



House of Commons
Foreign Affairs Committee

The Decision to go to War in Iraq

Ninth Report of Session 2002–03

Volume I



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Report, together with formal minutes

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The Foreign Affairs Committee

The Foreign Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Office of the Foreign and Commonwealth Office and its associated public bodies.

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Committee staff

The current staff of the Committee are Steve Priestley (Clerk), Geoffrey Farrar (Second Clerk), Elizabeth Sellwood (Committee Specialist), Jane Appleton (Committee Assistant), Sheryl Bertasius (Secretary) and Andrew Boyd (Senior Office Clerk).

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Conclusions and recommendations

1. We conclude that it appears likely that there was only limited access to reliable human intelligence in Iraq, and that as a consequence the United Kingdom may have been heavily reliant on US technical intelligence, on defectors and on exiles with an agenda of their own. (Paragraph 15)
2. We conclude that the March 2002 assessment of Iraq's WMD was not "suppressed", as was alleged, but that its publication was delayed as part an iterative process of updating and amendment, which culminated in the September dossier. (Paragraph 25)
3. We conclude that it is too soon to tell whether the Government's assertions on Iraq's chemical and biological weapons will be borne out. However, we have no doubt that the threat posed to United Kingdom forces was genuinely perceived as a real and present danger and that the steps taken to protect them taken were justified by the information available at the time. (Paragraph 41)
4. We recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about Iraq's chemical and biological weapons programmes, in the light of subsequent events. (Paragraph 42)
5. We recommend that, in its response to this Report, the Government give its current assessment of the status of the Al Samoud 2 missile infrastructure. We further recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about Iraq's ballistic missile programme generally, and the retained al-Hussein missiles in particular, in the light of subsequent events. (Paragraph 47)
6. We conclude that the accuracy of most of the claims in relation to Iraq's nuclear weapons programme can only be judged once the Survey Group has gained access to the relevant scientists and documentation. (Paragraph 53)
7. We recommend that the Foreign Secretary provide the Committee with the date on which the British intelligence community were first informed by the CIA that forged documentation in relation to Iraqi purchases of uranium from Niger existed, as soon as he has found this out. (Paragraph 57)
8. We conclude that it is very odd indeed that the Government asserts that it was not relying on the evidence which has since been shown to have been forged, but that eight months later it is still reviewing the other evidence. The assertion "... that Iraq sought the supply of significant amounts of uranium from Africa ..." should have been qualified to reflect the uncertainty. We recommend that the Government explain on what evidence it relied for its judgment in September 2002 that Iraq had recently sought significant quantities of uranium from Africa. We further recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about Iraq's attempts to procure uranium from Africa, in the light of subsequent events. (Paragraph 60)
- 9.

We conclude that the 45 minutes claim did not warrant the prominence given to it in the dossier, because it was based on intelligence from a single, uncorroborated source. We recommend that the Government explain why the claim was given such prominence. (Paragraph 70)

10. We further recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about the 45 minute claim, in the light of subsequent events. (Paragraph 71)
11. We conclude that Alastair Campbell did not play any role in the inclusion of the 45 minutes claim in the September dossier. (Paragraph 77)
12. We conclude that it was wrong for Alastair Campbell or any Special Adviser to have chaired a meeting on an intelligence matter, and we recommend that this practice cease. (Paragraph 79)
13. We conclude that on the basis of the evidence available to us Alastair Campbell did not exert or seek to exert improper influence on the drafting of the September dossier. (Paragraph 84)
14. We conclude that the claims made in the September dossier were in all probability well founded on the basis of the intelligence then available, although as we have already stated we have concerns about the emphasis given to some of them. We further conclude that, in the absence of reliable evidence that intelligence personnel have either complained about or sought to distance themselves from the content of the dossier, allegations of politically inspired meddling cannot credibly be established. (Paragraph 86)
15. We conclude that without access to the intelligence or to those who handled it, we cannot know if it was in any respect faulty or misinterpreted. Although without the Foreign Secretary's degree of knowledge, we share his confidence in the men and women who serve in the agencies. (Paragraph 90)
16. We conclude that the language used in the September dossier was in places more assertive than that traditionally used in intelligence documents. We believe that there is much value in retaining the measured and even cautious tones which have been the hallmark of intelligence assessments and we recommend that this approach be retained. (Paragraph 100)
17. We conclude that continuing disquiet and unease about the claims made in the September dossier are unlikely to be dispelled unless more evidence of Iraq's weapons of mass destruction programmes comes to light. (Paragraph 108)
18. We conclude that the degree of autonomy given to the Iraqi Communications Group chaired by Alastair Campbell and the Coalition Information Centre which reported to him, as well as the lack of procedural accountability, were contributory factors to the affair of the 'dodgy dossier'. (Paragraph 122)
19. The Committee also concludes that the process of compiling the February dossier should have been more openly disclosed to Parliament. (Paragraph 123)

20. We recommend that the Government offer every assistance to Mr Marashi in tracing his relatives in Iraq. (Paragraph 133)
21. We conclude that the effect of the February dossier was almost wholly counter-productive. By producing such a document the Government undermined the credibility of their case for war and of the other documents which were part of it. (Paragraph 138)
22. We further conclude that by referring to the document on the floor of the House as “further intelligence” the Prime Minister—who had not been informed of its provenance, doubts about which only came to light several days later—misrepresented its status and thus inadvertently made a bad situation worse. (Paragraph 139)
23. We conclude that it is wholly unacceptable for the Government to plagiarise work without attribution and to amend it without either highlighting the amendments or gaining the assent of the original author. We further conclude that it was fundamentally wrong to allow such a document to be presented to Parliament and made widely available without ministerial oversight. (Paragraph 140)
24. We recommend that any paper presented to Parliament—whether laid on the Table, made available in the Vote Office or placed in the Library—for the purpose of explaining the Government’s foreign policy be signed off by a FCO Minister. We further recommend that any FCO document presented to Parliament which draws on unofficial sources should include full transparency of sources, and attribution where appropriate. (Paragraph 141)
25. We recommend that there should be clarity over which Department has lead responsibility for groups such as the CIC. That Department should then be accountable to the relevant select committee. This would avoid the situation where nobody is prepared to take responsibility for certain interdepartmental groups. (Paragraph 149)
26. We recommend that Andrew Gilligan’s alleged contacts be thoroughly investigated. We further recommend that the Government review links between the security and intelligence agencies, the media and Parliament and the rules which apply to them. (Paragraph 154)
27. We conclude that the continuing independence and impartiality of the Joint Intelligence Committee is of utmost importance. We recommend that Ministers bear in mind at all times the importance of ensuring that the JIC is free of all political pressure. (Paragraph 159)
28. We recommend that the Intelligence and Security Committee be reconstituted as a select committee of the House of Commons. (Paragraph 167)
29. We conclude that continued refusal by Ministers to allow this committee access to intelligence papers and personnel, on this inquiry and more generally, is hampering it in the work which Parliament has asked it to carry out. (Paragraph 170)

30. We recommend that the Government accept the principle that it should be prepared to accede to requests from the Foreign Affairs Committee for access to intelligence, when the Committee can demonstrate that it is of key importance to a specific inquiry it is conducting and unless there are genuine concerns for national security. We further recommend that, in cases where access is refused, full reasons should be given. (Paragraph 171)
31. We conclude that the September dossier was probably as complete and accurate as the Joint Intelligence Committee could make it, consistent with protecting sources, but that it contained undue emphases for a document of its kind. We further conclude that the jury is still out on the accuracy of the September dossier until substantial evidence of Iraq's weapons of mass destruction, or of their destruction, is found. (Paragraph 186)
32. We conclude that the February dossier was badly handled and was misrepresented as to its provenance and was thus counter-productive. The furore over the process by which the document was assembled and published diverted attention from its substance. This was deeply unfortunate, because the information it contained was important. (Paragraph 187)
33. Consistent with the conclusions reached elsewhere in this Report, we conclude that Ministers did not mislead Parliament. (Paragraph 188)

Introduction

1. The decision to commit armed forces to war is the most momentous any leader can take. The Prime Minister took such a decision in relation to Iraq, and United Kingdom forces joined those of the other coalition partners in military action there. However, unlike previous conflicts, the war in Iraq took place only after a substantive vote in Parliament, a development which we welcome.

