly spoke to the world's media and he was also interviewed by UNSCOM and UK and UK intelligence agencies. What information was gained from his interrogation?

3. Hussain Kamil told the respected Arabic daily Alhayat 25/8/95 (my translation): "Baghdad accepted Security Council Resolutions relating to WMD and other matters but tried to wriggle out of this acceptance and of the implementation of the resolutions, and for years it has tried not to reveal armaments' secrets. It covered up information on missiles, chemical weapons, and nuclear and biological programmes leading to direct repercussion upon Iraq through the continuation of the sanctions and the loss of the credibility of the Iraqi state; for Baghdad used to announce that there was nothing left, and was subsequently announcing the opposite. All those programmes (chemical, biological and nuclear) and armaments have been destroyed, so what is the advantage of hiding documents from the UN? . . . (emphasis added) The regime hid armaments information in the belief that history will vindicate it, and that Iraq will one day return to being a fighting state. The objective was clear which is to once again return to Kuwait and enter Saudi Arabia."

4. Was it not likely that all weapons were destroyed between 1991 and 1994? And was it not evident that inspection and monitoring would have been sufficient to control the inevitable weapons capability that goes with much of modern industry?

5. On 3 September 1995, there was a report also in Alhayat on Hussain Kamil's meeting with Rolf Ekeus in which Kamil revealed the presence of an Iraqi spy who was a translator in the UN mission. Suspecting that Ekeus's translator that day was the spy, Kamil refused to meet in his presence. On 13 September, Alhayat reported that the translator in question (a Palestinian) was not in fact the spy, but that the alleged spy was an older Palestinian/Syrian who was in New York. The episode reflects that Hussain Kamil did not want Baghdad to know what he was telling Ekeus, and strengthens his credibility as a witness at that time.

6. How can it be that the head of the weapons programme defected, revealed hidden documents, capabilities and past programmes and yet Iraq could still be construed as an imminent danger requiring a devastating war?

7. Is it not evident that the weapons were an excuse for a new colonial adventure? Should the British government not be held to account for all this death and destruction, and should Iraq not receive reparations from Britain and the US?

*Dr Kamil Mahdi*

Institute of Arab and Islamic Studies

University of Exeter

17 June 2003





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## Memorandum from BASIC and Saferworld

### SUMMARY OF OBSERVATIONS AND RECOMMENDATIONS

#### EVIDENCE OF WMD BEFORE THE WAR

Before the war broke out no conclusive WMD had been found. The official justification of the coalitions use of military force against Iraq was to disarm the country of its weapons of mass destruction because they posed a threat to international peace and security and because the inspections process was not working. If US inspectors continue to fail to uncover significant amounts of WMD the reason why the US and UK went to war needs to be carefully analysed and objectively reassessed on both sides of the Atlantic.

#### EVIDENCE OF WMD POST-WAR

If Downing Street has, as was claimed by the Prime Minister at the end of May, as yet unpublished evidence of Iraqi WMD, this should be published without delay.

Continued instability in Iraq is undoubtedly making it difficult for US teams to conduct systematic surveys and careful testing. However, the conduct of the war suggests that Iraq probably had no useable WMD and posed no threat outside its borders. Most analysts had predicted that Saddam Hussein would use such weapons if his regime faced collapse, but no such weapons were used, suggesting either unprecedented restraint (possibly because of the threat of being charged with war crimes) or confirmation that he lacked the weapons or an effective delivery capability.

Despite the doubts raised, UNMOVIC was relatively successful in Iraq, and a return of the UN inspectors would confer some much needed legitimacy to the post-conflict search for weapons, and also help to re-engage the wider international community in the reconstruction of a post-Saddam Iraq. UNMOVIC should also be given the task of on-going monitoring in Iraq once the "coalition" military forces have left in order to ensure that any new Iraqi government complies with its disarmament obligations.

The fact that US and UK officials are now indicating that the search process could take up to a year to complete is ironic. Before the war began, UNMOVIC said it could complete inspections in a few months.

The UK Government should put its weight behind establishing a broader mandate within the UN Security Council for UNMOVIC as suggested by Hans Blix. Over the years, UNMOVIC has acquired much experience in the verification and inspection of biological weapons and missiles as well as chemical weapons, but only in Iraq. It has scientific cadres who are trained and could be mobilised to provide the Security Council with a capability to *ad hoc* inspections and monitoring, wherever this might be needed.

It is unlikely that weapons were destroyed or moved out of Iraq immediately prior to the invasion. The logistical problems of transporting or destroying large stocks of chemical and biological weapons just days before the US-led invasion are likely to have precluded this as a realistic option, although there is a real danger that in the post-war chaos and looting that some WMD materials may have been diverted out of Iraq (as was predicted by at least one analyst prior to the war).

The destruction of weapons by the bombing campaign is only a semi-plausible explanation (at best) for the failure to find ANY illicit weapons that had been identified so confidently prior to the war.

There are strong grounds for believing that the main reason that the US and British forces

have been unable to find chemical and biological weapons in Iraq is because the vast majority, if not all, of these weapons were destroyed by a combination of the first Gulf War, 12 years of punishing sanctions and the successful destruction of weapons and materials by UN inspectors from 1991-98.

Reports suggesting that Iraq may have concentrated on dual-use programmes in recent years—putting chemical and biological production equipment within commercial facilities so that it would not be discovered but could be used "on demand" or "just in time"—seem plausible enough, but are hardly the imminent threat to the US, UK and the rest of the world that justified the decision to go to war.

#### CONCLUSION—WAS THE WMD THREAT FROM IRAQ OVERSTATED BY THE US AND UK GOVERNMENTS?

##### *US*

Final conclusions about the reliability of US intelligence on Iraq's WMD programme and the role of senior figures in the US Administration in interpreting and disseminating that evidence will need to be deferred until further information becomes available, hopefully as a result of the planned oversight hearings by Congress. However, on information currently in the public domain, it appears that the US administration hyped the intelligence, drawing the most alarming conclusions from the available information in a push for war to oust Saddam Hussein.

##### *UK*

Many people who questioned the war against Iraq on the grounds that the doctrine of pre-emption is a flawed and dangerous instrument of foreign policy, did take at face value the evidence presented by the British government that Saddam Hussein possessed unconventional munitions, long-range missiles or missile parts, bulk stores of chemical or biological warfare agents or enrichment technology for the core of a nuclear weapons programme. Although the British Government cited all those components specifically as part of Iraq's concealed arsenal, to date no evidence to support any of these claims has been uncovered in post-war Iraq.

It is important to establish whether the threat was either genuinely miscalculated or deliberately exaggerated. In either case, unless independent evidence to the contrary arises, it would appear that the biological and chemical agents in the country did not present a realistic threat to the UK that could not be dealt with by vigorous international inspection.

The Inquiry by the Intelligence and Security Committee (ISC) is welcome, but unlikely to be sufficient. The ISC is appointed by and answerable to the Prime Minister, and reports are censored before they are published. The magnitude of the issue involved—the decision to go to war—requires an independent judicial inquiry. Such an inquiry is also important because with the doctrine of pre-emption seemingly accepted by the British Government and with bellicose noises now being made by the US Administration towards Iran, it is possible that future wars will be fought on the basis of intelligence claims about possession of WMD. It is vital therefore to scrutinise the intelligence gathering and claims that led to the Iraq war. It took the Scott Inquiry to uncover the truth over the UK's role in arming Iraq; it may be that a similar inquiry is necessary to uncover the truth surrounding the disarming of Iraq.

#### INTRODUCTION

1. The British American Security Information Council (BASIC), Saferworld and the International Security and Information Service (ISIS) have a joint project entitled "Iraq conflict", which aims to be an authoritative source of information on the conflict and to provide critical analysis of UK, EU and US policy. Set up in January 2003, the rationale behind the project was to ensure that wider concerns about the consequences of military action were raised and that any action should be in strict adherence to international law.

2. Post conflict, the project has turned its attention towards longer-term reconstruction issues including legal aspects and regional dimensions. The project ([www.iraqconflict.org](http://www.iraqconflict.org)) has commissioned discussion papers and web notes from a wide range of experts<sup>[4]</sup> including those with military, humanitarian and local insight. In addition we have produced a weekly (now bi-weekly) e-mail bulletin for those who make and shape policy, including government officials, journalists and parliamentarians that provides an overview

of recent developments and highlights key issues that may not have received much media attention elsewhere.

3. This written evidence draws upon the experience of BASIC and Saferworld's specialist knowledge of arms control and international security issues. [5]

4. The primary reason given for the US-led invasion of Iraq was the biological and chemical weapon disarmament of Saddam Hussein's regime. Since the invasion, US and UK forces have failed to find any significant quantities of either biological or chemical agents, despite the deployment of a special force of US inspectors.

5. There is increasing reason to wonder whether Iraq's possession of weapons of mass destruction (WMD), code for nuclear, biological, and chemical (NBC) weapons, was as extensive as US and UK officials claimed before going to war.

6. This written submission sets out to review the evidence and is divided into four parts:
- an overview and reconsideration of the evidence of Iraqi possession of chemical and biological weapons as uncovered by the UN inspectors prior to their withdrawal and the subsequent military "liberation" of Iraq;
  - an analysis of the information given to the UK Parliament in the period leading up to military action in Iraq;
  - a review of the evidence of Iraqi WMD that has been accumulated since the fall of the Saddam regime; and
  - an assessment as to whether the WMD threat from Iraq was overstated by the US and UK.

Annex 1: A chronology of key events in Iraq between the departure of UNMOVIC in 1998 and to date.

Annex 2: Relevant excerpts from UNMOVIC Report "Unresolved Disarmament Issues" 6 March 2003.

#### PART I: EVIDENCE OF WMD PRIOR TO WAR

7. Annex 1 provides a chronology of key events between the departure of UNMOVIC in 1998 and the date of this submission.

#### BACKGROUND

8. That Iraqi armed forces had chemical and biological weapons, and tried to produce nuclear weapons, is beyond doubt. The seven years of UN inspections after the 1991 Gulf War clearly established the existence of weapons programmes in all three areas. The world knew as far back as the Iraq-Iran war that Iraq had successfully developed and used chemical weapons. Iraq also used chemical weapons on its own Kurdish population in Halabja in March 1998. And despite declaring in 1991 that it did not possess any biological weapons or related items, the United Nations Special Commission (UNSCOM) uncovered a well-developed biological weapons programme in 1995.

9. However, those same chemical and biological programmes experienced setbacks as a result of the 1991 war, and the subsequent UN inspections regime. UNSCOM, for example, destroyed more than 480,000 litres of chemical agents and 1.8 million litres of chemical precursors in Iraq's arsenal. That, coupled with Saddam Hussein's past refusal to comply with UN Security Council resolutions to disarm, and to obstruct inspections by UNSCOM and its successor, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), made assessing the scope and extent of Iraq's biological and chemical programmes very difficult.

#### THE UN INSPECTION PROCESS EVIDENCE

10. Despite formidable obstacles, and contrary to many public statements by British and American officials and political leaders (see Part II below), UN inspectors had made progress in narrowing down the uncertainties. These uncertainties were compiled by UNMOVIC in a report, *Unresolved Disarmament Issues: Iraq's Proscribed Weapons Programmes*, dated March 6 [6]. The report was released the day before Hans Blix,

UNMOVIC director, gave his last quarterly report to the Security Council, just 13 days before the start of the war. It grouped 100 "unresolved disarmament issues" into 29 clusters, and presented by discipline: missiles, munitions, chemical and biological weapons. The report provided much evidence to support both sides of the debate over the state of Iraq's NBC weapons programmes.

11. Unfortunately, the report received very little public attention, even though UNMOVIC promptly posted it on its website, and was largely ignored by UK and US political leaders in pre-war debates. Relevant extracts from the report are provided in Annex 2.

12. In terms of delivery systems, 10 days before the invasion began, the New York Times reported that UN weapons inspectors in Iraq had discovered a new variety of rocket seemingly configured to strew bomblets filled with chemical or biological agents over large areas[7]. The weapon was discovered after the UN inspectors returned to Iraq in November 2002. At first, Iraq told the inspectors that it was designed as a conventional cluster bomb, which would scatter explosive sub-munitions over its target, and not as a chemical weapon. A few days later, the Iraqis conceded that some of the weapons might have been configured as chemical weapons.

13. But it remains unclear, according to the UNMOVIC report, whether the Iraqi cluster warhead was a newly developed one, devised during the absence of inspectors over the past four years, or whether its existence was kept secret before 1998, when the inspectors left[8].

14. The situation regarding anthrax stocks also remained unresolved. Despite receiving an updated report from Baghdad just before the war in Iraq began, UN inspectors continued to doubt that Iraq had destroyed all of its anthrax stores. In the report, Iraq tried to account for the destruction of 3,400 litres of anthrax agent at a site called al-Hakam. A translation of the report from Arabic was completed recently and UNMOVIC experts have since reviewed the report[9].

15. Citing data collected from soil samples, Iraq claims it used a sufficient quantity of potassium permanganate to neutralize all the anthrax at its al-Hakam facility. UNMOVIC spokesman Ewen Buchanan said commission experts were sceptical that the Iraqi report completely documented anthrax destruction activities. [10]

16. Even if the document were true, he said, Iraq had still not fully accounted for the remainder of the 8,445 litres of anthrax agent it had declared that it produced at two facilities and destroyed. Iraq previously had declared that some of the material had been loaded into aerial bombs and missile warheads[11].

17. Three days before the war started, the Washington Post reported that despite US administration claims about Iraq's weapons of mass destruction, US intelligence agencies had been unable to give Congress or the Pentagon specific information about the amounts of banned weapons or where they were hidden[12].

18. On 17 March the former UK Foreign Secretary and then Leader of the House of Commons, Robin Cook, resigned from the Cabinet and told the UK Parliament that:

19. Iraq probably has no weapons of mass destruction in the commonly understood sense of the term—namely a credible device capable of being delivered against a strategic city target. It probably still has biological toxins and battlefield chemical munitions, but it has had them since the 1980's . . . [13]

Before the war broke out no conclusive WMD had been found. The official justification of the coalitions use of military force against Iraq was to disarm the country of its weapons of mass destruction because they posed a threat to international peace and security and because the inspections process was not working. If US inspectors continue to fail to uncover significant amounts of WMD, the reason why the US and UK went to war needs to be carefully analysed and objectively reassessed on both sides of the Atlantic.

#### PART II: INFORMATION GIVEN TO THE UK PARLIAMENT IN THE PERIOD LEADING UP TO MILITARY ACTION IN IRAQ

"As a result of the intelligence we judge that Iraq has: continued to produce chemical and biological agents; military plans for the use of chemical and biological



weapons, including against its own Shia population. Some of these weapons are deployable within 45 minutes of an order to use them."

#### BRITISH DOSSIER ON THE THREAT POSED BY IRAQ, PUBLISHED SEPTEMBER 24 2002

##### *The September 2002 dossier*

20. On 24 September 2002, Prime Minister Tony Blair released an intelligence report on Iraq, often referred to as the "British dossier"[14]. One of the major new claims in the dossier was the assertion that "As a result of the intelligence we judge that Iraq has . . . sought significant quantities of uranium from Africa, despite having no active civil nuclear power programme that could require it." [15] The evidence that Iraq sought to obtain uranium from an African country, Niger, played a major role in the case against Iraq. The evidence was a central component of the assertion that Iraq was developing nuclear weapons, the only true weapon of mass destruction. This evidence was subsequently used by the US State Department in its response to Iraq's arms declaration, by the President in his State of the Union address, and by numerous senior US Administration officials, including Defence Secretary Donald Rumsfeld and National Security Advisor Condoleezza Rice. However, the IAEA revealed on 7 March 2003 that the evidence was forged.

21. The release of the dossier received widespread media coverage, with the claim that Iraq sought uranium from Africa being prominently featured on network news and the front pages of major newspapers around the world.

22. On the 10 October 2002, the US House of Representatives passed the resolution authorising the use of force against Iraq, and the Senate followed suit on 11 October. In the weeks leading up to and after the vote on the resolution, over 180 members of Congress cited the threat of Iraqi nuclear capability as a reason for supporting the use of force in Iraq. Numerous members specifically cited the Iraq's purported effort to obtain uranium from an African country in their floor statements during debate over the war resolution. [16]

23. On 7 December 2002, the Iraqi government submitted its arms declaration to the UN. In its response to the Iraqi declaration, the US State Department highlighted the failure of Iraq to account for its attempts to procure uranium from Niger. According to the State Department, one of eight "key omissions and deceptions" in Iraq's weapons declaration was that "(t)he Declaration ignores efforts to procure uranium from Niger"[17]. The US emphasis on the failure of Iraq to explain its efforts to obtain uranium from Africa was reflected in news coverage. Once again, the forged nuclear evidence was prominently featured on network news and the front pages of newspapers around the world.

24. The most prominent use of the forged evidence occurred in the President's State of the Union address on 28 January 2003. The President told Congress and the nation: "The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa". US officials continued to cite the forged nuclear evidence as part of the case against Iraq until virtually the day the IAEA revealed the evidence to be a forgery. For example, in his presentation to the UN on 5 February, Secretary of State Colin Powell referred to the dossier as a "fine paper" that describes Iraqi deception in "exquisite detail".[18]

25. In June 2003, the CIA was accused of withholding evidence when it emerged that the Agency failed to pass on its conclusions that allegations of Iraq attempting to buy Uranium in Niger were false. A retired US ambassador had been sent to Niger in February 2002 and had reported back that the alleged weapons documents may have been forged. He reported his concerns over the British nuclear claims to the CIA, but the CIA failed to pass this on. A senior intelligence official told the Washington Post that the CIA was guilty of "extremely sloppy" handling of a crucial piece of evidence. [19]

#### THE FEBRUARY 2003 DOSSIER

26. In a statement to the House of Commons on 3 February 2003, Tony Blair drew attention to a new report published by Downing Street, which further detailed Iraqi non-compliance with UN weapons inspectors. The report, which claimed to include new intelligence, was subsequently criticized when it was found to include information, which had been publicly been available for a number of years and based on academic research,

without this being made clear.

### PART III: THE EVIDENCE POST-WAR

#### *The US inspections regime*

27. The day the war started, the New York Times reported that the Bush administration had deployed several new tactical units called mobile exploitation teams, or METs, to locate and survey at least 130 and as many as 1,400 possible weapons sites. [20] The day after the war started, the Washington Post reported that the UN agencies would not be invited to participate until US forces were ready to turn over dual-use biological or chemical sites for long-term monitoring. [21]

28. US military planners see four stages in their search-and-disarm effort:

- to take control of and assess any known site that might present an immediate threat to U.S. forces;
- to disable the threat and any ongoing production;
- to deploy "exploitation teams" with linguists, tools to extract information from hidden or encrypted computer files, and field laboratories that include detectors for radiation and sophisticated tests for biological and chemical toxins; and
- full destruction, which is expected to come much later. [22]

29. In April the Pentagon announced that it was sending 1,000 scientists, technicians, intelligence analysts and other experts to Baghdad. Called the Iraq Survey Group, the largely civilian team will be led by a general and will be equipped with mobile laboratories that can do tests in Iraq. It also is developing procedures for testing in laboratories in the US and the United Kingdom. The US Army's 75th Exploitation Group, which has searched several sites in Iraq, will come under the command of the larger Survey Group and provide its transportation and logistics. [23]

30. Interestingly, the search for weapons will be only one of the Iraq Survey Group's tasks. Its mission also includes uncovering information related to Saddam Hussein's regime, his intelligence services, terrorist outfits that might have had a presence in Iraq, any connections between the regime and terrorist organizations, war crimes and POWs. [24]

31. On May 1 President Bush declared an end to major combat operations in Iraq. At that point the search for evidence of biological and chemical weapons in Iraq was intensified. However, as time has passed those searching for biological and chemical weapons have become increasingly disillusioned. [25] A nuclear special operations group from the Defence Threat Reduction Agency, called the Direct Support Team, has already sent home a third of its original complement, and plans to cut the remaining team by half. [26]

#### **What US inspectors are looking for**

Chemical Weapons:	80 tones of mustard gas weaponized VX nerve agent stocks of tabun, sarin, cyclosarin	unaccounted for by Iraq UN says Iraq may have retained this UN disputes Iraq's declaration on this
Biological weapons:	10,000 litres of anthrax  3-11,000 litres of botulinum toxin Up to 5,600 litres of clostridium perfringens	"strong presumption" that this still exists according to the UN UN says Iraq failed to disprove figures of previous inspectors UN says Iraq failed to disprove figures of previous inspectors
Missiles:	86 Samoud 2 missiles which fly more than the permitted range of 150 km  Scud and al-Hussein missiles system, Plus 50 Scud-B warheads	Out of 120 listed by UN, 34 have been destroyed  UN says this "suggests" they may have been retained for "proscribed missile force"
Munitions:	R-400 bombs, which can deliver chemical and biological weapons	

## SIGNS AND INDICATIONS, BUT NO "SMOKING GUN"

32. Despite frequent media reports that coalition military forces are finding "signs" and "indications" of chemical and biological weapons, usually turning out to be unspecified documents and possible dual-use equipment, to-date no chemical, biological or nuclear weapons have been found. Substantive evidence of a "smoking gun" remains as elusive as ever.