2. We had before us in March 2003 a number of sources of information on the situation in Iraq. Foremost among these were papers provided by the Government, in which they set out their assessment of the Iraqi regime, its human rights abuses and its weapons programmes. Much of this evidence was based on intelligence information—another welcome innovation by the present Government—and it was frequently cited by those who contributed to the debate, both inside and outside Parliament.

3. The main military phase of the conflict was over remarkably quickly, although the situation remains dangerous and the death toll continues to rise. Few would dispute that Saddam Hussein was an evil dictator and that the Iraqi people are well rid of him. But the war was fought not to effect regime change, but to enforce unanimous Resolutions of the UN Security Council. However, in addition to requiring the removal of what the British Government claimed was a “current and serious threat” from Iraq’s weapons of mass destruction (WMD),¹ it should be reiterated that the reasons that Parliament granted the Government authority to embark on the conflict included a number of other important considerations. Most important among these was Iraq’s persistent failure to comply with the ceasefire conditions it entered into at the end of the Gulf War and the fact that Iraq continued to refuse active co-operation “unconditionally and immediately” with the UN weapons inspectors. Questions have since been asked about the basis of the Government’s claim. If those who cast doubt upon it are correct, and the claim was not well-founded, the war was fought on a false premise. And if the claim was exaggerated or embellished, as some have suggested, Parliament was misled.

4. This Report seeks to establish whether the Foreign and Commonwealth Office, within the Government as a whole, presented accurate and complete information to Parliament in the period leading up to military action in Iraq, particularly in respect of weapons of mass destruction. The focus on Iraq’s weapons of mass destruction is because their removal was the Government’s prime objective. As the Government stated in the opening paragraph of its paper “Iraq: Military Campaign Objectives”, published in March 2003, “The prime objective remains to rid Iraq of its weapons of mass destruction and their associated programmes and means of delivery, including prohibited ballistic missiles, as set out in the relevant United Nations Security Resolutions (UNSCRs).”²

5. We heard oral evidence from the Foreign Secretary, Jack Straw (twice); the Permanent Under Secretary FCO, Sir Michael Jay; former Foreign Secretary and Leader of the House, Robin Cook MP; former International Development Secretary Clare Short MP; the Prime

¹ Forward by the Prime Minister to *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*; also Q 735

² Iraq: the Military Campaign Objectives, available at: <http://www.number-10.gov.uk/output/Page3318.asp>

Minister's special adviser and Director of Communications, Alastair Campbell; former Chairman of the Joint Intelligence Committee, Dame Pauline Neville Jones; Director of Studies at the International Institute for Strategic Studies (IISS), Dr Gary Samore; former Porton Down scientist and former Chief Executive of the Royal Society of Chemistry, Dr Thomas Inch; former UNSCOM inspector, now Director of the IISS-US, Terence Taylor; former senior intelligence analyst at the Australian Office of National Assessments, Andrew Wilkie; student and writer on Iraqi affairs, Ibrahim al-Marashi; and BBC journalist Andrew Gilligan. We received written evidence from most of these and from others. Our advisers were Wyn Bowen of Kings College, London, Richard Cobbold, Director of the Royal United Services Institute for Defence and Security Studies (RUSI) and Tim Youngs of the House of Commons Library. To each of them we are most grateful.

6. We are strongly of the view that we were entitled to a greater degree of co-operation from the Government on access to witnesses and to intelligence material. Our Chairman wrote to the Prime Minister (requesting his attendance and that of Alastair Campbell); the Cabinet Office Intelligence Co-ordinator; the Chairman of the Joint Intelligence Committee; the Chief of Defence Intelligence; the Head of the Secret Intelligence Service; and the Director of GCHQ. None of them replied. It was the Foreign Secretary who informed us that they would not appear. The Chairman wrote a further letter to Alastair Campbell and after an initial refusal he agreed to appear. We asked for direct access to Joint Intelligence Committee (JIC) assessments and to relevant FCO papers. That was refused, although some extracts were read to us in private session. We are confident that our inquiry would have been enhanced if our requests had been met. We agree with Alastair Campbell that "it would have been very odd to have done this inquiry" without questioning him,³ and we regret that other witnesses, some of whom we suspect felt the same way as Mr Campbell, were prevented from appearing. Yet it is fair to state that within the Government's self-imposed constraints the Foreign Secretary sought to be forthcoming, spending more than five hours before the Committee, and reading to us in private session limited extracts from a JIC assessment dated 9 September 2002.

7. In contrast, the Prime Minister has repeatedly said in the House that he will co-operate fully with a parallel inquiry by the statutory Intelligence and Security Committee (ISC).⁴ This is hardly surprising, since the Committee was appointed by and reports to him, and it meets entirely in private. The Foreign Affairs Committee, on the other hand, was appointed by and reports to the House of Commons, and we meet almost entirely in public. We believe that our inquiry is the more credible of the two, and that it would have been in the Government's best interests to have given full co-operation. We have more to say in a later section in this Report on the status of the ISC and on the need for this Committee to have access to intelligence material.⁵

³ Q 1057

⁴ See, for example, HC Deb, 4 June 2003, col 147

⁵ See paras 160 to 171 below

The background

The history of Iraq's weapons of mass destruction

8. The Government's dossier of September 2002 sets out in detail Iraq's history of production, use and concealment of chemical and biological weapons, and its pursuit of a nuclear weapons programme.⁶ A study by the International Institute for Strategic Studies, produced shortly before the Government's dossier, was largely consistent with the Government's assessment of Iraq's WMD history,⁷ as was a CIA dossier produced the following month.⁸ In its use of such weapons against its own people, in its defiance of a series of mandatory United Nations Security Council Resolutions, and in its attempts to frustrate the work of UN arms inspectors in the 1990s, the Iraqi regime's record was clear for all to see.⁹

9. As a former Chief Inspector with UNSCOM in Iraq, Terence Taylor had first hand experience of the regime:

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.¹⁰

Mr Taylor continued:

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.¹¹

10. Dr Gary Samore served in the Clinton administration and produced the IISS Report of last September. He told us that

Everyone believed during the 1990s that Iraq's refusal to co-operate with the inspectors, both UNSCOM and the IAEA, and their persistent efforts to conceal and deny and only admit when pressed to the wall were an indication that Iraq was trying to preserve some undetermined capability and that that reflected Baghdad's view that the possession of or the ability to pursue nuclear, chemical and biological weapons

⁶ Iraq's Weapons of Mass Destruction: *The Assessment of the British Government*, available at www.fco.gov.uk/files. For a wider discussion of the weapons of mass destruction issue, see the Eighth Report from the Foreign Affairs Committee, Session 1999–2000, *Weapons of Mass Destruction*, HC 407

⁷ *Iraq's Weapons of Mass Destruction: A Net Assessment*, The International Institute for Strategic Studies, 9 September 2002

⁸ *Iraq's Weapons of Mass Destruction*, United States Central Intelligence Agency, October 2002

⁹ Second Report from the Foreign Affairs Committee, 2002–03, *Foreign Policy Aspects of the War against Terrorism*, HC 196

¹⁰ Ev 3

¹¹ Ev 4

and long range ballistic missiles was essential to Iraq's strategy and defence needs. Certainly if you look at the history of the Iraqi efforts going back to the mid 1970s there does appear to be a very persistent effort on the part of the Saddam Hussein regime to develop and master those capabilities.¹²

11. The picture painted in the Government and IISS dossiers of 2002 is little different from that set out in a much shorter document released by the Government in 1998, prior to Operation Desert Fox. The 1998 'dossier' stated that