33. As the coalition forces advanced increasing effort was devoted to locating CB weapons, but to no effect. For example, an entire artillery brigade, typically comprising 3,000-5,000 soldiers, was retrained to secure and examine sites suspected of holding banned weapons. The Pentagon offered rewards of up to \$200,000 for help in finding Iraqi leaders or chemical, biological or nuclear weapons. [27]

34. In mid April, US forces were reported to have narrowed their hunt for banned weapons to about three-dozen sites dispersed throughout Iraq. Inspection of these sites was expected to take about at least a month. [28] By the end of April it was being reported that around 90 of the top 150 "hot" sites that US intelligence indicated were most likely to hold illegal weapons had been visited. The current string of false alarms includes:

— Al Tuwaitha (south east of Baghdad): suspected nuclear weapons

35. US soldiers broke IAEA seals in attempting to "verify" the presence of safeguarded nuclear material. Not appreciating the significance of the facility, the soldiers left the contents unattended for days, during which time the materials could have been diverted or stolen. [29] The IAEA issued a statement calling for greater care and requesting to be allowed back in to ensure that the material is not diverted or disturbed.

— Baghdad: suspected biological and chemical weapons

36. In April, US special forces raided the Baghdad home of a microbiologist Rahib Taha, nicknamed "Dr. Germ", who allegedly ran Iraq's secret biological weapons programme. Documents were seized and three men arrested. [30] Taha was subsequently detained along with her husband Amir Muhammed Rasheed, Saddam's former oil minister and one of the most senior Iraqis dealing with UN inspectors. However, despite capturing and interrogating several key leaders of the former Iraqi weapons programme, it is reported that almost nothing of value has been disclosed to the US inspectors. [31]

37. At the Taji Airfield on the outskirts of Baghdad, US troops have been searching for traces of chemical and biological weapons, so far without success.

— Baija (northern Iraq): suspected chemical weapons

38. Field tests are being conducted on 14 55-gallon drums discovered by US special forces on April 25. Initial reports suggested that tests had confirmed positive for a chemical nerve agent cyclo-sarin, although these reports were later said to be incorrect. More accurate verification is awaited, as samples of the fluid have been sent to three labs for further testing: one in the United States, one in Europe and one in the Persian Gulf. [32]

— Hindiya (near Kerbala, central Iraq): suspected chemical weapons

39. Initial tests on substances found suggested the presence of nerve agents sarin and tabun and the blister agent lewisite. Subsequent US tests indicated that substances found are not chemical weapons agents but pesticides.

— Nassiriya (southern Iraq): suspected chemical weapons and conventional munitions

40. US marines found chemical suits, masks and atropine injectors in buildings used by Iraq's 11th Infantry Division. Earlier marines found weapons and ammunition inside a hospital.

— Najaf (southern Iraq): suspected chemical weapons

41. Early reports that US forces captured a possible chemical-weapons plant in the town of Najaf turned out to be false. [33]

— Qa Qaa (central Iraq): suspected chemical, biological and conventional munitions

42. Ongoing investigations at this five-square-mile ammunition manufacturing and storage plant near Karbala have so far been inconclusive. [34] Reports suggest that some radioactive material was discovered in a maintenance building, together with suspicious dual use biological equipment that was buried in metal containers. Seven canisters of cesium were removed from the huge maintenance warehouse, and although analysts have not yet determined their specific purpose, early indications suggest that the containers of cesium were probably intended to calibrate machinery in one of the many buildings and production facilities under construction at the site. International inspectors visited the plant as late as February, but failed to find biological or chemical weapons or agents there. [35]

43. CNN reported on April 15, that the 11 mobile laboratories found buried in the ground near the ammunition plant were not for chemical and biological weapons, as originally reported, but are likely to have been intended to make conventional weapons. [36]

— Mobile biological weapons laboratories

44. In a presentation before the United Nations in February, US Secretary of State, Colin Powell said Iraq had as many as 18 trucks used as mobile facilities for making anthrax and botulinum toxin. With nothing to distinguish them from ordinary trucks, such mobile trucks are likely to be difficult to find. It was reported on April 29 that US forces in northern Iraq had seized a truck that US intelligence officials believed could be a mobile biological weapons laboratory. [37] Another trailer was found at the al-Kindi Research, Testing, Development, and Engineering facility in Mosul in early May.

45. A May 28 joint CIA and Defense Intelligence Agency report on the trailers, *Iraqi Mobile Biological Warfare Agent Production Plants*, said:

Coalition experts on fermentation and systems engineering examined the trailer found in late April and have been unable to identify any legitimate industrial use—such as water purification, mobile medical laboratory, vaccine or pharmaceutical production—that would justify the effort and expense of a mobile production capability. [38]

46. But subsequent analyses by respected non-governmental experts have raised questions about the trailer's utility for biological weapons production. [39] For example, the trailers are said to lack proper containment equipment and are thus unsuited to the production of virulent BW agents. An as yet unpublished investigation into the two trailers by British scientists is reported to have concluded that they were for the production of hydrogen to fill artillery balloons. [40]

47. Furthermore, as noted by the US Institute for Science and International Security, there are several problems with the CIA/DIA report. The chief findings rely heavily on intelligence gathered from a single source: an Iraqi chemical engineer who revealed this information to the United States in 2000. However, much of the US intelligence on Iraqi weapons of mass destruction has turned out to be flawed, including information derived from human sources. The report lists other additional human sources as supporting this defector's information, but close scrutiny of their information shows only weak confirmation of this original story. [41]

#### SIGNIFICANCE OF THE FAILURE TO FIND BANNED WEAPONS

48. There are four potential explanations for the current failure to find significant evidence of banned weapons in Iraq, both before and post the recent invasion

- The Weapons Exist but have Not Yet Been Found;
- The weapons were destroyed or moved out of Iraq prior to invasion;
- The weapons were destroyed in coalition bombing or subsequent looting; or
- The weapons were destroyed even earlier, perhaps in the mid 1990s

49. Each of these explanations, which are not necessarily mutually exclusive, is considered in turn.

#### THE WEAPONS EXIST BUT HAVE NOT YET BEEN FOUND

50. The lack of success thus far in finding chemical or biological weapons—even the most strident proponents of the war no longer expect to find any nuclear weapons—is increasingly a problem for the United States. As Scott Ritter, former United Nations

Special Commission (UNSCOM) arms inspector, wrote:

What if it turns out that Iraq was, in fact, disarmed? What if it transpires that the UN weapons inspectors had succeeded in their mandate, and that the Iraqi government had complied with its obligation? The consequences and ramifications of such a finding are many, and few are trivial. [42]

51. Even if coalition forces find evidence of Iraqi chemical and biological weapons, they will face a credibility problem. An article in the Washington Post quotes Jay Davis, who led the Defense Threat Reduction Agency until 2001:

A very important political component is if you find these things, how do you establish the proof of that to the satisfaction of 35 foreign ministries and those of you in the media? A large number of conspiracy theorists all over the world will say the US government has planted all that stuff. [43]

52. And similar concerns were expressed by British Defence Secretary, Geoff Hoon, who called for any discovery of weapons to be verified by an independent body:

I think it is important that we have an objective source of verification. Whether that should be UNMOVIC, which wasn't particularly successful in its time in Iraq, or whether it should be some other international body or some other country that has a tried and tested reputation for objectivity in this area, I think we are still looking at it. [44]

53. Britain has considered asking impartial countries such as Sweden or Switzerland to verify any banned items uncovered by US or UK forces, but it would be more appropriate to facilitate the return of UNMOVIC to Iraq.

54. The Prime Minister has remained confident that evidence of Iraqi WMD would be found, and has even hinted that some of the evidence has already been accumulated. In a television interview at a Russia-European Union summit at the end of May, Tony Blair said that he had already seen plenty of information that his critics had not, but would in due course:

"Over the coming weeks and months we will assemble this evidence and then we will give it to people . . . I have no doubt whatever that the evidence of Iraqi weapons of mass destruction will be there. Those people who are sitting there saying 'Oh it is all going to be proved to be a great big fib got out by the security services, there will be no weapons of mass destruction', just wait and have a little patience. I certainly do know some of the stuff that has already been accumulated. . . which is not yet public but what we are going to do is assemble that evidence and present it properly." [45]

— If Downing Street has, as was claimed by the Prime Minister at the end of May, as yet unpublished evidence of Iraqi WMD this should be published without delay.

— Continued instability in Iraq is undoubtedly making it difficult for US teams to conduct systematic surveys and careful testing. However, the conduct of the war suggests that Iraq probably had no useable WMD and posed no threat outside its borders. Most analysts had predicted that Saddam Hussein would use such weapons if his regime faced collapse, but no such weapons were used, suggesting either unprecedented restraint (possibly because of the threat of being charged with war crimes) or confirmation that he lacked the weapons or an effective delivery capability.

— Despite the doubts raised, UNMOVIC was relatively successful in Iraq, and a return of the UN inspectors would confer some much needed legitimacy to the post-conflict search for weapons, and also help to re-engage the wider international community in the reconstruction of a post-Saddam Iraq. UNMOVIC should also be given the task of on-going monitoring in Iraq once the "coalition" military forces have left in order to ensure that any new Iraqi government complies with its disarmament obligations.

— The fact that US and UK officials are now indicating that the search process could take up to a year to complete is ironic. Before the war began, UNMOVIC said it could wrap up inspections in a few months.

— The British Government should also put its weight behind establishing a broader mandate within UNMOVIC as suggested by Hans Blix. [46] Over the years,

UNMOVIC has acquired much experience in the verification and inspection of biological weapons and missiles as well as chemical weapons, but only in Iraq. It has scientific cadres who are trained and could be mobilised to provide the Security Council with a capability for ad hoc inspections and monitoring, whenever this might be needed.

#### WERE THE MISSING WEAPONS DESTROYED OR MOVED OUT OF IRAQ PRIOR TO THE INVASION?

55. There are reports from individual scientists that Iraq destroyed chemical weapons and biological warfare equipment only days before the war began. Reportedly the scientist led Americans to a supply of material that proved to be the building blocks of illegal weapons, which he claimed to have buried as evidence of Iraq's illicit weapons programmes. [47] However, these reports have not yet been substantiated by independent evidence and have been the focus of much debate in the US media. [48]

— It is unlikely that weapons were destroyed or moved out of Iraq immediately prior to the invasion. The logistical problems of transporting or destroying large stocks of chemical and biological weapons just days before the US-led invasion are likely to have precluded this as a realistic option, although there is a real danger that in the post-war chaos and looting that some WMD materials may have been diverted out of Iraq (as was predicted by at least one analyst prior to the war [49]).

#### WERE THE WEAPONS DESTROYED IN THE BOMBING CAMPAIGN OR STOLEN BY LOOTERS?

56. Scores of suspect sites, industrial complexes and offices have been stripped of valuable documents and equipment. Investigations at the Qa Qaa facility, for example, have been hampered by the failure to secure it from looters. For instance, the experts found manuals that came with two drying ovens imported from Germany, equipment that can be used to culture viruses and bacteria for weapons. But the ovens themselves were gone by the time the specialists arrived. [50]

— The destruction of weapons by the bombing campaign is only a semi-plausible explanation (at best) for the failure to find ANY illicit weapons that had been identified so confidently prior to the war

#### WERE THE MISSING WEAPONS DESTROYED MANY YEARS AGO?

57. Claims that Iraq destroyed some illicit chemical and biological weapons in the 1990s—an explanation that failed to convince the UN inspectors and British and American intelligence officials prior to the invasion—are also being given greater credence in current US administration briefings. [51] There was very little reporting of this speculation prior to the war, however.

58. One exception was an exclusive report largely ignored by the rest of the US and UK media at the time. In early March, Newsweek reported that Hussein Kamel, the highest-ranking Iraqi official ever to defect from Saddam Hussein's inner circle, told CIA and British intelligence officers and UN inspectors in the summer of 1995 that after the gulf war, Iraq destroyed all its chemical and biological weapons stocks and the missiles to deliver them. The UN inspectors allegedly covered up Kamel's revelations for two reasons: Saddam did not know how much Kamel had revealed; and the inspectors hoped to bluff Saddam into disclosing still more. Iraq has never shown the documentation to support Kamel's story, but the defector's tale raises questions about whether the stockpiles attributed to Iraq still existed prior to the war. [52]

59. Other *post facto* (but still unconfirmed) reports, based on recent interviews with a leading Iraqi scientist, Nassir Hindawi, suggest that Iraq's biological weapons programme may have been shut down as a result of the economic sanctions in the 1990s. [53]

— There are strong grounds for believing that the main reason that the US and British forces have been unable to find chemical and biological weapons in Iraq is because the vast majority, if not all, of these weapons were destroyed by a combination of the first Gulf War, 12 years of punishing sanctions and the successful destruction of weapons and materials by UN inspectors from 1991-98.

— Reports suggesting that, Iraq may have concentrated on dual-use programmes in recent years [54]—putting chemical and biological production equipment within

commercial facilities so that it would not be discovered but could be used "on demand" or "just in time"—seem plausible enough, but are hardly the imminent threat to the US, UK and the rest of the world that justified the decision to go to war.

#### PART IV: CONCLUSION—WAS THE WMD THREAT FROM IRAQ OVERSTATED BY THE UK AND US GOVERNMENTS?

##### THE US

60. Although it is still too soon to be drawing any final conclusions, reports started to emerge in the US media in mid April 2003 that the US intelligence community widely misjudged the Iraqi weapons programme and was seeking to lower expectations at what might be found. Some senior officials began to emphasize the need to find a paper trail and testimony that pointed to the Hussein regime's capability and intent to develop chemical, biological, or nuclear weapons, as opposed to a readily usable stockpile of weapons. [55]

##### PRESSURE APPLIED TO INTELLIGENCE COMMUNITY

61. Anecdotal evidence of pressure being applied to the intelligence community has also come to the fore. As John Prados, a historian of the intelligence community wrote:

What is clear from intelligence reporting is that until about 1998 the CIA was fairly comfortable with its assessments on Iraq, but from that time on the agency gradually buckled under the weight of pressures to adopt alarmist views. In fact, the looming threat of the day—Iran—has gradually been eclipsed even though it, like North Korea, had—and has—more questionable and more highly developed programs in several areas than had Iraq. [56]

62. Prados also elaborated further on June 10:

a leaked passage of a September 2002 report from the Defense Intelligence Agency (DIA)—the kind of report used to plan military operations—conceded that there was "no reliable information" on either the location of Iraqi chemical and biological weapons facilities or "on whether Iraq is producing and stockpiling chemical weapons" at all.

The DIA, which works for the Pentagon, usually takes a more extreme view of foreign military threats than CIA. So, if there was evidence of an Iraqi weapons infrastructure it would certainly have been articulated in a DIA document.

Instead, the DIA information is consistent with the CIA's reports to Congress (up until September of 2001) which outlined Iraq's desire to reconstitute a weapons infrastructure but did not declare there was a clear and present threat. [57]

63. A recent article in the New Yorker reported that analysts and advisers in the Pentagon's Office of Special Plans rivalled both the CIA and the Pentagon's own Defense Intelligence Agency as President Bush's main source of intelligence regarding Iraq's possible possession of weapons of mass destruction. [58] And it is also worth noting that both Secretary of Defense Rumsfeld and his deputy, Paul Wolfowitz, have a long record of questioning the assumptions, methods and conclusions of the CIA. [59]

64. It has also been revealed that Vice President Cheney and his most senior aide, chief of staff, I. Lewis "Scooter" Libby, made multiple trips to the CIA to question analysts studying Iraq's weapons programmes and alleged links to al Qaeda, creating an environment in which some analysts felt they were being pressured to make their assessments fit with the Bush administration's policy objectives. [60]

65. Indeed, the CIA has begun a review to try to determine whether the American intelligence community erred in its pre-war assessments of Saddam Hussein's government and Iraq's weapons programmes. [61]

##### RELIANCE ON IRAQI DEFECTORS

66. An over-reliance on intelligence from Iraqi defectors may be another problem, as indicated by David Albright, a former UNSCOM inspector:

There seemed to be in the last couple of years more of a reliance on human defectors and the INC produced a lot of them. We had been reviewing INC defector information for years and often found it deeply flawed. And we knew that a lot of those people and they do have an agenda. It was regime change, very much opposed

to inspections because inspections work, no regime change, and they skewed a lot of information. We would see that when we evaluate their information. Some would be almost ludicrous technically. [62]

67. TIME magazine has interviewed several dozen current and former intelligence officials and experts at the Pentagon and CIA and on Capitol Hill in recent weeks to try to understand how the public version of the intelligence got so far ahead of the evidence. The reporting suggests three factors were at play: treating the worst-case scenario as fact; glossing over ambiguities; and the fudging of mistakes. For example, after it became known that the British intelligence report on Iraqi uranium procurement from Niger was revealed to be bogus, rather than withdraw the charge, the White House claimed instead that Bush omitted any reference to Niger because reports that Saddam had sought uranium had come, an official explained, "from more than one country and more than one source". The other nation, if it exists, has yet to be named, but the Senate Intelligence Committee has asked the CIA for an investigation. [63]

— Final conclusions about the reliability of US intelligence on Iraqi's WMD programme and the role of senior figures in the US Administration in interpreting and disseminating that evidence will need to be deferred until further information becomes available, hopefully as a result of the planned oversight hearings by Congress. However, on information currently in the public domain, it appears that the US administration hyped the intelligence, drawing the most alarming conclusions from the available information in a push for war to oust Saddam Hussein.

#### THE UK

68. In recent weeks, the Prime Minister's former Cabinet colleagues, Clare Short and Robin Cook, have suggested that the evidence presented in the run up to the conflict was misleading or worst deliberately deceiving. Blair refuted this stating:

I stand absolutely 100% behind the evidence, based on intelligence, that we presented to people . . . the idea that we doctored intelligence reports in order to invent some notion about a 45 minute capability of delivering weapons of mass destruction, the idea that we doctored such intelligence is completely and totally false. Every single piece of intelligence that we presented was cleared very properly by the Joint Intelligence Committee. [64]

69. However, there are four crucial questions that remain to be clarified:

i. *Did Downing Street ask the joint intelligence committee (JIC) to add to, or change the wording of, the September 2002 dossier?*

The dossier contains four references to the claim that Iraq could deploy chemical and biological weapons within 45 minutes of an order to do so. It has been claimed that these were inserted at Downing Street's request. It has also been reported that Alastair Campbell and John Scarlett, chairman of the JIC, spent considerable time discussing what should go into the dossier, and that it may have been "sexed up" at the former's request. The Government has dismissed both allegations as the work of "rogue elements" in the intelligence agencies. However, a comparison between what Downing Street wanted and what the intelligence agencies preferred would be telling—and publication of the minutes of the meetings between Campbell and Scarlett would be one way of helping to resolve this question.

ii. *Why did the government fail to publish a promised first dossier in March 2002?*

Allegations have arisen that Downing Street scrapped a dossier on Iraq drawn up by intelligence officials because it failed to establish that Saddam Hussein posed a growing threat. The six-page document was allegedly produced in March last year by staff working for the joint intelligence committee using material supplied by MI6 and the Ministry of Defence. It was said to have been written six months before the release of the governments controversial 50-page dossier, but was never published. [65]

iii. *Who was responsible for the "dodgy dossier" published by Downing Street in February 2003?*

In its Annual Report published on 10 June, the Intelligence and Security Committee



(ISC) was heavily critical of the February dossier:

In September 2002 some intelligence was declassified and used to produce a dossier on the Iraqi WMD programme. The Agencies were fully consulted in the production of the dossier, which was assembled by the Assessments Staff, endorsed by the JIC and issued by the Prime Minister. The Committee supports the responsible use of intelligence and material collected by the Agencies to inform the public on matters such as these.