Some CW agents and munitions remain hidden. The Iraqi chemical industry could produce mustard gas almost immediately, and limited amounts of nerve gas within months ... Saddam almost certainly retains BW production equipment, stocks of agents and weapons. In any case, Iraq has the expertise and equipment to regenerate an offensive BW capability within weeks. If Iraq's nuclear programme had not been halted by the Gulf conflict, Saddam might have had a nuclear weapon by 1993. If Iraq could procure the necessary machinery and materials abroad, it could build a crude air-delivered nuclear device in about five years. Iraq could design a viable nuclear weapon now.¹³

12. Much of what is known about Iraq since the withdrawal of UNSCOM in 1998 and the subsequent bombing campaign, known as Operation Desert Fox, has necessarily come from intelligence activity. In his foreword to the September 2002 dossier, the Prime Minister acknowledged the challenge Iraq posed in terms of acquiring hard intelligence: "Gathering intelligence inside Iraq is not easy. Saddam's is one of the most secretive and dictatorial regimes in the world."¹⁴ Dr Gary Samore said that "The record of Western intelligence agencies collecting information on Iraq's various weapons programmes is very poor."¹⁵

13. As a former Foreign Secretary, Robin Cook knew well the difficulties faced by the intelligence agencies:

... often when you are told a piece of information you are left with very real doubts over why you are being told that information. Are you being told it to mislead you? Are you being told it by somebody who actually wants to be paid but may not actually turn out to be reliable; or is not somebody—as I think was the case with some of the Iraqi exiles pursuing their own political agenda—who wants you to hear what suits them? All these questions and motivation form very great difficulty over making your assessment of intelligence. I hope I have made it clear throughout all of this I do not criticise the intelligence services whom I think have tried very hard to do their best in extremely difficult circumstances. In fairness to the intelligence community one should recognise that Iraq was an appallingly difficult intelligence

¹² Q 161

¹³ Paper on Iraq's Weapons of Mass Destruction Programmes deposited in the House of Commons Library by Foreign Office Minister Derek Fatchett and Doug Henderson, 10 November 1998.

¹⁴ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*

¹⁵ Q 209

target to break. We had very little access to human intelligence on the ground and no hope whatsoever of putting in Western agents.¹⁶

14. Mr Cook also suggested that the United Kingdom may have been over-reliant on intelligence supplied under the sharing arrangements with its allies:

I would be astonished if it [the reliance of the September dossier on intelligence supplied by the US] was not immense. The United States and the United Kingdom have a unique intelligence relationship which has probably never existed in any period of history, in which on our side we have full transparency and we strive to secure full transparency on their side. Therefore, it is often difficult when you look at intelligence assessments to spot which raw data was originally gathered by the United Kingdom and which was originally gathered by the United States. As a rough rule of thumb, and it is very rough, we tend to be rather better at gathering human intelligence; and, although we have an excellent GCHQ station, the Americans are even more formidable in technological ways of gathering intelligence. That said, neither of us really had much human intelligence inside Iraq. The Americans were drawing heavily on exiles who were inside America.¹⁷

15. We conclude that it appears likely that there was only limited access to reliable human intelligence in Iraq, and that as a consequence the United Kingdom may have been heavily reliant on US technical intelligence, on defectors and on exiles with an agenda of their own.

How the intelligence system is intended to work

16. The United Kingdom's intelligence machinery is well established. Raw intelligence from human and technical sources is gathered by the security and intelligence agencies. The agencies assess the quality and reliability of the intelligence,¹⁸ before passing information to the assessments staff located in the Cabinet Office, who pull it together for consideration by the Joint Intelligence Committee.¹⁹ The JIC, on which the various providers and consumers of intelligence are represented, then draws on the intelligence to produce its assessments, which are intended to be an aid to policy making by Ministers.²⁰

17. The JIC meets weekly.²¹ According to one of its former Chairmen, Dame Pauline Neville Jones, the JIC's priorities and work programme are determined by the strategic priorities of the Government and of its allies.²² Dame Pauline depicted "a structure which works within a framework of agreed priorities and an agreed work programme."²³

18. Intelligence and JIC assessments are just two of the sources available to FCO officials and Ministers when making foreign policy decisions. There are many open sources of

¹⁶ Q 23

¹⁷ Q 33

¹⁸ Q 341 (Dame Pauline Neville Jones)

¹⁹ Q 74 (Clare Short)

²⁰ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, Chapter 1, para 3

²¹ Q 341

²² Q 338

²³ Q 341

information, from published journals to academic studies, of which considerable use is made.²⁴ Diplomatic reporting from United Kingdom Posts abroad is also used, although since 1990 this important source was not available in respect of Iraq.²⁵

19. In the following sections of this Report, we consider whether the system just described worked as intended in the period leading up to military action in Iraq. We focus on the two documents about which serious allegations have been made: *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, dated September 2002, published on 24 September 2002, prior to the major debate that day in Parliament, which had been recalled to debate the Iraq crisis; and *Iraq—its infrastructure of concealment, deception and intimidation*, the infamous 'dodgy dossier', dated January 2003, released on the Prime Minister's return from a visit to the United States on 3 February 2003.

²⁴ Q 741

²⁵ Evidence submitted to the inquiry into Foreign Policy Aspects of the War against Terrorism (not yet published).

The September Dossier

20. The September dossier was not the first of its kind. In Reports published during the last two years, we have praised the Government for placing in the public domain information derived from intelligence and other sources, which assisted Parliament, the press and public in understanding the complex issues which have to be dealt with as part of the war against terrorism. Last July, we recommended that

... the Government follow the precedent which it set in the period leading up to military action in Afghanistan, and publish the fullest possible documentation on the need for any further military action, before such action is seriously contemplated. While nothing should be published which might compromise sources or methods of intelligence, the Government must try to secure the widest possible support in Parliament and among the British people if it is proposing to risk the lives of British servicemen and women as part of a further phase of the war against terrorism.²⁶

21. We see the September dossier as part of the Government's response to that recommendation, and for that reason we welcomed it in a further Report, published in December 2002.²⁷ In that Report and elsewhere, we have recognised there is a balance to be struck between maintaining the integrity of sources and the need to inform public and parliamentary opinion. Dame Pauline Neville Jones recognised the difficulty of maintaining this balance:

It is not easy to ask people to send their sons and husbands into military conflict on the basis of evidence which the Government says, "it is too secret for me to be able tell you what I know". I think that is a very difficult proposition in a democracy. It did seem to me at the time that a way did have to be found for material of which the Government disposed, which had clearly convinced it there was a real threat, could be made available so that the rest of us could understand what that was and why we were being told this was so serious. The issue at the time certainly seemed to me how you did that in a manner compatible with the protection of the sources That is so far as I know an unprecedented thing to try and do.²⁸

The genesis of the September dossier

22. In early 2002, reports in the press suggested the Government was about to release a dossier setting out its case on Iraq.²⁹ Before this Committee on 23 April, the then FCO Minister Ben Bradshaw said "We will put more evidence in the public domain and we will publish in whatever form we think is the most effective. ... When we feel the time is right."³⁰ On 2 May, the FCO told us that "A joint paper, in consultation with No. 10, is being

²⁶ Seventh Report from the Foreign Affairs Committee, Session 2001–02, *Foreign Policy Aspects of the War against Terrorism*, HC 384, para 233

²⁷ Second Report from the Foreign Affairs Committee, Session 2002–03, *Foreign Policy Aspects of the War against Terrorism*, HC 196, para 96

²⁸ Q 361

²⁹ See, for example, Allied dossier links Saddam to al-Qa'eda, *Daily Telegraph*, 9 March 2002

³⁰ Seventh Report from the Foreign Affairs Committee, Session 2001–02, *Foreign Policy Aspects of the War against Terrorism*, HC 384, Qq 293–294

considered, but no firm date has yet been set for publication.”³¹ We now know that these reports related to a JIC assessment of Iraq’s WMD capability. Peter Ricketts, Director General Political at the FCO, told us that “In March a draft was produced drawing on JIC material with other material as well, much less detailed than the eventual September dossier but it was decided not to publish at that time and to build up a fuller picture, which eventually emerged in the September dossier.”³² That draft, we were told by a FCO member of the JIC, William Ehrman, was put together by the Cabinet Office Assessments Staff.³³ However, at the time, Jack Straw suggested that “publication of a dossier ... is held up only by difficulties in determining whether intelligence should be made public.”³⁴

23. Mr Ricketts’ comments lend credence to the view that the March paper did not provide as full a picture as the Government would have wished, that it was a bit thin. Recently, however, there have been allegations that the March paper was “suppressed”. It has been suggested that the Government decided not to publish, because the paper did not support its case against Iraq.³⁵ As a former Chairman of the JIC, Dame Pauline Neville Jones had not experienced anything of this kind: “I can certainly confirm to the best of my recollection so far as I know no piece of paper, no assessment that we put up [to Ministers] was subsequently put in a locker and not circulated.”³⁶

24. We asked the FCO to respond to the charge. They told us

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.³⁷

We also note that on 1 May, the Government published information which it can safely be assumed came from the March assessment.³⁸

25. We conclude that the March 2002 assessment of Iraq’s WMD was not “suppressed”, as was alleged, but that its publication was delayed as part an iterative process of updating and amendment, which culminated in the September dossier.

The process of compiling the dossier

26. We were told that the early drafts of the WMD paper which became the September dossier were produced in the Foreign and Commonwealth Office.³⁹ On 3 September, a decision was taken to publish the paper, broadly in the form it eventually took, and responsibility passed to the Chairman of the JIC,⁴⁰ who then “pulled together work from a

³¹ *Ibid.*, app 10

³² Q 742

³³ Q 1239

³⁴ HC Deb, 16 April 2002, col 444

³⁵ *The Independent*, 9th June 2003

³⁶ Q 356

³⁷ Ev 54

³⁸ HC Deb, 2 May 2002, col 929W

³⁹ Q 999 (Alastair Campbell)

⁴⁰ Q 1241

number of different JIC assessments.”⁴¹ There followed a process of consultation with departmental officials, Ministers and special advisers.⁴² A meeting was held on 9 September; a draft was produced on 10 September; a further draft appeared on 17 September; and a final draft followed on 19 September, followed by publication five days later.⁴³

27. Handing responsibility for the dossier to the Chairman of the JIC was a prudent and necessary step for production of a document which relied to a great extent on intelligence material, but it does confer a degree of ambiguity on the term “first draft” as it applies to the dossier. Because the Government has refused to allow us sight of the drafts, we have been unable to make a firm judgment as to whether the paper produced in March, the subsequent papers produced as part of what the Foreign Secretary told us was an “iterative process”,⁴⁴ and the JIC-produced drafts vary materially. We entirely accept, as we state in relation to a specific case below,⁴⁵ that as material came in it was legitimate to assess and, where appropriate, to insert it. We also appreciate the Foreign Secretary’s candour in reading to us in private session limited extracts from the JIC assessment of 9 September 2002. It would, we believe, have been in the Government’s interest to have given us sufficient information to allow us to state with complete confidence that nothing of substance was added between March and September, other than new information as it came to light, but they did not do so.

28. The process for compiling and approving the dossier involved a number of people as well as the JIC and the intelligence agencies, including the Prime Minister, Foreign Office Ministers, Special Advisers and officials. But apart from the foreword, the document—including the executive summary—was written by the Chairman of the JIC,⁴⁶ and it was he who signed it off.⁴⁷ Although there has been much press speculation on this point, no substantiated evidence has been put before us that Mr Scarlett or any other senior intelligence official dissented from the contents of the dossier; indeed, the bulk of the evidence is to the contrary.⁴⁸

Claims made in the dossier

29. We start by dealing briefly with a claim which was not in the September dossier, but which has gained such currency that we find it necessary to explain it. Contrary to what is sometimes suggested, it is a matter of fact that the dossier never claimed that the threat posed by Iraq’s weapons of mass destruction was “imminent” or “immediate”. The Foreign Secretary told us that

... neither the Prime Minister nor I or anybody acting on our behalf has ever used the words “immediate or imminent” threat, never used those words, in relation to

⁴¹ Q 1231 (Peter Ricketts)

⁴² Q 1094 (Alastair Campbell)

⁴³ Ev 10

⁴⁴ Q 771

⁴⁵ See para 77 below

⁴⁶ Qq 980, 1092 (Alastair Campbell), 1244 (William Ehrman)

⁴⁷ Q 1034 (Alastair Campbell)

⁴⁸ See paras 85 and below

the threat posed by Saddam Hussein. What we talked about in the dossier was a current and serious threat, which is very different. ... We did say there was a current and serious threat, and I stand by that judgment completely.⁴⁹

And in the House on 24 September the Prime Minister answered the question “Why now?” by saying “I agree that I cannot say that this month or next, even this year or next, Saddam will use his weapons.”⁵⁰

30. It is a matter of judgment whether a “current and serious threat” is “very different” in public perception from an “imminent” or “immediate” one, particularly when coupled with the Government’s statement in its September 2002 dossier that “Intelligence indicates that the Iraqi military are able to deploy chemical or biological weapons within 45 minutes of an order to do so.”⁵¹ It is also notable that the danger of delaying military intervention in Iraq, including to Britain’s own security, was a central theme of the Prime Minister’s speech in the House of Commons of 18 March 2003—on the eve of war.

31. We now consider the accuracy of a number of claims which were made in the dossier.

Iraq’s chemical and biological weapons capability

32. The September dossier made some strong claims about Iraq’s chemical and biological weapons capability:

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.

command and control arrangements in place to use chemical and biological weapons ... ;

developed mobile laboratories for military use, corroborating earlier reports about the mobile production of biological warfare agents;

pursued illegal programmes to procure controlled materials of potential use in the production of chemical and biological weapons programmes.⁵²

There was, however, no indication of the scale and scope of Iraq’s present arsenal of chemical and biological weapons, although the dossier did set out the quantities of precursors and biological and chemical agents which remained unaccounted for when UNSCOM inspections ceased in 1998.⁵³

⁴⁹ Q 735

⁵⁰ HC Deb, 24 September 2002, col 5

⁵¹ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p 19

⁵² *Ibid.*, Executive Summary, para 6

⁵³ *Ibid.*, p 16, para 13

33. These claims were supported by Terence Taylor, former UNSCOM inspector, who told us:

From all the information available, I think it would be very surprising if they did not have operational biological and chemical weapons, very surprising indeed. They certainly had all the capability to do that. They never satisfactorily accounted for all the munitions, filled and unfilled, and they never satisfactorily accounted for all the material by a long way. We are not talking about marginal differences, we are talking about hundreds of kilograms, we are talking about hundreds of munitions, that is things like 155 mm artillery rounds and 122 mm rockets, air delivered bombs.⁵⁴

34. Gary Samore was less confident than he had been at the time he produced the IISS dossier in September 2002.

To the extent that there has been a surprise, I think it involves chemical and biological weapons, and in particular I think there was a genuine expectation that Iraq would at least deploy in the field and probably use whatever chemical or biological weapons it possessed in the course of the war. If they had actually deployed such weapons it is likely that coalition forces would have stumbled across them just as they have stumbled across abandoned tanks and artillery pieces and so forth, so it does not appear to me likely that Iraq actually deployed chemical or biological weapons. Of course, it is still possible that there are hidden caches of such weapons and the Iraqi forces collapsed so quickly that they never really had a chance to move them into the field.⁵⁵

35. Dr Tom Inch thought that chemical residues would remain at key sites:

If a site had been declared as a chemical weapons producing site, or if the original inspectors at the end of the Gulf War knew it was a site, you would not find out the information, but if there was intelligence pointing to quite new production facilities that were being denied as production facilities by the Iraqis, then I believe that the trace analysis and so on of certain residues would probably give confirmation of whether or not that was a correct statement.⁵⁶