We believe that material produced by the Agencies can be used in publications and attributed appropriately, but it is imperative that the Agencies are consulted before any of their material is published. This process was not followed when a second document was produced in February 2003. Although the document did contain some intelligence derived material it was not clearly attributed or highlighted amongst the other material, nor was it checked with the Agency providing the intelligence or cleared by the JIC prior to publication. We have been assured that systems have now been put in place to ensure that this cannot happen again, in that the JIC Chairman endorses any material on behalf of the intelligence community prior to publication. [66]

Downing Street has apologised for failing to admit that much of the dossier came from published academic sources, including an article by a Californian PhD student. But the question remains, who authorised its release in this format, and why?

Some of the answers may well surface in the forthcoming ISC inquiry:

It is impossible at the present moment to make any definitive statements about the role of intelligence and the situation in Iraq. Whilst the Committee has been briefed, we intend to examine in more detail the intelligence and assessments available and their use. We will report when our inquiries have been completed. [67]

*iv. Did the Foreign Secretary, Jack Straw, have concerns similar to those of his US counterpart, Colin Powell, about intelligence claims?*

The Foreign Secretary denies he expressed doubts to Powell about the quality of intelligence prior to the crucial UN Security Council meeting on 5 February. Yet Powell had doubts of his own about some of the questionable intelligence on Iraq's weapons programme and was in constant communication with the Foreign Secretary during this period. [68]

Indeed, the Foreign Secretary has since conceded that hard evidence might never be uncovered. In a BBC radio interview on 14 May, he said that uncovering Iraq's WMD was not "crucially important". [69] This is a stark change from the Foreign Secretary's earlier remarks that "the removal of Saddam Hussein's regime has become necessary to eradicate the threat from his programmes to develop weapons of mass destruction". [70]

— Many people who questioned the war against Iraq on the grounds that the doctrine of pre-emption is a flawed and dangerous instrument of foreign policy, did take at face value the evidence presented by the British government that Saddam Hussein possessed unconventional munitions, long-range missiles or missile parts, bulk stores of chemical or biological warfare agents or enrichment technology for the core of a nuclear weapons programme. Although the British Government cited all those components specifically as part of Iraq's concealed arsenal, to date no evidence to support any of these claims has been uncovered in post-war Iraq.

— It is important to establish whether the threat was either genuinely miscalculated or deliberately exaggerated. In either case, unless independent evidence to the contrary arises, it would appear that the biological and chemical agents in the country did not present a realistic threat to the UK that could not be dealt with by vigorous international inspection.

— The Inquiry by the Intelligence and Security Committee (ISC) is welcome, but unlikely to be sufficient. The ISC is appointed by and answerable to the Prime Minister, and reports are sensed before they are published. The magnitude of the issue involved—the decision to go to war—requires an independent judicial inquiry. The magnitude of the issue involved—the decision to go to war—requires an independent judicial inquiry. Such an inquiry is also important because with the

doctrine of pre-emption seemingly accepted by the British Government and with bellicose noises now being made by the US Administration towards Iran, it is possible that future wars will be fought on the basis of intelligence claims about possession of WMD. It is vital therefore to scrutinise the intelligence gathering and claims that led to the Iraq war. It took the Scott Inquiry to uncover the truth over the UK's role in arming Iraq; it may be that a similar inquiry is necessary to uncover the truth surrounding the disarming of Iraq.

*BASIC and Saferworld*

*16 June 2003*

### **Annex 1**

#### **A CHRONOLOGY OF KEY EVENTS IN IRAQ BETWEEN THE DEPARTURE OF UNMOVIC IN 1998 AND TO DATE**

1998—20-23 February—Iraq signs a Memorandum of Understanding with the United Nations on February 23, 1998. Iraq pledges to accept all relevant Security Council resolutions, to cooperate fully with UNSCOM and the IAEA, and to grant to UNSCOM and the IAEA "immediate, unconditional and unrestricted access" for their inspections.

1998—31 October—Iraq ends all forms of cooperation with the UN Special Commission to Oversee the Destruction of Iraq's Weapons of Mass Destruction (UNSCOM).

1998—16-19 December—After UN staff are evacuated from Baghdad, the U.S. and U.K. launch a bombing campaign, "Operation Desert Fox," to destroy Iraq's nuclear, chemical and biological weapons programs.

1999—8 January—Clinton Administration officials admit monitoring coded radio communications of Saddam Hussein's security forces, using equipment secretly installed by UN arms inspectors.

1999—17 December—UNSC Resolution 1284 creates the UN Monitoring, Verification and Inspection Commission (UNMOVIC) to replace UNSCOM. Iraq rejects the resolution.

2000—November—Iraq rejects new weapons inspections proposals.

2000—December—Iraq temporarily halts oil exports after the UN rejects Iraq's request that buyers pay a 50-cent-a-barrel surcharge into an Iraqi bank account not controlled by the UN.

2001—February—US and British aircraft attack two communications and control facilities outside Baghdad. Iraq has been actively, but unsuccessfully, trying to shoot down allied planes patrolling the no-fly zones since December 1998.

2001—20 September—British and US jets go on a bombing raid against surface-to-air missile batteries in southern Iraq. A Ministry of Defence official denies any connection to the September 11 attacks.

2001—19 November—John Bolton, the under-secretary for arms control and international security, tells an arms conference in Geneva that President Saddam Hussein may have covertly developed biological weapons in the past three years.

2002—January—In his State of the Union address, President Bush refers to Iraq as part of the "axis of evil", alongside North Korea and Iran

2002—February—Responding to anti-aircraft fire, the U.S. and Britain strike Iraq with bombs in the northeast

2002—14 May—The UN introduces "smart sanctions" targeted at military equipment, to replace existing sanctions. The UN agrees to long-awaited smart sanctions for Iraq.

2002—5 July—In talks with UN Secretary General, Iraq rejects weapons inspections proposals.

2002—2 August—In a letter to the UN Secretary General, Iraq invites the UN chief weapons inspector to Baghdad.

2002—19 August—UN Secretary General rejects Iraq's proposal as the "wrong work program" but renews offer to facilitate the return of inspectors in accordance with UNSC resolution 1284, passed in 1999. The resolution calls for UNMOVIC inspectors to spend 60 days conducting active inspections to determine what has changed since UN weapons inspectors were expelled in 1998 and what needs to be done for Iraq to be rid of all chemical, biological and nuclear weapons.

2002—12 September—President Bush addresses the UN to present the case for war against Iraq.

2002—16 September—Iraq accepts "unconditional" return of UN inspectors.

2002—24 September—Britain publishes dossier saying Iraq could produce a nuclear weapon within one or two years, if it obtains fissile material and other components from abroad.

2002—30 September—UN negotiators and an Iraqi delegation meet in Vienna for three days of talks to agree to terms for resuming weapons inspections.

2002—8 November—UN Security Council votes unanimously to back a US-British resolution requiring Iraq to reinstate weapons inspectors after a four year absence.

2002—13 November—President Saddam sends a letter to the UN secretary-general, Kofi Annan, accepting the UN resolution.

2002—27 November—The weapons inspectors start inspections.

2002—12 December—Iraqi officials in Baghdad present the UN with a 12,000 page dossier disclosing Iraq's programs for weapons of mass destruction

2003 March—Chief weapons inspector Hans Blix reports that Iraq has accelerated its cooperation but says inspectors need more time to verify Iraq's compliance.

2003 17 March—UK's ambassador to the UN says the diplomatic process on Iraq has ended; arms inspectors evacuate; US President George W Bush gives Saddam Hussein and his sons 48 hours to leave Iraq or face war.

2003 20 March—American missiles hit targets in Baghdad, marking the start of a US-led campaign to topple Saddam Hussein. In the following days US and British ground troops enter Iraq from the south.

2003 9 April—US forces advance into central Baghdad. Saddam Hussein's grip on the city is broken. In the following days Kurdish fighters and US forces take control of the northern cities of Kirkuk and Mosul. There is widespread looting in the capital and other cities.

2003 May—UN Security Council approves resolution backing the US-led administration in Iraq and the lifting of economic sanctions. US administrator abolishes the Baath Party and institutions of the former regime.

Source: <http://academic3.american.edu/~mertus/timeline—on—iraq.htm>

## **Annex 2**

### **RELEVANT EXCERPTS FROM UNMOVIC REPORT: UNRESOLVED DISARMAMENT ISSUES, 6 MARCH 2003**

According to Iraqi authorities, instructions were given to all MIC (Military Industrial Complex) establishments that they were to be evacuated of "all dangerous materials and essential assets" by 15 January 1991. The Gulf War started two days later. It would appear that most WMD programmes were halted during the war, although Iraq has acknowledged that the diversion of aircraft fuel drop tanks in to spray tanks for BW agents such as anthrax, did continue throughout the war (p 8)

By its design and technical parameters, the R-400 bombs could be quite suitable as a delivery means for some chemical warfare agents, but less so for the proper aerosolization of biological agents. With an impact fuse the R-400 could have been effective for delivering a Sarin weapon; fitted with an air burst fuse it could have been suitable for

delivering persistent agents, such as VX and Mustard. With respect to biological agents, the relatively large volume of liquid agents together with the small burster tube and thick bomb walls means that much of the agents would not be dispersed as respirable particles but as relatively large droplets (p 47)

According to documents discovered by UNSCOM in Iraq, the purity of Sarin-type agents produced by Iraq were on level below 60%, and dropped below Iraq's established quality control acceptance level of 40% by purity some three to 12 months after production (p 72)

There is no evidence that any bulk Sarin-type agents remain in Iraq—gaps in accounting of these agents of these agents are related to Sarin-type agents weaponized in rocket warheads and aerial bombs. Based on the documentation found by UNSCOM during inspections in Iraq, Sarin-type agents produced by Iraq were largely of low quality and as such, degraded shortly after production. Therefore, with respect to the unaccounted for weaponized Sarin-type agents, it is unlikely that they would still be viable today (p 73)

To UNMOVIC's knowledge, the only precursors for Sarin-type agent production that Iraq may have been may have been capable of producing indigenously (although no such production has been declared) were cyclohexanol and thionyl chloride, as the starting materials for production of these precursors are available in Iraq. While the specific chemical process equipment required to construct such plants could be obtained by removing them from various facilities in Iraq, to UNMOVIC's knowledge, there is no such plant. Therefore, unless precursors remain from Iraq's CW programme before the Gulf War, or are clandestinely acquired since then, Iraq would not possess all of the chemical required to produce Sarin-type agents. Iraq would also need to use "corrosion resistant" process equipment for some processes involved in this production sequence. The bottleneck for Sarin-type agents would then be the limited amount of such process equipment available to Iraq.

Assuming improvements in its quality control and process to produce the agent, it is possible that Iraq today has the capability to produce Sarin-type agents of a storable quality. If not, Iraq might instead produce readily storable precursors such as MPC, which can be used for Sarin production when needed. However, no evidence of precursors has so far been observed by UNMOVIC inspection teams. (p 74)

There is much evidence, including documents provided by Iraq and information collected by UNSCOM, to suggest that most quantities of Mustard remaining in 1991, as declared by Iraq, were destroyed under UNSCOM supervision. The remaining gaps are related to the accounting for Mustard filled aerial bombs and artillery projectiles. There are 550 Mustard filled shells and up to 450 Mustard filled aerial bombs unaccounted for since 1998. The mustard filled shells account for a couple of tonnes of agents while the aerial bombs account for approximately 70 tonnes. According to an investigation made by the Iraqi "Depot Inspection Commission", the results of which were reported to UNMOVIC in March 2003, the discrepancy in the accounting for the mustard filled shells could be explained by the fact that Iraq had based its accounting on approximations. (p 76)

Iraq has trouble storing Sarin/Cyclosarin (GB and GF) for long periods of time—most of the agent found by UNSCOM after the Gulf War was of low quality. The quality of Sarin that Iraq produced was such that it would drop to below 40% purity (Iraq's minimum acceptance purity for filling munitions with the agent) three to 12 months after production. The same problem would have been encountered with Soman.

On the other hand, it seems unlikely that significant undeclared quantities of botulinum toxin could have been produced, based on the quantity of media unaccounted for. Thus the estimate based solely on fermenter availability, that an additional 7,000 litres of botulinum toxin could have been produced is not supported ie the limiting factor for additional botulinum toxin production is not fermenter availability but media (p 125)

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4 These included Air Marshall Sir Timothy Garden, former US Ambassador Robert Barry, Glenys Kinnock MEP, London Iraqi, Munder Adhami. [Back](#)

5 This submission also draws heavily on a BASIC Special Briefing, "Matters of Emphasis: The Hunt for Chemical and Biological Weapons in Iraq", by David Isenberg, Ian Davis and Paul Ingram, which is being periodically updated on the BASIC website: [www.basicint.org](http://www.basicint.org) [Back](#)

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## Memorandum submitted by Olivia Bosch, former UNSCOM Inspector in Iraq

1. This brief highlights factors leading to the decision by the Coalition Forces to use military force on 20 March 2003 to force Saddam Hussein's Iraqi regime to comply with its obligations mandated by UN Security Council resolutions (UNSCR) since 1991. This use of force took place after governments of the international community were unable to settle by peaceful means the short-term crisis arising in August 2002. Since 1991, Iraq had failed to comply with its obligations to destroy and dismantle its programmes related to nuclear, chemical and biological weapons and means of delivery, generally referred to as weapons of mass destruction (WMD). This long-term non-compliance came to a head in August 2002, when Iraq resisted the return of UN inspectors after a four-year absence since December 1998.

2. This brief emphasises the factors other than intelligence information that led to this decision, though the role of intelligence in the UN inspection process will be referred to as appropriate. This brief does not intend to provide a normative view as to whether military force should or should not have been used but highlights the various actions taken by different countries that led to the decision to use it.

3. Foremost among the factors contributing to the decision to use military force was the demeanour of the Iraqi regime at a time when it was obliged to verify information about and destruction of its programmes of WMD. This was a systematic pattern of non-cooperation that comprised deceiving the inspectors and concealing parts of the WMD programmes; this behaviour was well known to UNSCOM inspectors during the period 1991-98. During the recent crisis beginning in August 2002, it gradually became evident that the regime was again conducting such stalling techniques; however, the degree to which the regime deceived and concealed such information was not well understood by the public, the politicians or the media. This is because from 1991-98 the Iraqi regime's acts of deception were largely kept "below the radar" so as to avoid attention and action by governments. When such actions were deemed to be significant by the UN Security Council, new resolutions were passed.

4. The role of the inspectors remains not fully understood. One of their main objectives was to ascertain the programmes of WMD, not just the weapons themselves. The latter tended to become synonymous with the "smoking gun", a phrase that the media in particular preferred to accentuate as it was more journalistically appealing, but this had an effect of distorting the role of the inspectors. Both UNSCRs 687 (1991) and 1441 (2002) referred to WMD programmes, which included research and development, infrastructure, and personnel as well as stockpiles of agent and weapons. Programmes also indicated intent as well as capability; thus when the Iraqi regime repeatedly stalled and frustrated the inspectors' demands for transparency and information—not just access to sites—it was prudent for governments to expect the worst of Iraq's WMD capability. There has not yet been an explanation of why the Iraqi regime proactively stalled on providing verifiable information about the status of its WMD programmes.

5. While the substantive UK and US government dossiers on Iraq's WMD programmes appeared in September 2002, the UN inspectors returned to Iraq subsequently, from 25 November until 18 March 2003, in accordance with UNSCR 1441. The role of the inspectors was not "to hunt and seek" WMD but to verify the information provided by the Iraqi regime, particularly that recently presented in the Declaration of 7 December 2002, regarding the status of the programmes. Indirectly, there was a chance of information in the UK and US dossiers being corroborated by findings of the inspectors, but this evaluation, too, could not be done accurately or fully. According to Hans Blix, Head of

UNMOVIC, the 7 December declaration was deemed to contain omissions and false statements. Additionally, the Iraqi regime was known by UNSCOM inspectors to have a propensity to "squirrel away" component parts of weapons programmes, and to remove and move around these parts, so intelligence regarding sites that was provided to the UNMOVIC inspectors often became outdated for operational use.

6. The most significant indication of Iraqi lack of cooperation with the UN inspectors, and one that indirectly prevented intelligence assessments from being verified, was the inability of UN inspectors to interview scientists, military engineers and many others who worked on WMD programmes.

7. The various reports by Hans Blix and his counterpart Mohammed El-Baradei, Director General of the International Atomic Energy Agency (IAEA), to the UN Security Council from 27 January to March 2003, were technical statements about Iraq's WMD programmes and not judgments about compliance or what action should be taken to deal with Iraqi non-compliance. The Security Council, not UNMOVIC or the IAEA, was the entity that could make such a determination; this reflected the political nature of such a judgment. While Hans Blix mentioned that some progress had been made on the inspections process, eg, that the Iraqis has allowed the inspectors unconditional access to sites, Blix stated that the Iraqis did not co-operate on substance, meaning that the Iraqis provided no significant verifiable accounts of those parts of the WMD programmes still unaccounted for. On the record, many questions remained unresolved. These included, for example, no verifiable account of the existence or destruction of more than 8,000 litres of anthrax and 1,000s to tens of thousands of chemical and biological capable munitions. While some analysts of WMD argued that the shelf-life of some chemical or biological agents might have expired, the main concern was rather the degree to which the Iraqis were capable of producing such agents at very short notice. Understanding Iraq's programmes of WMD also required knowledge of how their procedures differed from those in the West. For example, some WMD analysts have suggested that the two suspect mobile laboratories (10-18 more are believed to exist) discussed after the conflict could not be for biological agent production because they had canvas sides and thus were unsafe, but this indicates ignorance of Iraq's disregard for safety when working with industrial and scientific processes related to programmes of WMD.

8. The second major factor that contributed to the decision to go to war was the strategic interplay between the threat of use of military force to alter the behaviour of the Iraqi regime (coercive diplomacy) and the diplomatic activity among the members of the United Nations Security Council. From August 2002 until the week before 20 March 2003, the threat of use of military force was most effective in making the Iraqi regime more cooperative, for example, by eventually allowing the return of inspectors. The US was the only state that could credibly project such force, but in doing so it attracted unfavourable press and public reaction. Paradoxically, such unfavourable public reaction would have had the effect of making the threat to use military force more credible in the eyes of the Iraqi regime. The credibility of the threat to use military force required mobilisation and deployment of troops and equipment to the Gulf region.

9. France made it publicly known in March 2003 that it would veto an additional UNSCR authorising the use of military force, as that would mean pursuing the "logic to war". This position immediately nullified the hitherto value of the threat to use military force—the logic to war implies preparations to conduct military operations. Once the French government had made its position known, further steps by Coalition forces towards military action were perceived to be virtually essential if the "final opportunity" and "serious consequences" referred to UNSCR 1441 were to have meaning and mandatory UN Security Council resolutions were to be enforced. In future academic studies, the deployment of military capability to the region can be seen as a classic text-book example of (the failure of) coercive diplomacy.

10. The factors leading to the decision to use military force were many and complex, not based solely on intelligence. The decision was a "judgement call". This brief emphasises primarily that the non-compliant behaviour of the Iraqi regime alongside a momentum of coercive and negotiated diplomatic activity led to the use of military force to make the Iraqi regime comply with its obligations. The political objective of the destruction of WMD programmes was thereafter intended to be achieved through the two military objectives of: regime change to remove the intent to pursue programmes of WMD, and physical destruction of the component parts of the WMD programmes to deal with

capability. This second objective remains to be accomplished when the environment in Iraq becomes secure enough for civilians to return to conduct document searches and interview Iraqi people previously unable to provide information about the WMD programmes.

*Olivia Bosch*

*June 2003*

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## Memorandum from Greenpeace UK

1. Greenpeace UK is an independent non-profit-making body, whose principal activities are campaigning to prevent environmental harm and for peace through disarmament. Greenpeace UK has 220,000 supporters.

2. Worldwide, Greenpeace has roughly 2.9 million supporters in over 100 countries. It is also accredited with consultative status with the United Nations Economic and Social Council (including the United Nations General Assembly) and has accreditation status with the United Nations Conference on Environment and Development.

3. Greenpeace opposed the war against Iraq because the war would have devastating human and environmental consequences, because war is an ineffective way to deal with the problem of weapons of mass destruction and because we agreed with Nelson Mandela going to war was "a decision that is motivated by George W Bush's desire to please the arms and oil industries of the USA".

4. Greenpeace UK actively campaigned against the war in Iraq. In its view the proposed war was unjustified and, without specific UNSC authorisation (which Greenpeace did not consider to be provided by the UNSC Resolutions up to and including 1441), illegal. Greenpeace's campaign activities included direct action, taking part in mass demonstrations and lobbying members of parliament.

5. Greenpeace is very concerned that MPs and the public were given inaccurate or incomplete information by the government—including an edited memo summarising the advice of the Attorney General—in order to support the case for war.

6. Central to the government's case for war was the assertion that the government knew that Iraq possessed weapons of mass destruction. For example, the Prime Minister in debate on 18 March 2003 said, "We are asked now seriously to accept that in the last few years—contrary to all history, contrary to all intelligence—Saddam decided unilaterally to destroy those weapons. I say that such a claim is palpably absurd."

7. The Prime Minister's assertion that Iraq continued to possess weapons of mass destruction was not a conclusion which is supported by the weapons inspectors' report of 7 March 2003. The Prime Minister said, in the same debate, that "any fair observer does not really dispute that Iraq is in breach of resolution 1441 or that it implies action in such circumstances". It is instructive to compare this characterisation of the position with that of Switzerland whose permanent representative to the UN gave a statement in New York on 11 March 2003, stating: "Switzerland notes that UNMOVIC and the IAEA do not have, at this moment, conclusive evidence indicating that Iraq possesses or is continuing to produce weapons of mass destruction."

8. It follows that the assertion that Saddam did have weapons of mass destruction was not a conclusion drawn by the weapons inspectors in the process laid down by 1441. Nor was the Security Council ever given an opportunity to debate whether Iraq was in breach of UNSC resolutions, how serious the breach was, and whether there were alternatives to war. The position that Iraq was in breach of Security Council resolutions and that the breach—possession of weapons of mass destruction and the willingness to use them—was so serious that military action was necessary and urgent was a conclusion reached unilaterally by the UK government, not by the UN.

9. Before parliament voted on 18 March 2003, the bulk of opinion from international lawyers was (and remains) that the use of force against Iraq, without specific United Nations Security Council authorisation, would be unlawful. [71] It is against this weight of

opinion that a statement from the Attorney General was published on 17 March 2003, one day before the Commons voted on the question of war.

10. The Attorney General's statement is partial and incomplete. The statement did not attach a copy of the full legal opinion, nor does it disclose the facts upon which the Attorney General's conclusion was based. The statement does not mention and comment upon the weight of expert opinion, including that of the UN Secretary General, that the unilateral use of force would be unlawful.

11. The Attorney-General's conclusion that authority existed for the use of force was, of course, highly influential in the parliamentary vote and among the public at large. In Greenpeace's view, it was wrong to present a partial statement of the Attorney-General's opinion, which gave an incomplete picture of the legal position on using force against Iraq. As Lord Goodhart said in the House of Lords: "We now have the summary of the advice given to the Government by the noble and learned Lord the Attorney-General. We welcome the fact of that disclosure, although we should have liked to see much more detail of what must have been a lengthy opinion dealing with the complex arguments involved in the case and showing possible qualifications and reservations. All we have seen is the baldly stated summary. We also regret that the noble and learned Attorney-General has not given us the opportunity to ask questions and to hear his answers."

12. However, even the Attorney-General's opinion did not support the assertion that the government made, and continued to make, that resolution 1441 implied the right to use force against Iraq. [72]

13. The Attorney-General's opinion is plainly based on the legal argument that the authority to use force under resolution 678 could revive "because (Iraq) has not fully complied with its obligation to disarm under that resolution." As mentioned above, the determination that Iraq had failed to disarm and that it possessed weapons of mass destruction could not have come from the conclusions of the UN weapons inspectors under resolution 1441. If Iraq had, in fact, disarmed and did not possess weapons of mass destruction then the Attorney-General's opinion is fatally flawed and its conclusion is invalid.

14. It is therefore vital to know the factual basis upon which the Attorney-General's advice was given.

#### CONCLUSIONS

We urge the committee to extend its inquiry into whether the information given to parliament was "accurate and complete" to the information upon which this vital piece of advice was based.

We urge the Committee to ask to see the full legal opinion of the Attorney General, in order to determine whether the summary given of that opinion was partial and incomplete.

We urge the Committee to ask for the information upon which the Attorney-General's determination that Iraq was in serious breach of its obligation to disarm was based.

*Greenpeace UK*

*June 2003*

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71 For example, 16 eminent international lawyers said so in a letter published in the Guardian on 6 March in which they stated that "there is no justification under international law for the use of military force against Iraq." 43 international lawyers had written to the Australian press in similar terms, saying "the initiation of a war against Iraq by the self-styled "coalition of the willing" would be a fundamental violation of international law." Barristers from Matrix Chambers, Rabinder Singh QC and Charlotte Kilroy had advised CND and others that there was no authority for the use of force against Iraq, in a series of publicly available opinions. Mark Littman, QC, agreed that, in the absence of a new Security Council Resolution authorising war in unambiguous terms, an attack on Iraq would be unlawful. Lord Archer of Sandwell, a former solicitor general, was quoted as

saying "In the absence of a further resolution it would be flagrantly unlawful to take military action." In its resolution of 31 January on the situation in Iraq, the European Parliament opposed any unilateral military action and considered that a preventive strike would violate international law and the United Nations Charter. And on 10 March 2003 Kofi Annan, the secretary general of the UN said: "If the US and others were to go outside the Security Council and take unilateral action they would not be in conformity with the Charter." [Back](#)

72 For example, the Foreign Office in its policy on Iraq issued on 31 March 2003 said this: "In November, the UN Security Council unanimously sent the Iraq regime an uncompromising message: co-operate fully with weapons inspectors or face disarmament by force." This statement was untrue and misleading. UN resolution 1441 was passed because the members of the Security Council were under the unambiguous impression that a breach did not imply automatic force. [Back](#)





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## Memorandum from Paul McGowan

1. I have already written to my MP, Mr Jim Cunningham, along the following lines. I make the points again, as an ordinary citizen, as a contribution to the Committee's work.

2. To begin with, I do not see the need for any inquiry into this matter. If the Government had adequate information before the war, it could now safely divulge all of it. On the other hand, if it will not now divulge the information it had at the time, it can only be because it knows that it was inadequate. If it was inadequate, then the Government went to war recklessly. This is a most serious conclusion to arrive at.

3. Next, it has to be accepted that the publicly stated intention of the Government was to go to war with Iraq in order to enforce its compliance with the repeated will of the United Nations, namely that it should rid itself of certain prohibited weapons. It was never formulated by the United Nations that the Iraqi regime was so offensive that it should not be allowed to continue to rule the country. Therefore, since the UK Government expended great efforts to ensure UN authorisation for war against Iraq, we cannot allow any shifting of ground away from what was explicitly formulated by the UN. Tampering with legally-binding statements is a most serious matter.

4. Now, it is increasingly often said in justification of the war against Iraq that the regime of Saddam Hussein was so injurious to the rights and well-being of the ordinary people of Iraq that a great good has been achieved by the actions of the USA and the UK. To this, it is sufficient to recall the old adage "Two wrongs do not make a right". That is to say, if the decision to go to war was wrongly made in the first place, no amount of alternative justifications will cancel out the original error. I dare say you may regard this as hopelessly academic, and even heartless, but if we do not observe basic principles then we may find we have no arguments left when great harm is done to us in the name of some other cause.

5. Further, the view is often put forward that the world is undoubtedly a better place for the removal of Saddam Hussein and his entourage. I think, though, that there have been large numbers of very worthy and innocent individuals whose death or mutilation has been the price of this improvement in global well-being. It is not at all obvious to me, I have to say, that the deaths of brave service personnel, consciously agreeing to give their lives on our behalf, really does make the world a better place. Would it not be a better place if these courageous and selfless individuals had remained with us, so that we might have continued to benefit from their example? And as for the innocent victims who must now bear the burden for the rest of their lives, while our attention moves on elsewhere—how is their suffering to be balanced against the importance of a man who stood for nothing except his own survival and power?

6. Some say that the protection of human rights is a matter which may well call for the use of armed force. Well, be that as it may, I say that any government which casts off clear moral principles under cover of realpolitik will pay a heavy price in the end. I also fear that other innocents in our own country, too, may pay an even heavier price at the hands of the enemies which such a government may make. Indeed, Miss Manningham-Buller has made the point only today that western Europe will suffer such attacks.

7. In circumstances such as these, we are all called to grapple with difficult decisions. But there are moments at which it is essential that we take the right course. Mr Blair, I believe, was led astray by a vision of his own "importance" on the world stage. MIPs of all parties failed to stop the Government when they had the chance. It might have been painful at the time, but it would have saved us from the present quagmire. The public, too, failed to exert its will over political decision-makers.



8. There can only be one outcome to all of this. It is clear, in spite of the delay imposed by the setting-up of inquiries, that the UK had no sufficient justification for going to war against Iraq. Therefore, the longer and the more insistently Mr Blair clings to his assertions to the contrary, the more impossible his position as Prime Minister will become. He cannot now escape political disaster. The damage to public trust in the government will continue to spread. The questions which politicians such as yourselves will have to confront is will you protect the Prime Minister or will you tell the country the truth?

*Paul McGowan*

*June 2003*

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## Memorandum from the Office of National Assessments, Government of Australia

LETTER TO THE CHAIRMAN OF THE COMMITTEE FROM THE ACTING  
DIRECTOR-GENERAL, OFFICE OF NATIONAL ASSESSMENTS, AUSTRALIA, 18 JUNE 2003

In view of your intention to seek evidence from Mr Andrew Wilkie to the Foreign Affairs Committee on the subject of the decision to go to war in Iraq, there are several points I should draw to your attention.

Mr Wilkie's views on intelligence about Iraq and its WMD programmes do not reflect the views of the Office of National Assessments (ONA).

Some media reports of Mr Wilkie's credentials on the subject of Iraq are in part misleading. His recent work in ONA as a senior analyst principally concerned illegal immigration and related transnational issues. Prior to his resignation on 11 March 2003 he produced only one written report about Iraq, an assessment in December 2002 of the possible humanitarian consequences of military intervention.

Mr Wilkie was one of several analysts who as the Iraq crisis intensified were asked and offered to be available to provide additional analyst capacity on Iraq when needed. On his return from two weeks' overseas travel (11-27 February 2003) researching immigration and transnational issues, he was rostered to be part of analyst teams in ONA's watch office on Iraq. But he resigned before contributing to any assessment as part of an analyst team.

Like other ONA analysts he had access to a range of current and stored intelligence reporting on Iraq. But on the subject of Iraq's WMD programmes, access within ONA to some important relevant material was restricted. Those with access to that material did not include all those on the watch-office roster and did not include Mr Wilkie.

*Acting Director-General*

Office of National Assessments

Australia

LETTER TO THE CHAIRMAN OF THE COMMITTEE FROM THE DEPUTY  
DIRECTOR-GENERAL, OFFICE OF NATIONAL ASSESSMENTS, AUSTRALIA, 20 JUNE 2003

On 18 June I sent you a letter intended to correct some misleading media reports of Mr Andrew Wilkie's credentials on the subject of Iraq's WMD capability. In view of the answers he gave in testimony to your committee on 19 June, I would like to clarify further some points concerning his credentials.

Mr Wilkie said that the amount of relevant intelligence reporting to which he did not have access was small. In fact the set of sensitive reports to which he did not have access contained a substantial part of the most important intelligence relating to Iraqi WMD capability.

After an earlier period at ONA as a military analyst, Mr Wilkie was recruited and assigned late in 2001 to work on illegal immigration. This remained his principal work assignment until he resigned in March 2003.

*Deputy Director-General*

Office of National Assessments

Australia

20 June 2003

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Prepared 7 July 2003



## Memorandum from the BBC

### Letter from the Director of BBC News to the Chairman of the Committee, 1 July 2003

1. I write to clarify some points that arose from Mr Campbell's testimony (Wednesday 25 June) and the subsequent exchange of letters and statements involving Mr Campbell, a number of government ministers and the BBC. Although these exchanges have received a great deal of media coverage I believe it right that the Committee should hear from the BBC itself.

2. Firstly I would like to remind the Committee of the BBC's role. Our task is to report the news. The BBC does not have collective editorial opinions. What is at issue here is the difference of opinion between the government's views and the content of a single BBC report, authored by a single BBC journalist based on information from a valuable and accurate source.

3. Mr Campbell and government ministers are accusing the BBC, in the strongest terms, of a string of journalistic misdemeanours, including lying to the British public. I wish to set out in two sections the BBC's response to the charges made.

(a) First—why did the BBC choose to run Andrew Gilligan's story on 29 May?

(b) Second—why did it not retract the story (or apologise) when Mr Campbell and government ministers denied the various allegations made by Andrew Gilligan's source?

4. Mr Campbell—and other ministers—have in recent days asserted that transmission of this story was in breach of the BBC's guidelines. This is untrue. The Guidelines are available on the BBC's website (<http://sites.gateway.bbc.co.uk/publicpolicy/prodGuidelines/index.html>). I quote from them below:

"Programmes should be reluctant to rely on only one source". (Page 44)

"The authority of programmes can be undermined by the use of anonymous contributors whose status the audience cannot judge. But there are times when anonymity is appropriate, for example:

- for reasons of safety;
- to avoid undue embarrassment; and
- for legal reasons.

"Anonymity should not normally be granted to anyone trying to evade the law in the United Kingdom". (Page 56)

5. The committee should be assured that before transmission of the story there was proper consideration of the difficulty of proceeding with one off the record source. The BBC abided by its proper process of editorial referral. Of course we would have preferred the source to have gone on the record—but that simply was not possible in this instance.

#### THE DECISION TO RUN THE STORY ON 29 MAY

6. Mr Campbell continues to assert that the BBC should not have run the story. He does so in vivid terms.

"If the BBC is now saying its journalism is based on the principle they can report what any source says, then BBC standards are now debased beyond belief . . . It means the BBC can broadcast anything and take responsibility for nothing".

(Alastair Campbell statement Friday 27 June 2003)

7. This completely misrepresents the position. At the risk of repeating some aspects of Mr Gilligan's testimony of Wednesday 19 June, I should like to point out why the BBC's decision to run the story conforms to our standards and practices.

(a) The source had been used before by Mr Gilligan and his information had proved to be accurate.

(b) The source occupied a post that gave him a significant locus in the compilation of the September dossier.

(c) Before transmission on 29 May Mr Gilligan knew certain things about the September dossier that increased still further the credibility of the source and his information.

(i) Mr Gilligan knew that by April 2002 the government had decided to "delay" publication of any dossier—at least in part because at that stage it did not contain strong new ingredients. Clearly this decision was reversed later in 2002—which seemed to suggest that the source was right when he said the 45 minute WMD claim had arrived late in the day and had been seized on as a matter of importance.

(ii) Further, after the flurry of reports in the aftermath of the dossier's publication ministers virtually stopped referring to the 45 minute claim—which hardly indicated much confidence in the claim's underlying strength. That fitted with the source's view that this particular piece of evidence about the WMD programme was not held in high regard by many in the intelligence community.

(d) No evidence had been found by 29 May 2003 to substantiate the claims made on WMD in the September dossier (and that remains the case).

(e) The story told to Mr Gilligan by the source was also highly plausible because of the general background of concern about the way intelligence had been gathered and used to support the case for war against Iraq. I will list these concerns, all of which were in the public domain before 29 May, and which were factors known by Mr Gilligan and the editor of "Today."

(i) The February Dossier (the so-called "Dodgy Dossier") had been undermined by the revelation that its contents had, in part, derived from a PhD student in California—with no attribution. This revelation was made by a Cambridge academic—it did not come from a government correction.

(ii) In early March 2003 the Director General of the IAEA, Dr. Mohammed El Baradei, described as "not authentic" the documents on which an important claim in the September dossier (the importation of "yellow" cake from Niger) was based. And he cast doubts on other aspects of the September dossier's claims about a nuclear weapons programme.

(iii) In a BBC television documentary (The Road to War—tx April 2003) Hans Blix had indicated his palpable unease about the intelligence being used to mount a case for war against Iraq.

(iv) Concern had been expressed by the intelligence services to Andrew Gilligan and other journalists about the government's attempts to make a link—even if a tentative one—between Iraq and al-Qaeda. Mr Gilligan's intelligence contacts believed these claims to be untrue and unsupported by evidence. They leaked him a Top Secret assessment from the Defence Intelligence Staff saying: "While there have been contacts between Al Qaeda and the regime in the past, it is assessed that any fledgling relationship foundered due to mistrust and incompatible ideology."

(v) Andrew Gilligan and other BBC journalists had previously spoken (off the record) to intelligence sources. They had indicated significant disquiet about the way intelligence had been used to shape and justify policy.

(vi) Further there had been a variety of newspaper articles that had separately indicated anxiety in the intelligence community. It is important to stress that these articles were not of themselves the trigger for the decision to transmit the Gilligan story. The factors listed above were more important. But these articles did form part of the background.

— Peter Beaumont and Gaby Hinsliff wrote (Observer 24 February 2003) of disagreement between the intelligence services and Downing Street—"the essence of the disagreement is said to have been that intelligence material should be presented 'straight' rather than spiced up to make a political

argument." Their article also talks about "fairly serious rows" between at least one member of the JIC and Alastair Campbell.

— Raymond Whittaker (Independent on Sunday 27 April) wrote of "a high level UK source" saying that "intelligence agencies on both sides of the Atlantic were furious that briefings they gave political leaders were distorted". He went on to write: "You cannot just cherry-pick evidence that suits your case and ignore the rest. It is a cardinal rule of intelligence," said one aggrieved officer. "Yet that is what the PM is doing." Another said: "What we have is a few strands of highly circumstantial evidence, and to justify an attack on Iraq it is being presented as a cast-iron case. That really is not good enough."

It should now be clear that the source was credible and there was ample context to justify publication.

#### WHY DID THE BBC NOT RETRACT THE STORY?

8. We published what the source had alleged and, of course, the denials that followed.

9. It is worth noting that when Mr Campbell said in his evidence to the committee that "the denial was made within an hour of the lie being told on the radio", this is not the case. At about 07.15, a Downing Street spokesman called the programme to insist that "not one word in the dossier was not from intelligence sources . . ." In fact Mr Gilligan's source never alleged that the material was not from intelligent sources. The programme made a note of the Downing Street statement—and later broadcast it. However, when asked questions about when the 45 minute claim was first in the dossier and about Downing Street's role in drafting the dossier, we were told: "We will not discuss processology." In other words, their response to questions about how the claim got into the dossier, was—in effect—no comment.

10. The source was rapidly proved right on one matter of importance—the fact that the 45 minute WMD claim, contained within the dossier, had emanated from a single, uncorroborated source. That emerged on "Today" shortly after 8.00 am on the day the Gilligan report was transmitted in an exchange between John Humphrys and the defence minister, Adam Ingram.

11. The source has subsequently been substantiated on another issue—the late arrival of the 45 minute WMD claim. Your committee heard from Peter Ricketts and Jack Straw that the 45 minute claim was not included in a draft until early September.

12. Without disclosing anything further about the identity of the source, it must therefore be clear to any observer of these events that the source was indeed someone with accurate inside knowledge. As we have indicated, the source is a credible figure, who has been right on certain crucial points. As yet, there is no proof that the source was wrong about anything.

13. What the BBC has a duty to do is to report faithfully government denials and to give them sufficient prominence so that the public could make up its own mind. It would be improper for the BBC to disown its source on the allegations made without proof that the source was wrong. It would be very poor journalistic ethics to do so. It would discourage other potential contributors on other stories. It would undermine faith in the BBC's resilience and independence if it retracted a story on the basis of official denials—without any other evidence. As things stand there is no proof the source was wrong—only official denials.