We put this point to the FCO, who responded that “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.”⁵⁷

36. Andrew Gilligan quoted his anonymous source as saying that

“I believe it is 30 per cent likely that there was a CW (Chemical Weapons) programme in the six months before the war and, more likely, that there was a BW (Biological weapons) programme, but it was small because you could not conceal a

⁵⁴ Q 299

⁵⁵ Q 167

⁵⁶ Q 221

⁵⁷ Ev 55

larger programme. The sanctions were actually quite effective, they did limit the programme.”⁵⁸

Robin Cook, too, felt that the policy of containment had been successful.⁵⁹

37. A no less sceptical approach was taken by Dr Tom Inch, who picked up on the statement in the dossier that “In mid-2001 the JIC assessed that Iraq retained some chemical warfare agents, precursors, production equipment and weapons from before the Gulf War. These stocks would enable Iraq to produce significant quantities of mustard gas within weeks and of nerve agent within months.”:

... I would have thought that to be able to make that kind of statement in terms of weeks for mustard gas and months for nerve agents, that there must have been some pretty good intelligence that suggested where and how those two time scales were going to differ. That would be a question that I would want to ask: how good was that?⁶⁰

38. We asked the FCO to respond to this comment. They told us that the assessment was based, not on intelligence, but on a “judgment”.⁶¹ This illustrates the range of sources for the conclusions reached in the dossier, some of which do not rely on specific intelligence information.

39. The fact that chemical precursors and other substances have not been accounted for does not mean that they exist. Mr Hans Blix, the Chairman of UNMOVIC, on more than one occasion specifically warned the UN Security Council about the danger of jumping to the conclusion that because proscribed items were unaccounted for, they exist. Presenting his 13th quarterly report to the Security Council on 5 June 2003 he said: “The first point, made in paragraph 8 of the report, is that the Commission has not at any time during the inspections in Iraq found evidence of the continuation or resumption of programmes of weapons of mass destruction or significant quantities of proscribed items – whether from pre-1991 or later. I leave aside the Al-Samoud 2 missile system, which we concluded was proscribed. As I have noted before, this does not necessarily mean that such items could not exist. They might—there remain long lists of items unaccounted for—but it is not justified to jump to the conclusion that something exists just because it is unaccounted for.”⁶² Moreover, chemical precursors and other chemical and biological weapons substances degrade at varying rates over time, but some of them degrade quite swiftly, as the IISS pointed out in its dossier.⁶³ None of this detracts, of course, from the central fact that Saddam Hussein did not comply with the requirements of numerous, binding resolutions of the UN Security Council.

⁵⁸ Q 511

⁵⁹ Q 18

⁶⁰ Q 226

⁶¹ Ev 55. The FCO’s answers to other questions raised by Dr Inch are also at Ev 55.

⁶² Notes for the briefing of the Security Council on the thirteenth quarterly report of UNMOVIC, Hans Blix, Executive Chairman of UNMOVIC, 5 June 2003, available at: <http://www.un.org/Depts/unmovic>

⁶³ *Iraq’s Weapons of Mass Destruction: A Net Assessment*, The International Institute for Strategic Studies, 9 September 2002, pp 51–53

40. Coalition forces carried CBW protection equipment when in theatre. The suits are cumbersome and detract from the operational efficiency of the wearer. We do not believe that military chiefs would have tolerated this without having good reason to do so. We are confident that the only reason chiefs would have asked their troops to fight so encumbered would have been because they took very seriously indeed the threat of CBW attack. As Dame Pauline Neville Jones put it: “I do not think you send your soldiers out to exercise in chemical suits if you are trying to pull a fast one.”⁶⁴ Some Iraqi forces also apparently had access to such gear, presumably for good reason.

41. We conclude that it is too soon to tell whether the Government’s assertions on Iraq’s chemical and biological weapons will be borne out. However, we have no doubt that the threat posed to United Kingdom forces was genuinely perceived as a real and present danger and that the steps taken to protect them taken were justified by the information available at the time.

42. We recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about Iraq’s chemical and biological weapons programmes, in the light of subsequent events.

Iraq’s long-range missile capability

43. The dossier makes the following claim about Iraq’s long-range missile capability:

According to intelligence, Iraq has retained up to 20 Al Hussein missiles, in breach of UN Security Council Resolution 687. These missiles were either hidden from the UN as complete systems, or re-assembled using illegally retained engines and other components. We judge that the engineering expertise available would allow these missiles to be maintained effectively, although the fact that at least some require re-assembly makes it difficult to judge exactly how many could be available for use. They could be used with conventional, chemical or biological warheads and, with a range of up to 650km, are capable of reaching a number of countries in the region including Cyprus, Turkey, Saudi Arabia, Iran and Israel.⁶⁵

The claim that the missiles could strike British military bases on Cyprus is repeated in the executive summary, and is illustrated in the dossier with a map.

44. Following reports that CBW protection equipment had been withdrawn from British forces in Cyprus as war approached, we asked the FCO whether this reflected a reassessment of the missile threat. Confirming that self-injection ‘combopens’ had indeed been moved—although as “a normal part of the logistics process”—they replied that there was “no change to our assessment of the threat from Iraqi ballistic missiles, including to Cyprus.”⁶⁶

45. The IISS, whose report relied on public sources, had similarly concluded that the Iraqis had probably retained “a dozen or so” of the al-Hussein modified Scuds.⁶⁷ Both the

⁶⁴ Q 371

⁶⁵ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, Chapter 3, para 27

⁶⁶ Ev 54

⁶⁷ *Iraq’s Weapons of Mass Destruction: A Net Assessment*, The International Institute for Strategic Studies, p 68

Government⁶⁸ and the IISS judged that Iraq was some way from developing a new long-range system, as Dr Gary Samore pointed out:

... our dossier argues that Iraq was still years away from being able to build longer range systems, something that could hit Cyprus. Of course, that would not prevent them from doing research on longer range systems, including testing engines and so forth. I thought the evidence about the test stand was pretty compelling evidence to show that the Iraqis harboured plans to eventually build longer-range systems, but in terms of how long it would take them to get there it was still at a pretty early stage.⁶⁹

46. Prior to the conflict, UNMOVIC inspectors discovered that Iraq's Al-Samoud 2 ballistic missiles violated the range limit imposed on Baghdad by UNSCR 687 in 1991. The Saddam Hussein regime had previously claimed that it was developing only 'legal' missiles. Taken with the unaccounted for Al Hussein missiles highlighted in the Government's September dossier and the IISS dossier, it would appear that the regime was intent on retaining and developing ballistic missiles with ranges prohibited under UN Security Council resolutions.

47. We note that the Iraq Survey Group is now deploying in Iraq. **We recommend that, in its response to this Report, the Government give its current assessment of the status of the Al Samoud 2 missile infrastructure. We further recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about Iraq's ballistic missile programme generally, and the retained al-Hussein missiles in particular, in the light of subsequent events.**

Iraq's nuclear weapons programme

48. The September dossier claimed that

Intelligence shows that the present Iraqi programme is almost certainly seeking an indigenous ability to enrich uranium to the level needed for a nuclear weapon. It indicates that the approach is based on gas centrifuge uranium enrichment, one of the routes Iraq was following for producing fissile material before the Gulf War. But Iraq needs certain key equipment, including gas centrifuge components, and components for the production of fissile material before a nuclear bomb could be developed.⁷⁰

49. The dossier continued:

... we know that Iraq retains expertise and design data relating to nuclear weapons. We therefore 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.⁷¹

⁶⁸ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p 27

⁶⁹ Q 206

⁷⁰ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, Chapter 3, para 19

⁷¹ *Ibid.*, Chapter 3, para 23

50. The IISS dossier, produced two weeks before the Government's, was more alarming still, as Terence Taylor reminded us:

This dossier said that, if they managed to get the fissile material from somewhere else, in other words not through their own means of enrichment, they could have an operational weapon in less than a year, maybe in a few months. That was always something that worried those of us who thought about these issues. We worried about it all the time during the 1990s and I can remember ... many meetings thinking and pondering over this when I was actually in the position of a commissioner. It is a real challenge to find that [non-nuclear] part of a nuclear programme. That is very difficult to find.⁷²

Dr Gary Samore, the author of the claim that Iraq might be only one year away from building a nuclear device, reminded us that it was “speculation”.⁷³ We also note that the head of the International Atomic Weapons Authority, Dr Mohammed El-Baradei, said in March 2003 that “After three months of intrusive inspections, we have to date found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq.”⁷⁴

51. The question of how close Iraq was to building a viable nuclear device turned on two questions: whether it could obtain the necessary fissile material from abroad; or whether it could produce it indigenously. The former possibility would have required the co-operation of a government with a developed nuclear programme of its own, or the co-operation of organised criminals or disgruntled personnel with access to such a programme. The latter approach would have required the acquisition of raw uranium—‘yellow cake’—and a set of specialised facilities to convert and then enrich this material to weapons grade. The Government claimed in its September dossier that Iraq was seeking to acquire enrichment-related technology from abroad:

Iraq has also made repeated attempts covertly to acquire a very large quantity (60,000 or more) of specialised aluminium tubes. The specialised aluminium in question is subject to international export controls because of its potential application in the construction of gas centrifuges used to enrich uranium, although there is no definitive intelligence that it is destined for a nuclear programme.⁷⁵

52. We asked Dr Samore whether he thought the tubes might be intended for use in a uranium enrichment programme. His reply was

If you look at the tubes, the dimensions are too small to be very efficient as centrifuges although they are the right dimension for the rockets which the Iraqis claimed they were buying them for. At the same time, some of the precision of the tubes and finish of the surfaces is really inappropriate for rockets and much more useful for centrifuges, so I think we are left with a real technical mystery about why they were buying these tubes, was it for rockets, was it for centrifuges, was it for both?

⁷² Q 315

⁷³ Q 193

⁷⁴ IAEA, ‘The Status of Nuclear Inspections in Iraq: An Update’, Director General Dr Mohammed El-Baradei, 7 March 2003, www.iaea.org/worldatom

⁷⁵ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, Chapter 3, para 22

I do not think we will get the answer to that until the Iraq Survey Group has done a very thorough job of interviewing the scientists who did the work.⁷⁶

A similarly sceptical line on the suitability of the tubes for use in a centrifuge programme has been taken by Dr El-Baradei.⁷⁷ Andrew Wilkie claimed that the IAEA had shared its doubts with Western intelligence agencies as early as 2001.⁷⁸

53. We conclude that the accuracy of most of the claims in relation to Iraq’s nuclear weapons programme can only be judged once the Survey Group has gained access to the relevant scientists and documentation.

The uranium from Africa claim

54. On one aspect, however—whether Iraq sought to import uranium from Africa for the purposes of enrichment—more serious doubts have been raised as to the accuracy of the claims made in the September dossier. In the dossier a bald claim was made, that “there is intelligence that Iraq has sought the supply of significant amounts of uranium from Africa.” The FCO told us that

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.⁷⁹

President Bush referred to the claim in his State of the Union address: “The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.”⁸⁰ Condoleezza Rice has also cited it.⁸¹

55. We are puzzled by this explanation. If the United Kingdom did not supply the documents—some of them now known to have been crude forgeries—on what did it base the claim in the dossier? Andrew Gilligan said that his source regarded the claim as being “unreliable.”⁸² Andrew Wilkie suggested that “the fact that that uranium claim was false would have been known by the British intelligence services months before this document went to press.”⁸³ Yet the claim is lent some credibility by the fact that Niger is known to have supplied uranium to Iraq previously.⁸⁴

⁷⁶ Q 197

⁷⁷ The Status of Nuclear Inspections in Iraq: An Update

⁷⁸ Q 60

⁷⁹ Ev 46

⁸⁰ President Bush delivers ‘State of the Union’, 28 January 2003, available at: <http://www.whitehouse.gov/news/releases/2003/01/20030128-19.html>

⁸¹ Ev 46

⁸² Q 454

⁸³ Q 600

⁸⁴ Q 1262

56. The FCO has not yet informed us of the date when it learned from the US administration that some of the documents relating to the claim had been forged. They have stated that the documents were first seen in October 2002, but it remains unclear whether the FCO was aware of their existence and of their forged status before the dossier was published.

57. As has been widely reported,⁸⁵ and not denied by the US Government, the CIA in February 2002 sent a retired US ambassador to Niger to investigate claims that Iraqi officials had been seeking to buy uranium in Niger. The ambassador reported to the CIA that the claims were false and that the documents relating to them may have been forged. The *Independent on Sunday* reported on 29 June 2003 “The retired US ambassador said that it was all but impossible that British intelligence had not received his report—drawn up by the CIA—which revealed that documents, purporting to show a deal between Iraq and the West African state of Niger, were forgeries.” When the Foreign Secretary was asked “What was the date on which the British intelligence community were informed by the CIA that this forged documentation existed” he replied: “We will find out.”⁸⁶ **We recommend that the Foreign Secretary provide the Committee with the date on which the British intelligence community were first informed by the CIA that forged documentation in relation to Iraqi purchases of uranium from Niger existed, as soon as he has found this out.**

58. The FCO told us that “the reporting (of this claim) post dated the last JIC assessment of Saddam’s nuclear programme. But the language used in the document was approved by the JIC.”⁸⁷ This too is puzzling, because we were also informed that the dossier was written by the Chairman of the JIC,⁸⁸ and Alastair Campbell has told us that “the draft [dated 17th September] said Iraq had sought to secure uranium.”⁸⁹

59. Jack Straw said “there was other evidence, which was available, which was the background to the claims made in this document of 24 September”,⁹⁰ and when the Prime Minister was asked by Robin Cook about the claim, he replied that

There was intelligence to that effect. I shall not go into the details of the particular intelligence, but at the time it was judged by the Joint Intelligence Committee to be correct. Until we investigate properly, we are simply not in a position to say whether that is so.⁹¹

Finally, in a recent interview, the United Kingdom’s Ambassador to the United Nations, Sir Jeremy Greenstock, confirmed that there is “perfectly usable evidence” which supports the claim.⁹²

⁸⁵ *Washington Post*, 12 June 2003; *The Independent*, 22 June 2003; *The Independent on Sunday*, 29 June 2003

⁸⁶ Q 1266

⁸⁷ Ev 46

⁸⁸ Q 1241

⁸⁹ Ev 10

⁹⁰ Q 833

⁹¹ HC Deb, 4 June 2003, col 154

⁹² Sir Jeremy Greenstock: There is good and unforger evidence that Iraq sought materials from Niger, *The Independent*, 30 June 2003

60. We conclude that it is very odd indeed that the Government asserts that it was not relying on the evidence which has since been shown to have been forged, but that eight months later it is still reviewing the other evidence. The assertion "... that Iraq sought the supply of significant amounts of uranium from Africa ..." should have been qualified to reflect the uncertainty. We recommend that the Government explain on what evidence it relied for its judgment in September 2002 that Iraq had recently sought significant quantities of uranium from Africa. We further recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about Iraq's attempts to procure uranium from Africa, in the light of subsequent events.

The 45 minutes claim

61. The Committee has for some time been conducting a major, ongoing inquiry into Foreign Policy Aspects of the War against Terrorism, in which it has included discussion of the legal and moral case for military action against the Iraqi regime.⁹³ A further Report of that inquiry will be published shortly. This separate inquiry into The Decision to go to War in Iraq was prompted by specific concerns that Parliament had been misled by the Government when being asked to approve military action against the Iraqi regime in March 2003. Allegations to that effect received wide coverage in the print and broadcast media in early June 2003, including a claim by BBC reporter Andrew Gilligan that a source within the intelligence community had told him that the September dossier had been changed in the week before publication, by the insertion of the suggestion that Iraqi forces were able to deploy chemical or biological weapons within 45 minutes of receiving an order to do so. We consider this and Mr Gilligan's other allegations below.⁹⁴ In this section, we focus on the credibility of the 45 minutes claim, as it was made in the dossier.