14. It is not, of course, the BBC's experience that all denials from government ministers and press officers are without foundation. But equally governments of all persuasions have been known to issue denials that have subsequently needed considerable modification. In recent years the government and/or Downing Street has had to change its story on matters such as the resignation of Martin Sixsmith, the advice given by Peter Foster to Cherie Blair, the Britishness or otherwise of LNM—the company owned by Mr Lakshmi Mittal, the nature of a phone call between the then Italian Prime Minister (Romano Prodi) and Mr Blair involving discussion about Rupert Murdoch's business interests. Of course the BBC well understands these changes to official statements have sometimes been made only after new information have been obtained and I stress again that these examples do not prove

that the government's denials were false. But they help explain why we have no grounds to report that our source was wrong—and we already know that the source was right on—at least—some of the matters reported by Andrew Gilligan.

15. I hope the committee will be able to understand better the BBC's position on these two fundamental points—the decision to publish the story and the decision that no retraction is appropriate.

16. Let me conclude by saying that if your committee unanimously decides, on the basis of concrete evidence, that any part of story was wrong we will correct it and report publicly any allegations made by the source which were wrong.

*Richard Sambrook*

Director of BBC News

*1 July 2003*





## Memorandum from Dr David Morrison

1. The purpose of this submission is to describe a number of instances when, in my opinion, the Government presented inaccurate or incomplete information to Parliament in the period leading up to military action in Iraq. These instances are primarily concerned with Iraq's weapons of mass destruction.

### ERRORS OF FACT IN SEPTEMBER DOSSIER

2. There are two errors of fact in the dossier *Weapons of Mass Destruction: The Assessment of the British Government* published on 24 September 2002. Both are in Part 2 of the dossier (History of UN Weapons Inspections).

3. First, on page 34, paragraph 5, on UNSCOM access to presidential sites:

"In December 1997 [the head of UNSCOM] Richard Butler reported to the UN Security Council that Iraq had created a new category of sites, 'Presidential' and 'sovereign', from which it claimed that UNSCOM inspectors would henceforth be barred. The terms of the ceasefire in 1991 foresaw no such limitation. However, Iraq consistently refused to allow UNSCOM inspectors access to any of these eight Presidential sites. [my emphasis] Many of these so-called 'palaces' are in fact large compounds, which are an integral part of Iraqi counter-measures designed to hide weapons material."

4. In document S/1998/326 on the UNSCOM website, there is a report by Charles Duelfer, which says:

"The initial entry to the eight presidential sites in Iraq . . . was performed by mission UNSCOM 243 during the period from 25 March to 4 April 1998. . . .

"Co-operation from Iraqi counterparts was satisfactory. The presence of senior diplomatic observers worked out generally well. Of particular note was the constructive presence of [Iraqi] Presidential Secretary Mr Abid Hamoud and Lt General Amer Rashid, the Minister for Oil, during the visits."

5. In other words, contrary to what the dossier says, access was allowed to all 8 sites. This was confirmed by the Foreign Office in a written answer to Paul Flynn MP on 4 February:

"Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs whether UNSCOM 243 entered Iraqi presidential palaces between March and April 1998. [94724]

"Mr. Mike O'Brien: Yes."

6. This error is of some importance, since the alleged exclusion of the inspectors from these sites gives credence to the view that Iraq was hiding something there that it didn't want inspectors to see. To reinforce this proposition, the next page of the dossier (p 35) contains a map of an unnamed presidential site with Buckingham Palace and its grounds superimposed on it to the same scale. The purpose of the map was, I presume, to convey the impression that there is more to this presidential site than just serving the needs of a head of state. And there are eight presidential sites in Iraq. Of course, had an outline of Balmoral been superimposed instead, the impression would have been entirely different.

7. The Government has known about this error at least since early January, when I wrote to the Foreign Secretary suggesting that a correction be published. A copy of my letter is in Annex A. I did not receive a reply and, to the best of my knowledge, the Government made no effort to publicise a correction.



8. Of itself, this error is not of great importance in the argument for or against war, but if the authors of the dossier did not manage to get known facts right it doesn't inspire confidence that they are expert at assessing intelligence.

9. The second error of fact is on page 39, paragraph 13. There the dossier speaks of "the effective ejection of UN inspectors" from Iraq in December 1998. The inspectors were not ejected by Iraq: they were withdrawn by Richard Butler at the request of the US Government because of the imminence of Desert Fox, the four-day US/UK bombing campaign on Iraq, as the following extract from his book *Saddam Defiant* shows:

"I received a telephone call from US Ambassador [to the UN] Peter Burleigh inviting me for a private conversation at the US mission. . . . Burleigh informed me that on instructions from Washington it would be `prudent to take measures to ensure the safety and security of UNSCOM staff presently in Iraq.' . . . I told him that I would act on his advice and remove my staff from Iraq." (p 224)

10. This is one of the many instances in the lead up to war, in which the Government misrepresented what happened in December 1998 to cause the UN inspectors to leave Iraq. Another example was the Prime Minister's interview with Jeremy Paxman on *Newsnight* on 6 February 2002.

(Alistair Campbell stated categorically on Channel 4 News on 27 June that: "There were no errors of fact in the WMD dossier in September 2002". Clearly, that was not an accurate statement.)

#### THE EVIDENCE OF GENERAL HUSSEIN KAMEL

11. The final UNSCOM report in January 1999 emphasises the importance to its work of the defection of General Hussein Kamel, the former director of Iraq's Military Industrialisation Corporation, in charge of Iraq's weapons programme. Referring to him it says:

". . . the overall period of the Commission's disarmament work must be divided into two parts, separated by the events following the departure from Iraq, in August 1995, of Lt General Hussein Kamal. This resulted in the provision to the Commission of an extensive cache of documents on Iraq's prohibited programmes."

12. He was interviewed by a joint UNSCOM/IAEA team in Amman on 22 August 1995, but it was not until February 2003 that a transcript of the interview became public knowledge, thanks to Dr Glen Rangwala (see [www.casi.org.uk/info/unscom950822.pdf](http://www.casi.org.uk/info/unscom950822.pdf)).

13. In the interview, Kamel says:

"I ordered destruction of all chemical weapons. All weapons—biological, chemical, missile, nuclear were destroyed" (p 13).

Earlier (p 7), he described anthrax as the "main focus" of Iraq's biological programme and when asked "were weapons and agents destroyed?", he replied: "nothing remained".

Of missiles, he said: "not a single missile left but they had blueprints and molds [*sic*] for production. All missiles were destroyed." (p 8)

14. The Government's dossier mentions the importance of the defection of Hussein Kamel, but it does not mention that he told UN inspectors that, on his orders, all of Iraq's proscribed weapons were destroyed. In my opinion, the information presented by the Government on Iraq's weapons of mass destruction was therefore incomplete.

#### UNACCOUNTED FOR MATERIAL

15. Ministers rarely if ever made clear that weapons and weapons-related material, which UN inspectors could not account for, did not necessarily exist. As Hans Blix said to the Security Council on 5 June 2003:

". . . it is not justified to jump to the conclusion that something exists just because it is unaccounted for."

16. For example, in his statement on the September dossier to the House of Commons on 24 September, the Prime Minister said:

"As the dossier sets out, we estimate on the basis of the UN's work that there were up to 360 tonnes of bulk chemical warfare agents, including 1.5 tonnes of VX nerve

agent; up to 3,000 tonnes of precursor chemicals; growth media sufficient to produce 26,000 litres of anthrax spores; and over 30,000 special munitions for delivery of chemical and biological agents. All of this was missing and unaccounted for."

17. In my opinion, most people reading that would conclude that we had it on UN authority that on 24 September 2002 Iraq possessed chemical and biological weapons, plus material for making more, when all the UN inspectors have ever said is that such weapons and material have not been accounted for.

18. On 18 March, the Prime Minister told the House of Commons:

"When the inspectors left in 1998, they left unaccounted for 10,000 litres of anthrax; a far-reaching VX nerve agent programme; up to 6,500 chemical munitions; at least 80 tonnes of mustard gas, and possibly more than 10 times that amount; unquantifiable amounts of sarin, botulinum toxin and a host of other biological poisons; and an entire Scud missile programme. We are asked now seriously to accept that in the last few years—contrary to all history, contrary to all intelligence—Saddam decided unilaterally to destroy those weapons. I say that such a claim is palpably absurd."

19. Think about that: the Prime Minister is saying that Iraq must have proscribed weapons now, since it is palpably absurd to claim that Saddam Hussein destroyed them since 1998—even though according to the first sentence they were merely unaccounted for in 1998. Obviously, there is no distinction in the Prime Minister's mind between being unaccounted for and existing.

20. These are but two of the many examples in which Ministers gave the impression that UN inspectors had said that weapons and weapons-related material actually existed, when they had merely said they were unaccounted for.

21. I submit that, by failing to distinguish between weapons and weapons-related material being unaccounted for and actually existing, the information presented by the Government was at best incomplete, and at worst profoundly misleading.

22. It is difficult to work out whether the authors of the dossier itself made the jump that Hans Blix warned about—because the sources of the claims in it, and sometimes the claims themselves, are often obscure. This applies particularly to the core claims in paragraph 2 of the Executive Summary, which says:

"Much information about Iraq's weapons of mass destruction is already in the public domain from UN reports and from Iraqi defectors. This points clearly to Iraq's continuing possession, after 1991, of chemical and biological agents and weapons produced before the Gulf War. It shows that Iraq has refurbished sites formerly associated with the production of chemical and biological agents. And it indicates that Iraq remains able to manufacture these agents, and to use bombs, shells, artillery rockets and ballistic missiles to deliver them."

That paragraph is extraordinarily opaque.

23. The first sentence seems to place the same value on information from defectors as information from UN reports, which cannot be intended given the well-known unreliability of defectors.

24. The meaning of the second sentence is unfathomable. Is it saying that Iraq continued to possess these agents and weapons after 1991, which is a well-established fact attested to by UNSCOM? Or is it saying that it is well-established fact that Iraq continued to possess these agents and weapons right up to September 2002? Or is it merely an intelligence judgment that Iraq possessed these agents and weapons in September 2002? Likewise, are sentences 3 and 4 saying that it is a well-established fact that Iraq has reconstituted its production facilities, or merely an intelligence judgment?

25. To add to the confusion, in Part 3 of the dossier (Iraq under Saddam Hussein) page 46, paragraph 16, it says:

"Some twenty thousand Iranians were killed by mustard gas and the nerve agents tabun and sarin, all of which Iraq still possesses."

26. Is this categorical statement that Iraq possesses chemical agents a well-established fact, or is it based on intelligence judgment? Or perhaps the authors have jumped to the conclusion that Hans Blix warned against.

#### THE DEGRADATION OF AGENTS

27. All of Iraq's unaccounted for chemical and biological agents were manufactured before the Gulf War. The dossier said nothing about the possible degradation of these agents, despite much independent evidence that many of them would no longer be useful as warfare agents by now.

28. The International Institute for Strategic Studies (IISS) published a report on Iraq's proscribed weapons on 9 September 2002, which the Government's dossier refers to approvingly in its Executive Summary as "an independent and well-researched overview".

29. It comments on the possible deterioration of nerve agents manufactured prior to the Gulf War. Here, we are talking about so-called G-agents (tabun, sarin and cyclosarin) and V-agents (VX). The IISS assessment is as follows:

"As a practical matter, any nerve agent from this period [pre-1991] would have deteriorated by now . . ." (p 51)

"Any VX produced by Iraq before 1991 is likely to have decomposed over the past decade . . ." (p 52)

"Any G-agent or V-agent stocks that Iraq concealed from UNSCOM inspections are likely to have deteriorated by now." (p 53).

30. And as regards botulinum toxin, the IISS dossier concluded:

"Any botulinum toxin produced in 1989-90 would no longer be useful" (p 40).

None of this was mentioned in the Government's dossier.

31. Before military action began, UNMOVIC published (on 6 March 2003) a 173-page document entitled "Unresolved Disarmament Issues". The Prime Minister quoted from it in the House of Commons on 18 March. In the course of that speech (see quote above), he spoke of sarin as a potential threat, but he did not mention the following UNMOVIC assessment about sarin:

"There is no evidence that any bulk Sarin-type agents remain in Iraq—gaps in accounting of these agents are related to Sarin-type agents weaponized in rocket warheads and aerial bombs. Based on the documentation found by UNSCOM during inspections in Iraq, Sarin-type agents produced by Iraq were largely of low quality and as such, degraded shortly after production. Therefore, with respect to the unaccounted for weaponized Sarin-type agents, it is unlikely that they would still be viable today." (Unresolved Disarmament Issues, p 73)

32. The Prime Minister mentioned VX as a potential threat on 18 March (again, see above). This VX was produced in 1990 by what UNMOVIC called "route B". According to UNMOVIC:

"VX produced through route B must be used relatively quickly after production (about one to eight weeks), which would probably be satisfactory for wartime requirements." (*ibid*, p 82)

33. The Prime Minister also mentioned botulinum toxin as a potential threat on 18 March (again, see above), but he did not mention the following UNMOVIC assessment on botulinum toxin:

"Any botulinum toxin that was produced and stored according to the methods described by Iraq and in the time period declared is unlikely to retain much, if any, of its potency. Therefore, any such stockpiles of botulinum toxin, whether in bulk storage or in weapons that remained in 1991, would not be active today." (*ibid*, p 101)

34. I submit that the Government's failure to present any information about the possible degradation of Iraq's chemical and biological agents meant that Parliament was given an incomplete and misleading picture of the state of Iraq's proscribed weapons.

#### WHAT UN INSPECTORS FOUND

35. In the limited time they were allowed, the IAEA inspectors confirmed that Iraq had not revived its nuclear weapons programme, which had been dismantled by UNSCOM. They also went close to disproving all of the claims in the September dossier that Iraq was trying to revive it. The documentation from British sources "proving" that Iraq had recently tried to import uranium from Niger was easily identified as a forgery. And the inspectors accepted that the aluminium tubes, which Iraq was trying to import, were for rockets, not to build centrifuges for uranium enrichment, as was claimed.

36. The September dossier named about eight sites suspected of producing chemicals, which could be used for the production of proscribed chemical agents. Before the end of January, all these sites had been visited by UN inspectors and nothing suspect has been found. Replying to a question from Labour MP. Harry Cohen, in the House of Commons on 22 January, Foreign Office Minister, Mike O'Brien, was forced to admit:

"We understand from published information from UNMOVIC and the IAEA inspectors have visited all of the sites identified in the UK dossier. They have not reported uncovering any signs of weapons of mass destruction, or programmes for their production at the sites."

37. That doesn't entirely rule out that proscribed activity was going on at these sites last September as claimed in the dossier, but by January it was no longer going on.

38. The Government never attempted to draw to public attention any of this information, which modified the assessment in the September dossier. On the contrary, the Government constantly derided anything the inspectors discovered as unimportant.

#### THE FRENCH POSITION

39. In my opinion, the Government misrepresented the French position on military action against Iraq. For example, the Prime Minister told the House of Commons on 18 March:

"Last Monday [10 March], we were getting very close with it [the second resolution]. We very nearly had the majority agreement. If I might, I should particularly like to thank the President of Chile for the constructive way in which he approached this issue.

"Yes, there were debates about the length of the ultimatum, but the basic construct was gathering support. Then, on Monday night, France said that it would veto a second resolution, whatever the circumstances."

40. It is quite untrue to say that President Chirac ruled out military action in all circumstances on 10 March: on the contrary, he specifically ruled it in, if the inspectors reported that they couldn't do their job, as the following extract from his TV interview on 10 March shows:

"The inspectors have to tell us: 'we can continue and, at the end of a period which we think should be of a few months'—I'm saying a few months because that's what they have said—'we shall have completed our work and Iraq will be disarmed'. Or they will come and tell the Security Council: 'we are sorry but Iraq isn't cooperating, the progress isn't sufficient, we aren't in a position to achieve our goal, we won't be able to guarantee Iraq's disarmament'. In that case it will be for the Security Council and it alone to decide the right thing to do. But in that case, of course, regrettably, the war would become inevitable. It isn't today."

(see English translation of the interview at <http://special.diplomatie.gouv.fr/article—gb91.html>)

[For some of the above information I am indebted to Claims and evaluations of Iraq's proscribed weapons by Dr Glen Rangwala at [middleeastreference.org.uk/iraqweapons.html](http://middleeastreference.org.uk/iraqweapons.html)]

*Dr David Morrison*

30 June 2003

#### Annex A

#### Letter from Dr David Morrison to the Foreign Secretary, January 2003

On 3 January the Guardian reported that:

"Foreign Office sources said that all the sites in the British dossier on Iraq had now been seen by UN weapons inspectors."

I assume that this refers to sites in Iraq, such as the Castor Oil Production Plant at Fallujah, which at the time the dossier was written the Government was concerned were being used for the production or storage of WMD.

Have all the sites of concern mentioned in the dossier been visited by UN inspectors?

If so, have your suspicions about these sites been allayed? In other words, are you now content that these sites are not being currently used to produce or store WMD?

If so, do you intend to publish an update to the dossier?

The dossier as it stands contains an error of fact: on page 34 it says:

"Iraq consistently refused to allow UNSCOM inspectors access to any of these eight Presidential sites."

This is not true: all eight sites were visited between 25 March and 4 April 1998, under the arrangements in the Memorandum of Understanding negotiated between Kofi Annan and Tariq Aziz on 23 February 1998. I have read the reports in document S/1998/326 which is on the UNSCOM website. The report written by Charles Duelfer says:

"The initial entry to the eight presidential sites in Iraq . . . was performed by mission UNSCOM 243 during the period from 25 March to 4 April 1998. . . .

"Cooperation from Iraqi counterparts was satisfactory. The presence of senior diplomatic observers worked out generally well. Of particular note was the constructive presence of [Iraqi] Presidential Secretary Mr Abid Hamoud and Lt General Amer Rashid, the Minister for Oil, during the visits."

This error of fact should be corrected in any update to the dossier.

*Dr David Morrison*

January 2003





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## Correspondence between the Chairman of the Committee and the Secretary of State, Foreign and Commonwealth Office

LETTER FROM THE CHAIRMAN OF THE COMMITTEE TO THE FOREIGN SECRETARY, 4 JUNE 2003

As you know, the Committee agreed yesterday evening to conduct an inquiry into The Decision to go to War in Iraq. The Committee intends to hear oral evidence in the week commencing 16th June and to report to the House in July.

In order to conduct this inquiry, the Committee will require access to relevant persons and papers.

As well as hearing oral evidence from yourself, the Committee will wish to hear evidence from the heads of the SIS and GCHQ. It is the Committee's wish to hear as much evidence as possible in public session. I would be grateful for your agreement in principle to this, so that we may proceed to make arrangements for the hearings.

The Committee also requires access to all relevant papers and records. We are particularly interested in papers and records relating to the preparation of dossiers and other information which was presented to Parliament by FCO Ministers. We cannot, of course, identify all the specific papers and records in which we are interested. I therefore ask for your cooperation in ensuring that nothing is omitted which might inform our judgment when making our Report to the House.

I hope you will agree that the Committee's track record as responsible Parliamentarians is well proven. The quality of our Report will depend largely on the degree of assistance from you and your colleagues. It would be most unfortunate in my judgment if we had to report to the House that we had not received appropriate co-operation.

I am writing separately to the Prime Minister and to officials in MoD and in the Cabinet Office.

*Chairman*

Foreign Affairs Committee

*4 June 2003*

LETTER FROM THE FOREIGN SECRETARY TO THE CHAIRMAN OF THE COMMITTEE

Thank you for your letter of 4 June. I am replying on behalf of the Prime Minister and the officials to whom you also wrote on 4 June.

As I said when we met on 10 June, I shall gladly appear before your Committee to give evidence. As I suggested then, I might make two appearances—at a 90-minute public session already scheduled for noon on Tuesday 24 June and at an extended private session now arranged for 9:00am on Friday 27 June. On both occasions I would be accompanied by Peter Ricketts, the FCO's Political Director; and on the second occasion also by William Ehrman, the FCO's Director General (Defence and Intelligence).

Peter is well known to your Committee. He has been the senior official covering Iraq in the Office. (He is shortly to become our Ambassador to NATO. His previous post was as Chairman of the JIC.) William, as his title suggests, is the senior official who coordinates both the Ministry of Defence and the intelligence agencies. He is a member of the JIC. As I told the Committee, I would also be happy for Stephen Pattison to give evidence. He was Head of the United Nations Department, responsible at this end for coordinating the

drafting of UNSCRs on Iraq.

I look forward to making a full personal contribution to your inquiry focusing on the FCO's involvement in Iraq policy. I intend to submit written responses to your specific questions, drawing on FCO material and starting with the questions in the letter of 5 June. As requested in that letter, my reply will reach you no later than noon on Monday 16 June. As I write, I can make no promise about a reply on Friday. But we will do our very best on at score. I also intend to provide you with a written memorandum outlining the development of the FCO case against Iraq in the run up to the conflict. No doubt you will have supplementary questions which I can cover at our sessions on 24 and 27 June.

I regret however that, as has been the case with past inquiries of this sort by Select Committees, it will not be possible to submit original documents, not least because of the need to protect sensitive exchanges on a highly controversial subject with other sovereign governments.

As you know, the Intelligence and Security Committee is also holding an inquiry into the background to the conflict in Iraq. Since the ISC was established under the Intelligence Services Act 1994 specifically to deal with intelligence matters, the Prime Minister and I feel it is appropriate that they should lead on intelligence aspects of this subject. The Prime Minister met the ISC on 10 June. In the House on 11 June (col 672) he made clear that the government would—of course—co-operate with the ISC. In relation to the FAC, he said that, in accordance with convention, neither he nor his officials would attend the Committee but FCO officials and I would. The Prime Minister will shortly be making one of his now regular appearances before the Liaison Committee of which you are a member and where (as on the last occasion) members may decide to major on Iraq.

At our meeting on 10 June, I made suggestions as to the way in which you might work more closely with the ISC. Two or three senior members of each Committee might meet; and you would then have the opportunity to feed in the intelligence-related questions you would like them to pursue.

I hope this is helpful.

*Secretary of State*

Foreign and Commonwealth Office

*12 June 2003*





## Memorandum from the Foreign and Commonwealth Office

RESPONSE TO QUESTIONS (IN ITALICS) FROM THE COMMITTEE, 16 JUNE 2003

SECTION ONE: WITH REFERENCE TO THE DOCUMENT IRAQ'S WEAPONS OF MASS DESTRUCTION:

Q: *Who was the author?*

A: The drafting was co-ordinated by the Cabinet Office Assessments Staff working with representatives of other departments, including the intelligence agencies, DIS and FCO. The final draft was approved by the JIC.

Q: *When was the document received in draft by officials in FCO?*

A: The draft had a long history. The Assessments Staff, in coordination with the intelligence agencies, DIS and policy departments, including the FCO, prepared a paper in March on WMD in Iraq intended for possible publication. The draft was kept under review during the summer but there was no decision on whether or when to proceed with publication. On 3 September the Prime Minister announced that the Government's assessment of Iraq's WMD capabilities would be published.

The FCO led the drafting of Parts two and three of the final dossier, and began this work in spring 2002. There was an ongoing drafting process until the document was published in September.

Q: *At what dates were drafts put to Ministers?*

A: During the drafting process, departments represented on the JIC were asked to consult their Departmental Ministers as appropriate. The Foreign Secretary and Mike O'Brien offered comments as did No 10. At no stage was there any attempt from No 10 or elsewhere to overrule the JIC Chairman's judgement on the intelligence.

Q: *How many drafts did the document go through?*

A: As noted previously, there was an ongoing drafting process until the document was published in September.

Q: *Did (a) Ministers or (b) Special Advisers ask for amendments to the document before it was published?*

A: As noted, Ministers and Special Advisers offered comments during the drafting process in the normal way. See above question on FS/Mr O'Brien's comments.

Q: *Did the "45 minutes" evidence come from a single source, or from mutually corroborating multiple sources? Was there any corroboration at all for this claim? Did the US accept that the claim was sound?*

A: The information came from an established, reliable and longstanding line of reporting. The specific information about 45 minutes came from one source, but it fitted with the broad picture of command and control arrangements for Saddam's WMD, as supplied by other sources over a period of time. Its inclusion in the document was approved by the JIC. It was not inserted under pressure from No 10.

Q: *Was the wording of the "45 minutes" claim given on p 19 of the document Iraq's Weapons of Mass Destruction, exactly the same as it was in the intelligence assessment supplied to the Government? If not, was it accompanied in the intelligence assessment by*



*qualifications not included in the public document?*

A: The same report was reflected in almost identical terms in the JIC's classified work. There were no further caveats used.

Q: *What has the US Government said publicly about the "45 minutes" claim?*

A: We are not aware of any public comments from the US.

Q: *Did the "significant quantities of uranium" evidence come from a single source, or from mutually corroborating multiple sources? Was there any corroboration at all for this claim? (Did the US accept that the claim was sound?) Are you satisfied that documents on this are genuine?*

A: The document stated on p 25 that "there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa." This reference drew on intelligence reporting from more than one source. We understand that the IAEA acquired documents on this subject in February 2003. At no stage prior to the publication of the dossier did the UK possess or have sight of these documents. The IAEA have confirmed that the documents were not provided by the UK, contrary to some media reporting. Since the publication of the dossier, we have had the opportunity to examine the documents. Some of these documents are forgeries, others are still under consideration.

Q: *Was the wording of the "significant quantities of uranium" claim given on p 25 of the document Iraq's Weapons of Mass Destruction, exactly the same as it was in the intelligence assessment supplied to the Government? If so, was it accompanied in the intelligence assessment by qualifications not included in the public document?*

A: The reporting post dated the last JIC assessment of Saddam's nuclear programme. But the language used in the document was approved by the JIC.

Q: *What has the US Government said publicly about the "significant quantities of uranium" claim?*

A: In his State of the Union address earlier this year, President Bush said that the British Government had learned that Saddam had recently sought significant quantities of uranium from Africa. Condoleeza Rice referred to the claim and to the existence of falsified documents, which were not, as implied, of British origin, during press interviews on 8 June.

Q: *How was the original evidence in support of the "significant quantities of uranium" claim tested? When did Ministers conclude that some of the evidence was unreliable? Does there remain any reliable evidence for this claim?*

A: See above. The information about the forged documents first emerged in February 2003 when the IAEA declared documents it had received concerning the Iraq/uranium/Niger issue were fabricated. We cannot comment on the origin or history of these documents. As noted above, the statement in the dossier drew on intelligence reporting from more than one source. This intelligence remains under review.

SECTION TWO: WITH REFERENCE TO THE DOCUMENT IRAQ—ITS INFRASTRUCTURE OF CONCEALMENT, DECEPTION AND INTIMIDATION:

Q: *Who compiled the document?*

A: The Communications and Information Centre (which later became the Coalition Information Centre during the military operation). The CIC was a cross-government information team, originally established in the wake of 11 September, which reported to the Prime Minister's Director of Communications. It was based in the FCO.

Q: *When was the document received in draft by officials in the FCO?*

A: The document evolved through a number of stages. In its earliest draft it drew on open source material which had originally been sent to the CIC by the FCO in preparation for a possible press background paper on the Iraqi security apparatus. Additional material was subsequently included, much of it based on documents provided by the FCO and MOD. A final draft, bringing together material from a number of sources, was sent to FCO officials with a short deadline for comment on Thursday 30 January. No decision had been taken at that stage on whether or how to publish the document. The document was

published on 3 February by the Prime Minister's Office.

Lessons have been learned from the way the paper was handled. Attribution to external sources will be explicit in any future documents. The document was not cleared by the JIC. Systems are now in place to ensure that any intelligence material which is made available publicly will first be authorised by the JIC Chairman.

*Q: At what dates were drafts put to Ministers?*

A: No Ministers were consulted in the preparation of the document.

*Q: How many drafts did the document go through?*

A: The document was a collation of material from various sources and went through a series of drafting changes—in particular as the focus and structure of the paper evolved.

*Q: Did (a) Ministers and (b) Special Advisers ask for amendments to the document before it was published?*

A: No FCO Ministers, neither FCO Special Advisers, were consulted on the document. No 10 officials including Special Advisers asked for some editorial changes which did not affect the overall judgement in the document, nor the intelligence-related material.

*Q: What has the US Government said publicly about this document?*

A: At the UN Security Council on 5 February, Colin Powell drew attention to the document which he said "describes in exquisite detail Iraqi deception activities".

### SECTION THREE: GENERAL QUESTIONS:

*Q: Are Ministers entirely satisfied with the completeness and accuracy of all their evidence to the FAC and of each of their statements in the House on Iraq and WMD to date? Is there anything which they would now wish to amend in, clarify in or add to those statements?*

A: FCO Ministers are entirely satisfied.

*Q: What steps is the FCO taking to ensure objectivity and accuracy in the search for WMD? Will UNMOVIC or other third parties be involved, either on the ground or in a testing/verification role?*

A: We recognise the need for credible, independent validation of any discoveries by the Coalition. We are engaged in discussions on how best to ensure this. We have, for example, been in touch with a number of governments about the possibility of using internationally accredited laboratories for the analysis of chemical and biological samples.

UNSCR1483 explicitly tasks the Security Council to review the mandates of the inspectors. We have made clear that we are ready to see the Council take this forward, and that meanwhile UNMOVIC should maintain its ability to deploy.

UNMOVIC and the IAEA would be one option to provide such validation. If they were to return to Iraq, their tasks would have changed: the focus would be on monitoring and verification rather than detection. That would call for different skills: some restructuring of their operations would be needed.

*Q: What is the degree of involvement of FCO personnel in the teams established to find WMD or evidence of production or destruction of WMD in Iraq?*

A: There are no FCO personnel involved in the physical search for WMD in Iraq. FCO staff participate in inter-departmental co-ordinating groups in Whitehall.

Parliamentary Relations and Devolution Department

Foreign and Commonwealth Office

16 June 2003





## Further memorandum from the Foreign and Commonwealth Office

### BUILDING A CASE AGAINST IRAQ

#### SUMMARY

1. Iraq under Saddam Hussein posed a threat to international peace and security because of its weapons of mass destruction, its missile systems and its systematic defiance of mandatory UNSCRs over 12 years. Our judgement was that a peaceful solution to the problem could only be found if Iraq complied in full with the unequivocal terms of UNSCR 1441 passed unanimously in November 2002. Once inspections resumed it quickly became clear that Saddam was not offering the active co-operation necessary to allow inspections to fulfil their objective. Nor did he make a full and accurate report of his programmes or plans to develop WMD to the UN as required by UNSCR 1441. Right up until the last moment, the British Government worked strenuously to find a peaceful solution to the crisis. Comprehensive illustration of Iraq's deception, and its WMD activities included the final report of UNSCOM inspectors in 1999, and the March 2003 UNMOVIC document on Iraq's unresolved disarmament issues, as well as intelligence material.

#### BACKGROUND

2. By 2003, Iraq had already had 12 years in which to comply with UN demands for WMD disarmament. Although it emerged in the 1980s that Saddam's regime had used chemical weapons against Iranian troops and against Iraqi Kurds at Halabja, the full extent of Saddam's WMD programmes was not known until the 1990s and after the Gulf War. Security Council resolution 687—adopted in April 1991—required Iraq to co-operate with UN inspections and to comply in the destruction, removal or rendering harmless of its WMD programmes, facilities and equipment; its ballistic missiles with a range of over 150 km and their associated manufacturing and testing equipment.

3. Saddam set out to frustrate the will of the Security Council. He repeatedly submitted incomplete declarations of his WMD programmes and activities, and engaged in obstruction and harassment of UN inspectors. He also concealed WMD activities and only admitted an offensive biological warfare programme in 1995. By the late 1990s it was recognised that UN diplomacy needed to be backed by force. In February 1998 the Prime Minister said that Saddam "knows the threat of force is there and it is real". As a result of further obstruction of inspectors the US/UK took military action in Operation Desert Fox later in the same year.

4. When the UN inspectors withdrew in 1998 key questions remained unanswered. These were set out in a report to the UN Security Council in early 1999. They included Iraq's failure to account for up to 3,000 tonnes of precursor chemicals, up to 360 tonnes of bulk chemical warfare agent, including 1.5 tonnes of the VX nerve agent, more than 30,000 special munitions for delivery of chemical and biological agents, and large quantities of growth media which could be used in the production of biological weapons.

5. Between 1998-2002 repeated efforts were made to secure the return of inspectors. UNSCR 1284 offered Saddam the prospect of the eventual suspension of sanctions if he co-operated fully with renewed inspections. But Saddam refused to move. It became increasingly clear that he had no intention of co-operating. It also became clear that UN sanctions were not succeeding in fulfilling the UN's objective, namely the WMD disarmament of Iraq: breaches of sanctions were multiplying, including the illegal export

of oil which was putting millions of dollars at the disposal of the regime.

6. The events of 11 September 2001 changed the appreciation of the level of risk from weapons of mass destruction in the hands of terrorists and rogue regimes. As a result, Iraq inevitably came once again under the international spotlight.

7. In the early months of 2002, British Government statements underlined the singular threat posed by Iraq's behaviour. In an interview with the Times on 5 March 2002 the Foreign Secretary said that Saddam was unique among the world's tyrants in having both the ruthlessness and capability to employ weapons of mass destruction. In a Westminster Hall debate on 6 March 2002, the then Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs, Ben Bradshaw, stated that our main concern was Iraq's determination to rebuild weapons of mass destruction programmes and the threat it posed not just to its neighbours but to the rest of the world. He emphasised the unique nature of the Iraq problem: Iraq was in breach of UN Security Council resolutions and of the cease-fire terms at the end of the Gulf War and had already used chemical weapons against its neighbours and against its own people.

8. By late March/April there was already speculation about the possibility of military action against Iraq. The then Parliamentary Secretary of State for Foreign and Commonwealth Affairs, Ben Bradshaw, in his evidence to the Foreign Affairs Committee on 23 April 2002 said that there were instances when military action would be justified without a further UN Resolution. He referred to the argument that because Iraq was in breach of the cease-fire agreement the cease-fire was no longer in force.

9. In early September 2002 the Prime Minister met President Bush at Camp David. At a Press Conference then they both emphasised the threat posed by Saddam Hussein. The Prime Minister said that inaction was not a policy to which we could subscribe.

#### SEPTEMBER 2002—8 NOVEMBER 2002

10. Against the background of growing international concern about Iraq, Parliament was re-called on 24 September 2002 to debate the issue. On the same day, the British Government published its dossier on Iraq's weapons of mass destruction. During the debate and during the Foreign Secretary's appearance before the Foreign Affairs Committee on 25 September, the Prime Minister and Foreign Secretary outlined the framework of HMG's policy. Containment was not working, but we had made no decision to take military action. Our argument was not that we should take military action, come what may, but that the case for verifying Iraqi disarmament and compliance with UNSCRs was overwhelming. The Foreign Secretary reiterated to the FAC that no decision on military action had been taken. However, we also made clear the threat was not an "imminent" one. We could not say that Saddam would use his weapons this month or next, even this year or next, a point underlined by the Prime Minister in his statement on 24 September. But, if the international community did not act decisively, Saddam's efforts would intensify and at some point the threat would become a reality for the region and wider world.

11. Throughout, we also made clear that we were committed to working with the UN. Alongside diplomacy there should be a genuine threat of military action, which required preparedness and planning to take action, if diplomacy failed.

12. The question of possible links with international terrorism and with al Qaeda were also considered at this time. The Foreign Secretary told the Foreign Affairs Committee that there was no evidence to suggest that Saddam Hussein was behind al-Qaeda, although he had unquestionably supported terrorist organisations in the Middle East. And, given his hatred for the United States, it was reasonable to assume that he had some sympathy with al Qaeda's aim.

13. The British Government made clear its abhorrence of Saddam Hussein's human rights record and in December published a dossier outlining this. On 24 September the Foreign Secretary told the House that no other regime had Saddam's record for brutality, torture and execution as a routine way of life and as the principal means by which an elite stayed in power. He said that given this and the threat from Iraq's WMD, that country was uniquely evil and uniquely dangerous.

14. But it was never our policy to pursue regime change for its own sake. As early as 5

July, in a letter to the Foreign Affairs Committee, the then Parliamentary Under Secretary of State, Mike O'Brien, had said that a more sympathetic regime in Iraq was desirable. Iraq would be a better place without Saddam Hussein. But the real issue was the threat that the Iraqi regime posed to its own people and the international community through its weapons of mass destruction programmes.

15. In the weeks after 24 September, there were intensive negotiations in New York and Security Council capitals leading to the adoption of UNSCR 1441 on 8 November. This obtained the unanimous support of members of the Security Council, who agreed that Iraq was in material breach of its obligations, and constituted a threat to international peace and security. This resolution fulfilled our objective of obtaining the re-admission of inspectors with stronger powers backed up by credible threat of force. In a statement to the House on 7 November, just before the resolution was adopted, the Foreign Secretary re-affirmed that the British Government wanted a peaceful resolution to the crisis, but that if diplomacy was to succeed it must be combined with a credible threat of force. It was this threat which had forced Saddam to concede the prospect of readmitting weapons inspectors. But Saddam should be in no doubt: his choice was to comply with the demands of the Security Council or face the "serious consequences". This was his "final opportunity" to comply.

16. It is worth also briefly recalling the statements made at the time on the question of second resolution to authorise military action. In a debate on UNSCR 1441 in the House on 25 November, the Foreign Secretary made clear the British Government's preference that in the event of a further material breach by Iraq, there should be a second resolution. But he reaffirmed that UNSCR 1441 did not stipulate that there had to be a second resolution. The French had proposed inserting a reference to the need for a (further) decision in as a pre condition to the use of force, but this was rejected by the Security Council. Instead, every member of the Security Council voted for the text of resolution 1441. In his speech to the Security Council on 8 November, the day that UNSCR 1441 was adopted, Sir Jeremy Greenstock emphasised that there was no automaticity in the resolution. If there was a further breach of its obligations by Iraq, the matter would return to the Council for further discussion.

#### THE RESUMPTION OF INSPECTIONS

17. Hopes that Saddam would actively comply with UNSCR 1441 were short-lived. His 8 December declaration was clearly inadequate. On 19 December the Secretary of State issued a statement saying that the report of UNMOVIC inspectors to the Security Council that day confirmed that Iraq had failed to meet the obligations imposed on it by UNSCR 1441.

18. Despite this the British Government was still urging Saddam to disarm peacefully. But pressure had to be maintained. The key points had not changed since September. The threat was the broad one arising from Saddam's clear determination to retain and develop his WMD capability. The Prime Minister told a Press conference on 13 January of his fear that one day a dictatorial state would use weapons of mass destruction as Iraq had done in the past—and that we would get sucked into a conflict.

19. Appearing before the Commons' Liaison Committee on 21 January the Prime Minister addressed the same issues. This was not a situation where there was an immediate threat to Britain of a nuclear strike from Iraq. He said "there is not an immediate act that Saddam has taken to provoke America, ourselves or other countries, but I think when you sit down and analyse this issue of weapons of mass destruction, and, as I say, the link that is inevitably going to be there with international terrorism, it is right that the world takes a stand".

20. Again, the Prime Minister said that the policy of containment of Iraq had only worked up to a point and was beginning to fracture. The sanctions regime was crumbling. Saddam had access to approximately \$3 billion per year of illicit oil revenues.

21. The potential link between WMD and terrorism continued to be a prominent area of media interest. But the Prime Minister made clear there was no information directly linking Iraq to the events of 11 September. There was some intelligence about loose links between al Qaeda and various people in Iraq, but the justification for action in Iraq was separate from any potential link with al Qaeda. In particular, he noted that there was no information directly linking al Qaeda in Iraq and terrorist activity in the UK.

22. At the same time, the British Government was focusing on the problems which inspectors were encountering in Iraq. These underlined that inspections could not succeed without Saddam's active compliance. In his speech to the UNSC on 27 January, Dr Blix made the point that "inspection is not a game of catch as catch can . . . rather a process of verification for the purpose of creating confidence". The inspectors were also encountering troubling evidence. Dr Blix referred to the discovery of a number of chemical rocket warheads and a large number of documents relating to laser enrichment of uranium in the home of an Iraqi scientist.