62. The FCO told us that the intelligence on which the claim was based came from "an established, reliable and longstanding line of reporting."⁹⁵ The raw intelligence was received by the Secret Intelligence Service in August 2002, and was assessed by the JIC in early September.⁹⁶ It was included in the first draft of the dossier after responsibility for preparing that document had passed from the FCO to the JIC Chairman, dated 10 September.⁹⁷

63. It is known that the claim rested on a single source.⁹⁸ It appears that no evidence was found which corroborated the information supplied by the source, although it was consistent with a pattern of evidence of Iraq's military capability over time.⁹⁹ Neither are we aware that there was any corroborating evidence from allies through the intelligence-sharing machinery.¹⁰⁰ It is also significant that the US did not refer to the claim publicly.¹⁰¹

⁹³ Seventh Report from the Foreign Affairs Committee, Session 2001–02, *Foreign Policy Aspects of the War against Terrorism*, HC 384, and Second Report from the Foreign Affairs Committee, Session 2002–03, *Foreign Policy Aspects of the War against Terrorism*, HC 196

⁹⁴ See paras 72 to 86

⁹⁵ Ev 10

⁹⁶ HC Deb, 4 June 2003, col 193.

⁹⁷ Ev 10

⁹⁸ Ev 61

⁹⁹ Ev 61

¹⁰⁰ Q 736 (Jack Straw)

Of course, if a single source is reliable, then corroborating evidence, however desirable, may not be necessary.¹⁰² To test the credibility of the claim, we asked not only the Foreign Secretary and his officials but independent, expert witnesses to explain what it might mean.

64. The language used in the September dossier is precise: “we judge that Iraq has ... 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.”¹⁰³ In supplementary written evidence, the FCO clarified that this wording was based on a JIC assessment that “some CBW weapons could be delivered to units within 45 minutes of an order being issued.”¹⁰⁴ Mr Straw went into further detail on the provenance, interpretation and treatment of this claim in private session.

65. Terence Taylor told us that

I would read it—and of course I do not know where the intelligence came from and I do not know about its accuracy—that that would have been based on the Iraqis having ready-filled biological and chemical weapons. The fact that they would have filled munitions would not surprise me.¹⁰⁵

Mr Taylor went on to say that

I think it is a normal practice for countries that have weapons of this type, special weapons, that there would be deep storage. When it came to possibly being used in a conflict, they would be moved to hides and temporary locations, probably being moved around, taking account of the deployment of the artillery. So, both would be moving and, so at a certain point through special instructions, then there would be a convergence and the two would come together and be useable. I would find that sort of timing not to be unusual. I would think it probably could be credible.¹⁰⁶

66. Andrew Gilligan reported the view of his source that the original source in Iraq of the 45 minutes claim referred mistakenly not to conventional battlefield weapons systems, but to missiles:

My source ... believed that that single source [in Iraq] had made a mistake, that he had confused the deployment time for a conventional missile with the deployment time for a CBW missile. He did not believe that any missiles had been armed with CBW that would therefore be able to be fireable at 45 minutes’ notice. ... That original source of the 45 minute claim, he was the one that spoke about missiles.¹⁰⁷

However, it is significant when considering the reliability of Mr Gilligan’s source that his evidence was directly contradicted by the Foreign Secretary and by William Ehrman, the

¹⁰¹ Ev 61

¹⁰² Q 322

¹⁰³ Iraq’s Weapons of Mass Destruction: *The Assessment of the British Government*, Executive Summary, para 6

¹⁰⁴ Ev 55. See also Q 305

¹⁰⁵ Q 303

¹⁰⁶ Q 304

¹⁰⁷ Qq 461, 481

FCO's representative on the JIC, who told us that the original source of the claim had referred not to missiles, but to weapons.¹⁰⁸

67. Dr Inch played down the significance of the claim:

If you have your shells, bombs or missiles filled with chemical and they are ready for release, it does not seem to me to make any difference whether it is a chemical weapon or conventional artillery. It is ready to be fired. ... I do not understand why it was put in. I cannot see the significance of it other than saying that it is a terrible situation. If you are at war, all weapons have to be deployable fairly quickly—unless they were suggesting at that stage that the chemicals were stored way back and that they had to be brought up.¹⁰⁹

68. Writing in the *Times*, Bronwen Maddox argued that “it was simply stupid of Blair” to have included the claim in the dossier, adding that

In one sense, the allegation is simply a banal military estimate of the length of time for a launch command to pass down the chain. It is plausible that the Intelligence services made such a claim. But it is hard to imagine that any Intelligence agent would have intended that calculation to be presented as flamboyantly as it was in the dossier, dominating the short foreword with its drama to justify the claim of imminent threat.¹¹⁰

69. Jack Straw told us

I do not happen to regard the 45 minute statement having the significance which has been attached to it, neither does anybody else, indeed nobody round this table, if I say so with respect. It was scarcely mentioned in any of the very large number of debates that took place in the House, evidence to the Foreign Affairs Committee, all of the times I was questioned on the radio and television, scarcely mentioned at all.¹¹¹

This answer begs the question why the 45 minutes claim was highlighted by the Prime Minister when he presented the dossier to the House, and why it was given such prominence in the dossier itself, being mentioned no fewer than four times, including in the Prime Minister's foreword and in the executive summary? We have not seen a satisfactory answer to that question. We have been told that the entire document, including the executive summary, was prepared by the Chairman of the JIC, except for the foreword, which he approved.¹¹² We note with disappointment that we were unable to find out why Mr Scarlett chose to give the 45 minutes claim such prominence, as we have been prevented from questioning him.

¹⁰⁸ Qq 1281–1284

¹⁰⁹ Qq 259, 262

¹¹⁰ Honesty or judgement: Blair fails on one or the other, *The Times*, 5 June 2003

¹¹¹ Q 737

¹¹² Qq 732, 775, 1187

70. We conclude that the 45 minutes claim did not warrant the prominence given to it in the dossier, because it was based on intelligence from a single, uncorroborated source. We recommend that the Government explain why the claim was given such prominence.

71. We further recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about the 45 minute claim, in the light of subsequent events.

Andrew Gilligan's allegation

72. The central charge, originally made by Andrew Gilligan's anonymous source, is that the dossier was "sexed up" on the instructions of Alastair Campbell. It is worth noting that similar reports of unhappiness among the Intelligence Services were appearing elsewhere around the same time. These are set out in detail in the BBC's letter to the Chairman of the Committee.¹¹³ They include articles in The Observer of 24 February, the Independent on Sunday of 27 April, The Guardian of 30 May, The Times of 30 May, the Washington Post of 30 May, The Observer of 1 June. It may be that Mr Gilligan's source was not the only person talking to journalists.