23. On 5 February, the US Secretary of State, Colin Powell, briefed the UN Security Council on selected US intelligence information on Iraq's WMD activities. In the subsequent debate, the Foreign Secretary emphasised that Saddam was failing to take his final opportunity to co-operate. Saddam held UNSCR 1441 in the same contempt as all previous resolutions on Iraq. He was gambling that the Security Council would lose its nerve rather than enforce its will. The Iraqi declaration was not full, accurate or complete. It omitted to explain what had happened to the material unaccounted for by UN inspectors in 1998. Nor was there any admission of efforts to develop WMD since then. The Foreign Secretary said our worst fears were confirmed. Iraq had no intention of following the path of peaceful disarmament. The Foreign Secretary noted instances reported by Dr Blix which revealed Iraq's determination to avoid compliance. For example, Iraq was refusing to allow the inspectors to use a U2 plane to conduct surveillance. He asked how Iraq could explain concealment of nuclear documents and the development of a missile programme in contravention of UN resolutions.

24. Nine days later the Security Council met again on 14 February to hear reports from Dr Blix and Dr el Baradei. As the Foreign Secretary told the Council, further questions about Iraqi behaviour had emerged. Why had Iraq refurbished motor casting chambers and chemical processing equipment which had previously been destroyed by UNSCOM inspectors? Why were they resisting making available requested officials for interview in locations free from Iraqi bugging? Why had none of the issues identified by UNSCOM been satisfactorily dealt with?

25. The Foreign Secretary underlined the need for the Council to consider its own credibility. He said that the issue concerned the authority of the UN, and the responsibility of the Security Council for international peace and security. When the Security Council had unanimously adopted resolution 1441, every member knew that Iraq had WMD and long-range missiles and accepted that it was in material breach of previous resolutions. The question now was whether Iraq was demonstrating the active co-operation necessary. He reminded the Council that on 3 April 1991, the Council had given Iraq 90 days to disarm. Twelve years had passed and the Iraqi regime had continued to lie, to conceal and to play games. Dr Blix had said that the period of disarmament could still be short if immediate active and unconditional co-operation was forthcoming. This meant that Iraq was not yet demonstrating such co-operation. Nevertheless, the Foreign Secretary still hoped that a peaceful solution would be possible. But this would require a dramatic and immediate change by Saddam.

#### THE FINAL STAGE

26. During February the British Government repeatedly stated that time was running out. On 26 February the Foreign Secretary told the House that Saddam's tactics all along had been to prevaricate in the hope of stringing out the process forever. New details had emerged of Saddam's attempts to frustrate inspections. The Foreign Secretary said that unrestricted interviews with scientists were the most important way in which to arrive at the truth of Iraq's CBW programmes. But there had been concerted Iraqi efforts to prevent access to scientists. There had also been categorical Iraqi denials that the Al Samoud II missile was a prohibited system. But this had been disproved by an independent panel of experts. In 15 weeks of inspections, the Inspectors had not been able to close a single outstanding issue.

27. The Foreign Secretary said he understood why there were calls for more time. But it was still not clear that Saddam was ready to break from the past. In the absence of active and immediate co-operation to fulfil the requirements of UNSCR 1441, more time would achieve nothing of substance.

28. Once again, the Foreign Secretary addressed the argument of persisting with containment. Containment was not the policy of disarmament set out in resolution 1441 or preceding resolutions. What might appear to be containment for some was rearmament for Saddam. The period 1998-02 had allowed Saddam to begin rebuilding his capabilities: according to UNMOVIC inspectors, Iraq had used that time to refurbish prohibited equipment previously disabled by UNSCOM; to build a missile test stand for missiles much more powerful than those of permitted systems and to develop al-Samoud missiles beyond the range permitted by UNSCRs.

29. More details of Saddam's failure to co-operate with the UN were highlighted in British Government statements. On 4 March, the Foreign Secretary appeared before the Foreign Affairs Committee. He said that our current assessment was that Iraq had the capability to produce mustard gas, tabun, sarin, syclosarin and VX, and the biological agent, anthrax, botulinum toxin, aflatoxin and ricin. The Iraqi regime had put up an elaborate screen of concealment to cover this capability. Our intelligence information indicated that sensitive materials and documents had been hidden in the homes of employees, in hospitals, farms and other sites. WMD related items may have been buried and others were being kept on the move using trucks and trains. In early December, Saddam had issued instructions that scientists and their families were to be threatened if they revealed any sensitive information to the UN inspectors. They were ordered not to agree to any interviews with UN inspectors outside Iraq.

30. The Foreign Secretary once again repeated key arguments: there was a threat from having a tyrannical rogue regime like Saddam's in such an inherently unstable region as the Middle East; we could not allow it to continue to defy the UN. Iraq was certainly supporting terrorism in Israel and the Occupied Territories: refusal to deal with it would send a message to other regimes that they too could act in defiance of international obligations.

31. On 7 March, the Foreign Secretary attended another ministerial meeting of the Security Council. During the debate, the Foreign Secretary highlighted yet another example of Iraq's games playing. Iraq had recently issued a Presidential Decree prohibiting private individuals and companies from working on WMD. But the Decree did not cover the operations of the State. Iraq was therefore still refusing to fulfil its obligations set out by the Security Council in 1991. Although Iraq had reluctantly conceded 12 private interviews, scientists were intimidated by the Iraqi regime beforehand and were told their exchanges were being recorded.

32. The Foreign Secretary told the Security Council that the choice was Saddam Hussein's. Nothing had ever been automatic about the threat of force or the use of force. It was still possible for Saddam Hussein to comply. The UK remained committed to exploring every reasonable option for a peaceful outcome. Subsequently the British Government examined whether a list of defined tests for Iraqi compliance would be useful in helping the Security Council come to a judgement.

33. On 24 February the UK, US and Spain introduced a draft Security Council Resolution declaring that Iraq had failed to take the final opportunity afforded to it in UNSC 1441. But the UK made clear that we would not put the Resolution to the vote immediately. Instead we would give Saddam one further final chance to disarm voluntarily. At the Security Council on 7 March the Foreign Secretary announced that he was tabling a joint UK/US/Spanish amendment to the Resolution that would specify that Iraq had until 17 March to comply.

34. Over the following days, in consultation with Dr Blix and Security Council partners this ultimatum was refined. In a statement to the House on 10 March the Foreign Secretary underlined that the British Government had all along made clear their desire to secure a peaceful outcome to the crisis. It was for this reason that we were prepared to offer an ultimatum. Negotiations were continuing on whether a list of defined tests for Iraqi compliance would be useful in helping the Security Council to come to a judgement. The Foreign Secretary made clear that we did not expect Saddam to disarm in a week. But we were expecting Iraq to demonstrate active co-operation. There was no reason why Iraq could not make this clear within a matter of days. The Foreign Secretary expressed the hope that even at this late stage Iraq would seize the chance to disarm peacefully.

35. On 12 March the UK circulated a side statement to the Security Council setting out



six benchmarks for Iraqi compliance. These were:

- a public statement from Saddam Hussein that Iraq would henceforth fully cooperate with inspectors including by requiring all Iraqis to hand over documentation and data, and to volunteer information on prohibited activities;
- inspectors would select 30 Iraqi scientists which Iraq would agree to make available for interview outside Iraq;
- Iraq must provide credible evidence to account for the whereabouts of all remaining anthrax, and associated production activities;
- Iraq must complete the destruction of all Al-Samoud II missiles and components;
- Iraq must fully account for all programmes to develop unmanned aerial vehicles and remotely piloted vehicles;
- Iraq must surrender for destruction all mobile chemical and biological facilities.

36. In the weeks before the conflict the British Government's focus was on Saddam's failure to demonstrate compliance with UNSCR 1441 and, the increasing irrelevance of giving him more time. In his statement to the House on 10 March, the Foreign Secretary acknowledged that there had been some limited movement such as the partial destruction of al-Samoud missiles, but this was only after UNMOVIC had declared the missiles in breach of Iraq's obligations. This was only the tip of the iceberg. A description of Iraq's WMD programme, its evasion and deceit was set out in 173 page document issued by UNMOVIC on 6 March, entitled "Unresolved Disarmament Issues—Iraq's Proscribed Weapons Programme". Copies of this document were placed in the library of the House. The Foreign Secretary argued that, without more co-operation from Iraq, to continue inspections with no end firm date, would not achieve the disarmament required by the Security Council.

37. On 17 March, the Foreign Secretary published a second Command Paper (CM 5785) and other documents which included a nine page note summarising Iraq's record on non-compliance with UNSCR 1441. On 18 March a motion to the House of Commons calling for a further UNSC resolution before military action should take place was defeated by 396 votes to 217. A Government resolution approving the use of force was approved by 412 votes to 149.

38. During the 18 March debate the Prime Minister explained that we had explored every option for a peaceful solution to persuade Saddam Hussein to comply with UNSCR 1441. We had been ready to set clear benchmarks and an ultimatum. Unfortunately, despite the UK's efforts, a second resolution proved impossible.

39. On 20 March, in his address to the nation, the Prime Minister summarised the case against Iraq. He made clear that the threat to Britain was a new threat: of disorder and chaos born either of brutal states like Iraq, or of extreme terrorist groups. He explained his fear that these threats would come together. In his judgement, the threat was real, growing and of an entirely different nature from any previous conventional threat to Britain's security. The international community through the UN had tried to disarm Saddam for 12 years. UN inspectors said vast amounts of chemical and biological poisons remained unaccounted for in Iraq. Our choice was clear: back down and leave Saddam hugely strengthened; or proceed to disarm him by force.

Foreign and Commonwealth Office

19 June 2003





Select Committee on Foreign Affairs [Written Evidence](#)**Correspondence between the Chairman of the Committee, the Secretary of State, Foreign and Commonwealth Office and the Director of Communications and Strategy, 10 Downing Street**

*Letter to the Director of Communications and Strategy, 10 Downing Street, from the Chairman, Foreign Affairs Committee, 19 June 2003*

As you know, we are looking into the decision by the Government to go to war in Iraq. We have been looking in detail at various documents including "Iraq's Weapons of Mass Destruction" published in September 2002 and "Iraq—Its Infrastructure of Concealment, Deception and Intimidation" published in January 2003.

Your name has been specifically linked to the first of these documents, in evidence to the Committee today, as seeking amendments.

When the second document was first published on the internet, the names of the authors were listed and three of the four names given are of people who work directly for you.

In the circumstances the Committee wants to take evidence from you in relation to these two documents as part of this inquiry. Our Clerk will be contacting your office today to arrange with you a mutually convenient time next week for you to give evidence to us.

*Chairman*

Foreign Affairs Committee

*19 June 2003*

*Letter to the Secretary of State, Foreign and Commonwealth Office from the Chairman, Foreign Affairs Committee, 19 June 2003*

As you have no doubt heard through the media, we have been taking valuable evidence over the last three days in our inquiry on the Decision to go to War in Iraq. A large number of issues have arisen during these sessions which we feel it imperative to discuss with you in our public evidence session on Tuesday 24 June. The Committee fears, however, that the one and half hours allotted to this meeting will not be sufficient to tackle all the matters we need to discuss in public. I am therefore writing to ask if we could extend the session by half an hour, either starting earlier or finishing later.

I am conscious of how generous you have already been with your time, especially for the private meeting on Friday, but am sure you will understand this request, given the gravity of the matter under investigation. I look forward to your reply.

*Chairman*

Foreign Affairs Committee

*19 June 2003*

*Letter to the Chairman, Foreign Affairs Committee from the Director of Communications and Strategy, 10 Downing Street, 20 June 2003*

Thank you for your letter of June 19. I discussed it with the PM last night and as you may know, he has asked the Foreign Secretary to reply. I understand Jack will be in touch shortly, if he has not already been so.

Director of Communications and Strategy

10 Downing Street

20 June 2003

*Letter to the Chairman of the Committee from the Secretary of State, Foreign and Commonwealth Office, 20 June 2003*

Thank you for your letter of 19 June. As the FCO's Parliamentary Department have already told your Clerk, I gladly agree to extend my public evidence session on Tuesday 24 June by half an hour, starting at noon and finishing now at 2:00pm.

You also wrote on 19 June to Alastair Campbell asking him to appear before the Foreign Affairs Committee. The Prime Minister has asked me to reply.

As you know we discussed this when I met the Committee on 10 June. I made clear (as did the Prime Minister on 11 June in the House) that the long-standing convention is that Downing Street officials do not appear at Select Committees to discuss their work and role in Number 10. I had the impression that there was wide understanding within your Committee as to the reasons for this convention. (There has been one occasion when Mr Campbell gave evidence to the Public Administration Select Committee to assist their inquiry into the review of the Government Information Service; this did not relate to his position as the Prime Minister's Director of Communications and Strategy. Mr Campbell gave evidence as a member of the Government review team.)

As you know, the Intelligence and Security Committee is doing its own inquiry into the issues you raise and the Prime Minister has made clear that the government will co-operate fully with that inquiry.

I hope that I will be able to answer all your questions on this during the evidence sessions that you will have with me and the relevant FCO officials; where necessary I shall of course be happy to provide supplementary written memoranda.

*Secretary of State*

Foreign and Commonwealth Office

20 June 2003

*Letter to the Chairman of the Committee from the Secretary of State, Foreign and Commonwealth Office, 23 June 2003*

I wrote to you on Friday last, 20 June, informing you of the decision about Mr Alastair Campbell's attendance before your Committee.

Over the weekend I have read most of the transcripts of evidence so far given to your Committee in respect of this inquiry. In addition, there was a newspaper report yesterday about the Committee's inquiries so far which refers to earlier reports specifically claiming that the second dossier placed in the Library of the House on 3 February had been produced for Mr Campbell by four individuals, three of whom worked for Mr Campbell. Mr Campbell will want to tell the Committee that this was not the case and would like to explain the background.

In view of the focus of part of the evidence on issues of communications policy for which Mr Campbell had responsibility as Chair of the cross-departmental Iraqi Communications Group, and also because on these specific allegations about the provenance of the second dossier, the Prime Minister and I have now reviewed the position. We have agreed that Mr Campbell should exceptionally give evidence to your Committee. I should make it clear that, throughout, Mr Campbell himself has wanted to appear before the Committee to rebut the serious allegations that have been made by journalists and others in relation to both dossiers. The concern which the Prime Minister and I had was not *ad hominem*, but about the wider principle, which I know that in general your Committee appreciates, that staff (whether civil servants or special advisers) working in a personal capacity to the Prime Minister or Ministers should not be required to give evidence to Select Committees. We are however persuaded that there are sufficient special circumstances here—in particular his cross-departmental role on Iraq communications—for Mr Campbell's appearance which do not set a wider precedent. I very much hope that your Committee will respect this.

For your Committee's convenience Mr Campbell is preparing a written statement of evidence. I will let you have this once it is ready.

*Secretary of State*

Foreign and Commonwealth Office

23 June 2003

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Prepared 7 July 2003



## Supplementary memorandum from the Foreign and Commonwealth Office

RESPONSE TO QUESTIONS (IN ITALICS) FROM THE COMMITTEE, 19 JUNE 2003

*Q1: On which dates since 11 September 2001 was Iraq on the Agenda for a meeting of the Defence and Overseas Policy Committee?*

A: The Defence and Overseas Policy Committee (DOP) last met on 28 June 2001. The "War Cabinet" (Ad Hoc Ministerial Committee on Iraq) had a slightly wider membership than DOP and met on 29 occasions between 19 March and 28 April 2003 inclusive. There had been a large number of other Ministerial meetings on Iraq chaired by the Prime Minister between July 2002, to date. A Ministerial Committee on Iraq Rehabilitation chaired by the Foreign Secretary has, with one exception, met weekly since 10 April 2003.

*Q2: On which dates since 11 September 2001 was Iraq (a) on the Agenda of and (b) discussed at a meeting of the Cabinet?*

A: Iraq has been on the agenda of the Cabinet since March 2002, when it was the subject of substantive discussion. There was a special meeting of the Cabinet on Monday 23 September 2002, in advance of the following day's Parliamentary debate on Iraq (for which both Houses had been recalled). This Cabinet was dominated by discussion on Iraq. Iraq was the subject of discussion at every Cabinet meeting thereafter—ie at 28 meetings between 23 September 2002 and 22 May 2002 (inclusive).

*Q3: Is there any truth in the allegation in the Independent of 9 June that the March 2002 JIC paper on Iraq was "suppressed" after it was put up? Does the FCO have anything further to say about this paper?*

A: No JIC assessments were suppressed. The Assessments Staff, in coordination with the intelligence agencies, DIS and policy departments, including the FCO, prepared a paper in March on WMD in Iraq intended for possible publication. This document was based upon JIC assessments at that time, but made only brief reference to intelligence material. The September document was much more detailed and included intelligence issued between March and September 2002.

*Q4: Was the wording in the September Dossiers as a whole the same in substance as in the JIC assessments on which it was based? Please list any material differences between the two.*

A: The dossiers accurately reflected the judgements from the classified JIC assessments. The draft dossier was circulated to JIC members for comment in advance of publication. The JIC Chairman approved its contents.

*Q5: Is there any truth in the reports in the 15 June edition of the Independent on Sunday that chemical and biological weapons protection equipment was removed from Cyprus for use in the Gulf? If so, did this reflect a reassessment of the missile threat to Cyprus as set out in the September Dossier?*

A: During preparations for operations in Iraq, stocks of Combopens and other equipment were moved between various sites used by UK forces, including both to and from Cyprus. Such movement is a normal part of the logistics process. At the outbreak of hostilities, there were sufficient Combopens in theatre for all UK forces, including those in Cyprus. There was no change to our assessment of the threat from Iraqi ballistic missiles, including to Cyprus.

*Q6: I enclose a copy of comments received from Dr Tom Inch. The Committee would be grateful for the FCO's observations on each of the points he makes.*

A: Answers to most of the questions raised by Dr Inch are attached[73]. We will seek to answer the remaining question as soon as possible.

#### ANSWERS TO QUESTIONS FROM DR THOMAS INCH

*P17 para 2. Was there any evidence that the attempts at procurement were successful?*

A: We are seeking an answer to this question.

*P18 para 3. What was the evidence that mustard could be made in weeks and nerve agents in months? This statement suggests the intelligence source knew the facilities to be used and how the facilities would be used.*

A: This was an assessment not based on specific intelligence but on such factors as the availability of precursors and the ease of production. We judged that it would take the Iraqis longer to start production of nerve agent because the process is generally more complicated. We did not know where production would take place.

*P19 para 5. It is important to find what the raw data actually said about 45 minutes.*

A: The JIC assessment said that some CBW weapons could be delivered to units within 45 minutes of an order being issued. That is why the dossier said they could be "deployed" within 45 minutes.

*P19 para 8. If it is known that Iraq continued to produce nerve agent then it should be known where that was when the intelligence was obtained. Post event chemical analysis of the site should be able to confirm the allegation.*

A: P19 para 8 refers to chemical agent production, not just nerve agent production. But the intelligence did not identify specific sites where this had taken place. In general, we agree that post-event chemical analysis of sites may be able to confirm assessments, although it should be recognised that Iraq carried out a large campaign of site sanitation.

*P20 para 8. Similarly analysis should reveal whether there was misuse of the precursor chemicals at Fallujah2.*

A: There was no specific evidence of CW precursor or CW agent production at Fallujah after the 1991 Gulf War other than the production of chlorine and phenol which could support CW agent and precursor production. Inspection and chemical analysis could reveal evidence of further CW-related activity.

*P20 para 9. More information should be sought on the suppliers of the illegal equipment and whether the Inspectors visited this complex on their return last year.*

A: The UN inspectors did visit Ibn Sina Company at Tamriyah several times but they did not carry out extensive forensic examinations. The dossier said that Ibn Sina provided a capability that could be used, not that it had been used. The problem of dual-use facilities was highlighted on page 21 of the dossier.

*P22 para 12. More information is required on whether Iraq has a legitimate castor oil industry. Also we need to know whether the plant construction would allow the easy production of ricin.*

A: Iraq does have a legitimate castor oil industry, although we assess that the quantities produced are in excess of requirements and that for at least one of the uses, hydraulic fluid, castor oil could be more efficiently replaced by synthetic fluids. We assess that Iraq did have the capability to extract ricin from castor beans.

*P22 para 14. I am puzzled by the importance given in the dossier to aflatoxins. The materials are not particularly acutely toxic and in solution may not have been weaponised in high concentration. For the sake of the overall credibility of the dossier some indication of the real significance of this information would be helpful.*

A: The key point in this paragraph is that Iraq acknowledged that it had filled two types bombs and al Hussein warheads with aflatoxin as part of its BW programme. The rationale for Iraq's choice of agent was beyond the scope of the dossier. The longer term effects of

aflatoxin as a carcinogen and its ability to cause liver damage are well documented.

*P24 para 16. The summary groups anthrax, botulinum, aflatoxins and ricin together and suggests a common biological agent production capability. This seems odd since the biological agent anthrax is very different from the others which are chemical toxins. Also ricin is very different since it is not cultured but harvested from a cultivated crop.*

A: They are grouped together based on their deviation from biological materials not on any particular production capability.

Foreign and Commonwealth Office

24 June 2003

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73 Dr Inch's questions are reproduced here in italics, and published with his memorandum, pp Ev. [Back](#)







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## Memorandum from the Permanent Under-Secretary of State, Foreign and Commonwealth Office

During my evidence session with the Committee on the FCO's Departmental Report on 24 June, [\[74\]](#) Sir John Stanley asked for additional information on three points, related to the Iraq enquiry.

The first, how the attribution of the material drawn from Dr Al-Marashi's article was lost, is addressed in Alastair Campbell's Memorandum to the Committee. [\[75\]](#) If the Committee would like further details, Mr Campbell will be happy to provide these when he gives oral evidence.

On the question of FCO staff working in the CIC at the time the January briefing paper was produced, it was headed by an FCO Counsellor and there was one other FCO official in the CIC in a support capacity.

Finally, Sir John asked if we had considered the risk to Dr Al-Marashi before deciding to draw on his material for use in the briefing paper. As the material was already in the public domain and freely available from the Internet, we did not at the time consider that using it in the briefing paper would present a risk to Dr Al-Marashi.

*Permanent Under-Secretary of State*

Foreign and Commonwealth Office

25 June 2003

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75 Ev 7. [Back](#)





## Further supplementary memorandum from the Foreign and Commonwealth Office

QUESTIONS FROM THE FAC HEARING, 24 JUNE, (SHOWN HERE IN ITALICS).

QUESTIONS FROM MR CHIDGEY

1. *What assessments were made of the production of chemicals—chlorine, phenol and phosgene needed to supply Iraq's industry?*

As indicated in the September dossier, Iraq was able to produce chlorine, phenol and phosgene. While there are legitimate uses for the chemicals, they also could be used in the production of chemical agents.

2. *Was there any assessment made of surplus production or diversion of production to the military for their use in WMD?*

Part of UNSCOM's role was to monitor Iraq's dual use production capability. Between the departure of UNSCOM and the arrival of UNMOVIC, it was not possible to monitor on the ground either production or diversion activity. The Iraqi 2002 Declaration failed to provide the information necessary to confirm and reconcile Iraq's imports of chemicals, indigenous production and overall consumption.

3. *Has any assessment been made of the quantities of these chemicals that would be needed to produce the sort of stocks of WMD that would have been sufficient to allow the Iraqi Army to mount a sustainable and credible military action against an attack from coalition forces. If there was what sort of quantities are we talking about?*

A variety of assessments on Iraq's WMD programmes were carried out by the Government. The quantities of WMD required to achieve an effect would depend on the scenario under which it was employed. Even a small quantity of WMD, used in a focused strike against key military targets could have impaired the effectiveness of Allied operations.

4. *Was there an assessment made that that gave a view on the degrees of threat posed by Iraq's WMD capability to coalition forces? Were the scientific community involved in making those assessments? Did the Cabinet Committee agree with the assessments made by the scientific community or their contribution?*

The threat to Coalition forces from WMD was assessed. Government departments have access to both their own scientific experts and the wider scientific community. The views of these experts were taken into account.

5. *Have inspections and testing been launched since the conflict at Tarmiyah and other new plants? If so, what progress has been made and what has been found? When are the full results expected? Did the UN inspectors visit Tarmiyah in the months immediately before the conflict? If so, what did they find?*

Tarmiyah was a nuclear research establishment prior to 1991; the infrastructure was destroyed by the IAEA and the site taken over for industrial chemical research. Now known as the Ibn Sina Research Centre, it was included in the September dossier on account of concerns over its research capabilities into chemical warfare and missile fuel. The site was visited by UNMOVIC and the inspectors discovered that Iraq had restarted research into the preparation of UDMH, a prohibited missile fuel. UNMOVIC believed that this could have been an element in a prohibited missile development programme.

QUESTION FROM MR OLNER

6. *How far are we from granting immunity to scientists?*

It is clearly important that Iraqis with information on concealed WMD programmes should not be deterred from coming forward. We are discussing with our coalition partners a range of possible measures which could encourage them to do so. Immunity from prosecution is just one possible option.

QUESTION FROM MR ILLSLEY

7. *Is there any truth in the fact that it (the September dossier) was sent back six or seven times to the intelligence community to be rewritten?*

Between the decision to produce a dossier for public consumption and the final published version, the dossier was continually updated as new intelligence was received and comments incorporated. Individual sections were the subject of discussions between officials in different departments and the intelligence agencies and were incorporated, updated or removed as the intelligence picture developed. It is therefore impossible to say how many formal drafts the document went through, however during September it was circulated to JIC members on two occasions. As the Foreign Secretary said in his evidence, the process was an iterative one.

QUESTIONS FROM MR MACKINLAY

8. *Did we give our nuclear intelligence to Dr EI-Baradei?*

The British government co-operated fully with both UNMOVIC and the IAEA. Intelligence was passed to the Head of the IAEA Iraq action team and his staff.

*Secretary of State*

Foreign and Commonwealth Office

26 June 2003





## Further supplementary memorandum from the Foreign and Commonwealth Office

1. The FAC asked whether the JIC was represented in the CIC. No JIC Assessments staff worked in the CIC. As Alastair Campbell has noted in his supplementary memorandum to the Committee, the JIC chairman did attend some meetings of the Iraq Communication Group.

2. The Committee also requested comments on the question raised by Dr Tom Inch as to whether there was any evidence that the attempts at procurement (of dual use chemicals and materials) were successful. We have no evidence of whether Iraqi attempts at procurement were successful.

Foreign and Commonwealth Office

1 July 2003

## Further supplementary memorandum from the Foreign and Commonwealth Office

### ADDITIONAL MATERIAL FOR THE FAC

1. You asked for additional information on Dr Glen Rangwala's memorandum.
2. The Foreign Secretary and Alastair Campbell both dealt with several of the issues raised by Dr Glen Rangwala during their oral evidence sessions.
3. In addition, Alastair Campbell's memorandum (Tuesday 24 June 2003) has explained how a mistake was made in the preparation of the February 2003 briefing paper entitled, "Iraq—Its infrastructure of concealment deception and intimidation". The Government has acknowledged and apologised for that mistake.
4. In relation to the specifics on changes to the text of Dr AI-Marashi's work, we have made it clear that those officials submitting changes to the briefing paper were not aware that they were commenting on material which included parts of Dr AI-Marashi's work. They had assumed it was government-sourced material.
5. Some changes were made to reflect current intelligence material. Alastair Campbell has already submitted additional information to the Committee on intelligence material contained in the February briefing paper.
6. The Foreign Secretary and Alastair Campbell responded to the Committee's questions on the change made in the dossier from aiding opposition groups in hostile regimes" to "supporting terrorist organisations in hostile regimes This reflected information at the time that the Iraqi regime was supporting terrorist organisations including the MEK, Hamas and Islamic Jihad.
7. Other changes were made to the briefing paper because the officials believed that they rendered the account more accurate. For example, numerical changes were made to the membership of the various organisations in section 2 of the briefing paper. This was on the basis of work prepared in the FCO and submitted to the CIC during the preparation of the February briefing paper.
8. This led to several occasions where the numbers were reduced. For example, the Directorate of General Intelligence (AI-Mukhabarat) in Dr AI-Marashi's article said it had 8,000 members whereas the February briefing paper said it had 4,000. The Special Security Organisation (AI-Amn al-Khas) similarly went down from 5,000 to 2,000.

9. Dr Al-Marashi's own evidence to the Committee addressed the currency and accuracy of his own work. Dr Al-Marashi said: "It was as accurate as I could possibly make it as of September 2002 using open source materials". Dr Al-Marashi also confirmed to the Chairman that his work was updated from beyond 1991 to 2002.

Foreign and Commonwealth Office

*July 2003*

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Prepared 7 July 2003



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## Further supplementary memorandum from the Foreign and Commonwealth Office

### IRAQI ATTEMPTS TO PROCURE URANIUM

1. The statement in the Government's published Assessment on Iraqi Weapons of Mass Destruction (WMD) that Iraq sought the supply of significant quantities of uranium from Africa was based on intelligence information received in 2002 from more than one source. We did not have intelligence that Iraq had actually acquired uranium: the dossier was clear on this point.
2. We asked the originators of our intelligence information to discuss this issue with the IAEA. We understand that this was done shortly before the IAEA report of 7 March 2003.
3. We understand that the IAEA acquired documents on this subject—not originating from the UK—in February 2003. Some of these turned out to be forgeries. Prior to the publication of the September dossier we had not seen copies of these documents, and did not do so until March 2003. We understand that the documents first came into circulation in October 2002: after the publication of the dossier.
4. We have now seen the documents passed to the IAEA and agree that some are forgeries. But others are still under consideration. We do not know the precise origin or history of these documents.
5. Our information post-dated the visit of a former US diplomat to Niger, reported in the media. In addition, as our dossier demonstrated, there was other evidence of Iraqi efforts to revive their covert nuclear programme, such as the recall of specialists to work on Iraq's nuclear programme and the procurement of dual use equipment.

Foreign and Commonwealth Office

*July 2003*

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## Further supplementary memorandum from the Foreign and Commonwealth Office

### IRAQ'S WEAPONS OF MASS DESTRUCTION

1. The memorandum "Building a case against Iraq" described the British Government's diplomatic activity from the early months of 2002 up to 20 March 2003. The Committee has posed questions on matters relating to the dossier of 24 September 2002 on Iraq's weapons of mass destruction (WMD) and on the search for those weapons both before and since the conflict with Iraq. This memorandum describes how the September dossier was put together, answers questions about its reliability and elaborates on the search for the WMD.

#### *How the September dossier was put together*

2. In March 2002, a first draft of a paper for publication on Iraq's WMD was put together by the Cabinet Office Assessments Staff. The paper was based on JIC assessments at that time but made only brief reference to specific items of intelligence. It was decided that this was not the right moment to proceed with publication.

3. Following increased international and domestic interest in the issue, on 3 September the Prime Minister announced that the Government's assessment of Iraq's WMD capabilities, including intelligence-related information, would be made public in the next few weeks. It was decided the assessment should cover the history of the WMD programmes, the history of the inspection process, an account of current capabilities and an account of the nature of the regime including its record of severe human rights abuse. The purpose was to present a detailed account of Iraqi capabilities, placed in the wider context. Since the revised document would be making more open use of intelligence material, it was agreed that the JIC Chairman would be in charge of the process.

4. Drafting was co-ordinated by the Assessments Staff, working with representatives of Departments and Agencies. With the agreement of the Agencies, representatives from the No 10 and FCO Press Offices were present on at least one occasion. There were formal meetings, numerous exchanges of drafts and constant consultations between the experts concerned. The aim was to ensure that the public assessment was firmly based on the most recent classified assessment and that it deployed the intelligence effectively, taking account of the reliability of the information and demands of source protection.

5. It was recognised that the assessment of Iraq's capabilities should be handled separately from the historical and human rights chapters. Parts 2 and 3, which were not intelligence-based, were initially prepared by the FCO and subsequently edited by the Assessments Staff. Part 1 was the work of the Assessments Staff from the beginning.

6. During the drafting process JIC members were asked to consult Ministers as appropriate. The Foreign Secretary and Mr O'Brien offered comments. The Foreign Secretary made some brief comments on layout, for example he favoured more graphics. He also suggested including in the Prime Minister's foreword a reference to Saddam's defiance of the UN and unprecedented use of WMD. Mr O'Brien's comments included questions on setting out the context better by greater use of UNSCOM reports, more on the impact on Saddam's possession of WMD, and more references to the sources of the information. Not all comments were reflected in the final text. None of the comments suggested that references to specific pieces of intelligence should be reinterpreted or rewritten.

7. The draft dossier was discussed by the JIC on two occasions in September. A final

draft was circulated to JIC members on 19 September and agreed by them out of committee. It was sent to No 10 on 20 September. The JIC Chairman remained in overall charge of the final publication arrangements, including the signing off of the printer's proof on 23 September.

8. The executive summary was drafted and co-ordinated by the same people in the Assessment Staff who were responsible for the main report. The foreword to the dossier was drafted in No 10 for the Prime Minister's signature. JIC members had an opportunity to comment on this draft.

9. Until the penultimate stage the document contained a conclusions section which summarised the main points in the overall document. This was dropped in the final draft because it was repetitive and superfluous.

*Reliability of the dossier*

10. The Government remain confident that the dossier accurately reflected the Government's best assessment at the time as recorded in the classified assessments. Several judgements in it have been borne out. These include:

- The illegal programme to extend the range of the al Samoud missile. This was borne out by UNMOVIC findings. UNMOVIC subsequently instructed that the missiles should be destroyed.
- The illegal programme to produce even longer-range missiles. UNMOVIC required Iraq to destroy refurbished casting chambers previously rendered unusable by UNSCOM because they could be used for long-range missile motors. It also acknowledged the excessive size of Iraq's engine test stand.
- Concealment of documents at the homes of personnel associated with WMD programmes.
- Undeclared UAV capabilities. A UAV with a range far in excess of that permitted by UNMOVIC was found.
- Investigations continue into the role of the suspect mobile trailers found in Iraq.

11. Much attention has focussed on the "45 minutes" and "uranium from Africa" issues.

12. The Government have no reason to doubt the reliability of the source of the intelligence on the 45 minutes issue. The information came from an established, reliable, and long-standing line of reporting. The information was consistent with the JIC's judgement that command, control and logistics arrangements for Iraq's chemical weapons were in place. The information was incorporated into a classified JIC assessment in early September and following this, was included in the dossier. The description of the intelligence in the dossier accurately reflected the description contained within the classified assessment. There were no further caveats used in the classified assessment. As the Foreign Secretary has made clear, this intelligence was included and cleared by the JIC and not at the behest of Ministers or Special Advisers.

13. Mr Gilligan, quoting his own source, repeatedly asserted, during his evidence session, that the source of the intelligence report, in referring to 45 minutes, confused the deployment time for a conventional missile with the deployment time for a CBW missile. But in fact the source, in referring to 45 minutes, did not refer to missiles at all. Mr Gilligan's information is not correct.

14. The assessment on uranium from Africa drew on intelligence reporting from a number of sources. The IAEA has confirmed that their forged documents did not come from a British source. It is public knowledge that Niger supplied Iraq with yellowcake in the 1980s.

15. The Government have no reason to doubt the thoroughness of their intelligence assessments of Iraq's nuclear programme. As the dossier described, there was additional evidence of Iraqi efforts to restart their covert nuclear programme, such as the recall of Iraqi nuclear scientists. Great care was taken, as a matter of course, in the interpretation of this intelligence as with other intelligence reports. As an indication of how much caution was exercised in this case, the dossier stated clearly, in relation to the aluminium tubes, that there was no definitive intelligence that these were destined for a nuclear programme.

16. It has been claimed that the Government was close to closing the nuclear dossier in



the late 1990s. No such decision was taken. The IAEA report of 27 January 2003 identified key outstanding questions concerning progress by the Iraqis in weapons design and centrifuge development prompted by a lack of relevant documentation; the extent of external assistance from which Iraq benefited; and the lack of evidence that Iraq had abandoned definitively its nuclear programme. While the IAEA Director General indicated to the Security Council that with full Iraqi cooperation these issues could be resolved quite quickly, that co-operation was patently not forthcoming. Even in April 2003 the IAEA said that, although they had found no evidence to suggest that Iraq had re-started a weapons programme, these outstanding questions remained.

17. It has also been claimed that the Government was close to closing the missile dossier in the late 1990s. Again, no such decision was taken. As noted in the September 2002 dossier, in mid-2001 the JIC noted a "step-change" in progress on the Iraqi missile programme over the previous two years. The dossier also stated that in early 2002 the JIC concluded that Iraq had begun to develop missiles with a range of over 1,000 kms.

18. Ministers were briefed on Iraq's WMD programmes by intelligence staff. The briefings that were given to Ministers were consistent with classified JIC assessments and with the September dossier.

19. Questions have been asked about whether the dossier simply extrapolated from what the inspectors knew in 1998, or whether we retested our analysis and drew on new intelligence. Chapters 2 and 3 of Part 1 of the dossier make clear that the Government drew heavily on recent intelligence about Iraqi efforts to develop their programmes and capabilities since 1998. Specific reference is made in those chapters to recent intelligence on attempts to reverse-engineer the SCUD engine prior to the Gulf War; to intelligence which complemented and added to what was previously known on the important role which chemical and biological weapons played in Iraqi military thinking, on Iraqi attempts to retain its banned weapons systems and on Saddam's willingness to use chemical and biological weapons. Recent intelligence was also drawn on in relation to mobile facilities.

20. Questions have been asked about the distribution of JIC assessments. Distribution depends on the subject of the JIC assessment. Cabinet Ministers are sent papers of relevance to them but can always request others if they wish. The Prime Minister and other Ministers who are members of the Committee on Security and Intelligence see all JIC papers. Special Advisers who are appropriately cleared, and have a requirement to see them, are sent JIC assessments.

#### *The search for WMD*

21. UNMOVIC and the IAEA gave regular reports to the Security Council before the conflict. Questions have been raised about whether intelligence was passed to UNMOVIC and IAEA by British Agencies. Both organisations were regularly briefed by the UK. SIS were co-operating fully with the inspectors and British assistance to Dr Blix played a key part in the few successes UNMOVIC had.

22. The first priority after the conflict was to ensure security and to make a start on rehabilitation. Teams were however also deployed to search for WMD. As of 21 June, 159 sites out of a total of on a US "Master List" of 578 had been examined. A number of these sites have thrown up several more previously unknown ones. 83 of these have been visited. Most if not all of the sites on the "Master List" were also known to the UN, as the Iraqis were aware. They are thus not necessarily the places which are the most likely to yield information.

23. The Iraq Survey Group is now deploying to Iraq. Amongst other tasks such as the search for the former regime's leadership, it will be responsible for the search for Iraq's WMD programmes. Approximately 1,300 people will deploy, of whom around 100 will be British including the Deputy Commander, Brigadier Deverall.

Foreign and Commonwealth Office

July 2003





## Further supplementary memorandum from the Foreign and Commonwealth Office

### LETTER FROM THE FOREIGN SECRETARY TO THE CHAIRMAN OF THE COMMITTEE, 2 JULY 2003

The evidence submitted by the Government to your Committee including that provided in confidence has set out the position on the central allegation that intelligence was improperly inserted into the assessment on Iraqi WMD published on 24 September 2002. The allegation has clearly been shown to be untrue. It is important that we have been able to establish this since it was potentially so damaging not only to the Government but to the reputation of the Joint Intelligence Committee and the Intelligence Agencies who were, in effect, being accused of succumbing to political pressure.

In case there is any continuing misunderstanding about the inclusion of intelligence material in the briefing paper, "Iraq, its Infrastructure of Concealment, Deception and Intimidation" (February 2003), I am taking the opportunity of this letter to supplement written and oral evidence already given on this point.

The Chairman of the JIC and 'C' have confirmed that the intelligence material described in Alastair Campbell's memorandum of 27 June was provided by the SIS. It came from a range of sources. Much of the intelligence was recent. It was regarded by the Service as reliable and significant. Its release to the CIC for public use was authorised by 'C', which was fully in accordance with longstanding instructions for the use of intelligence. The JIC Chairman was aware that the information had been released with 'C's authority and regarded this as consistent with established procedures. On this point the correct arrangements were followed. The references to the intelligence material in the final document were accurate.

The problems arose in the drafting of Section 2 of the paper as Alastair Campbell has acknowledged and new procedures to deal with these problems have been put in place.

You may like to know that the contents of this letter have been agreed by 'C' and the Chairman of the JIC.

*Secretary of State*

Foreign and Commonwealth Office

July 2003

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