73. In her evidence, Dame Pauline Neville Jones told us in relation to people in the Intelligence Services talking to the press "There clearly was turbulence inside the machine".¹¹⁴

74. Mr Gilligan described the source for his story as:

one of the senior officials in charge of drawing up the dossier and I can tell you that he is a source of longstanding, well-known to me, closely connected with the question of Iraq's weapons of mass destruction, easily sufficiently senior and credible to be worth reporting.¹¹⁵

We consider below questions about Mr Gilligan's source, and about the relationship between the security and intelligence services and the media.¹¹⁶

75. As we have noted above, there had been earlier drafts by the FCO, before the JIC assumed responsibility for the document.¹¹⁷ Mr Gilligan suggests that it was at this point that the dossier was "sexed up", shortly before publication, by the insertion of the 45 minutes claim:

... only a few weeks before the publication of the September dossier, ... Whitehall officials had been describing it to the press as rather uneventful. ... then three weeks

¹¹³ Ev 53

¹¹⁴ Q 382

¹¹⁵ Q 418

¹¹⁶ See paras 150 to 154 below

¹¹⁷ See para 26 above

after that the dossier appeared and it was more revelatory than those accounts had it. So something had changed in that three week period.¹¹⁸

Andrew Gilligan also said:

The source's claim was that the dossier had been transformed in the week before it was published and I asked, "So how did this transformation happen?", and the answer was a single word, which was "Campbell". ... He also said that Downing Street officials, he did not name anybody else, had asked repeatedly if there was anything else [in addition to the 45-minutes claim] that could be included on seeing the original draft of the dossier which was considered dull.¹¹⁹

76. Mr Straw denied this:

There had been previous drafts and this particular draft, which I think started its life sometime in early September, went out, it went out for comment and I had a look at it. The thing I can say perfectly publicly is that I thought it should make more reference to earlier inspections because having read this document I thought it should have a wider audience, referring to UNSCOM's final report of uncompleted disarmament tasks through late 1998, things like that, suggestions. I think one of my colleagues suggested that there should be a foreword. That is what happens. I think the implication of what Mr Gilligan was saying was that the judgments were changed, but that was not the case.¹²⁰

77. Alastair Campbell himself, Jack Straw and senior FCO officials who were closely involved in the preparation of the dossier all denied in evidence to us that the dossier had been materially changed by Mr Campbell.¹²¹ In particular, they deny that the 45 minutes claim was inserted by him or at his request, pointing out that it first appeared in a JIC assessment discussed at a meeting on 9 September and then in the first JIC draft of the dossier, dated 10 September, and that this was the first draft seen by Mr Campbell.¹²² Mr Campbell has told us in terms that "It (the 45 minutes claim) was not inserted at my request."¹²³ If Mr Campbell is not correct in making this statement, then he and all those who have made similar statements, from the Prime Minister¹²⁴ through the Foreign Secretary to the Chairman of the JIC are in contempt of Parliament. We cannot believe that this is so. **We conclude that Alastair Campbell did not play any role in the inclusion of the 45 minutes claim in the September dossier.**

78. Mr Campbell supplied us with a list of changes to the September dossier which were requested by him, some of which were made and some not.¹²⁵ The first thing we note from this paper is that Mr Campbell actually chaired the planning meeting which took place on 9 September. This was surprising, because we were told by a FCO official, albeit one who

¹¹⁸ Q 517

¹¹⁹ Q 457

¹²⁰ Q 810

¹²¹ Qq 811 (Peter Ricketts), 1007 (Alastair Campbell)

¹²² Ev 10; Q 1218 (Jack Straw)

¹²³ Ev 10

¹²⁴ HC Deb, 4 June, col 149

¹²⁵ Ev 10

had not attended the drafting meetings, that they had been chaired by the Chairman of the JIC.¹²⁶ We are concerned that a meeting to discuss a document which Ministers had asked the Chairman of the Joint Intelligence Committee to prepare was chaired by the Prime Minister's Special Adviser.

79. We conclude that it was wrong for Alastair Campbell or any Special Adviser to have chaired a meeting on an intelligence matter, and we recommend that this practice cease.

80. Mr Campbell tells us that he underlined the importance for the credibility of the document that it should be, and be seen to be, the work of the JIC. He states that he emphasised "it goes without saying that nothing should be published that you (the JIC Chairman and the Intelligence Agencies) are not 100% happy with."

81. The first draft of the document as prepared by the JIC Chairman reached Mr Campbell the following day. He tells us he made no comment on it. He received a further draft on 17 September. Mr Campbell has listed the comments which, to the best of his recollection and that of the Chairman of the JIC, he made on this draft.

82. Speaking about the generality of his comments, Mr Campbell told us that "I know the accusation is I sexed it up, I think this is sexing it down".¹²⁷ On the whole, the effect of his comments was, so far as we can tell, neutral. Some aspects of the draft he suggested should be toned down, some he asked to be explained more fully. Accepting his list as being as full and as accurate as he and the JIC Chairman can make it, we find that in only one case did Mr Campbell seek to interfere with the draft in a substantive way, by seeking to have the issue of aluminium tubes included in the executive summary. But in this he failed.

83. Mr Campbell received a final draft of the dossier on 19 September, five days before publication. He has told us that neither he nor the Chairman of the JIC can recall that he made any further comments. Mr Straw told us that "Let me make clear, nobody 'sexed-up' or exaggerated that September dossier, no-one at all, and that includes Alastair Campbell."¹²⁸

84. We conclude that on the basis of the evidence available to us Alastair Campbell did not exert or seek to exert improper influence on the drafting of the September dossier.

85. Jack Straw told us that there had been no formal complaints from members of the security and intelligence services about the content of the dossier.¹²⁹

86. We conclude that the claims made in the September dossier were in all probability well founded on the basis of the intelligence then available, although as we have already stated we have concerns about the emphasis given to some of them. We further conclude that, in the absence of reliable evidence that intelligence personnel have either complained about or sought to distance themselves from the content of the dossier, allegations of politically inspired meddling cannot credibly be established.

¹²⁶ Q 1250 (William Ehrman)

¹²⁷ Q 980

¹²⁸ Q 1292

¹²⁹ Qq 734, 1201, 1291

Did the dossier exaggerate claims?

87. If the dossier did misrepresent the true situation on Iraq's WMD, there are two possible explanations: either the intelligence was faulty (or misinterpreted in good faith); or it was deliberately exaggerated. The first of these possibilities was considered by Dame Pauline Neville Jones:

... I do wonder whether one does not need to go back not only to the question of how the material was handled when it came to the compiling of evidence for public consumption but also how reliable the base was underneath.¹³⁰

88. Former Australian intelligence analyst Andrew Wilkie described intelligence supplied by Iraqi groups "desperate to encourage intervention in Iraq" as "garbage grade".¹³¹ Dr Gary Samore, too, was sceptical about the reliability of information provided by defectors:

I think that any information you get from defectors should be automatically suspect because defectors have such a strong interest in making up stories or exaggerating stories, if not for political reasons then perhaps for reasons of personal gain. You have to start with the assumption that anything you get from a defector is probably not accurate. Having said that, there are occasions when defector information proves invaluable when there are bona fide people who come out of programmes and provide extremely important information. That was certainly the case for Iraq in the early 1990s. There were a couple of defectors who came out of the nuclear programme and provided very detailed and accurate information that helped the IAEA to crack the secret of Iraq's nuclear programme.¹³²

89. This is particularly worrying, when set against the evidence to this Committee of former FCO Minister Ben Bradshaw last April:

There are limits, as you will understand, to some of the evidence that we can put in the public domain, not least because the bulk of the evidence that we have since the weapons inspectors left, by the very nature of their not being there, is based on intelligence, is based on defections and is based on what we know the Iraqi regime has tried to import.¹³³

90. We conclude that without access to the intelligence or to those who handled it, we cannot know if it was in any respect faulty or misinterpreted. Although without the Foreign Secretary's degree of knowledge, we share his confidence in the men and women who serve in the agencies.

Was the language appropriate?

91. Another question which arises, and which has been asked quite separately from Mr Gilligan's accusations, is whether the language employed in the dossier was more assertive

¹³⁰ Q 365

¹³¹ Q 595. See also Ev 4

¹³² Q 168

¹³³ Seventh Report from the Foreign Affairs Committee, Session 2001–02, *Foreign Policy Aspects of the War against Terrorism*, HC 384, Q 292

or more tendentious than that which is normally associated with a JIC assessment. If it was, that would lend credence to the view that the dossier was the object of political interference, or at least pressure.

92. Dame Pauline Neville Jones was Chairman of the JIC in the early 1990s. She characterised the traditional JIC approach to drafting in the following terms: “If there is a bias in the system the bias is towards care, which means you are cautious, which means, if anything, you are conservative.”¹³⁴ Dame Pauline highlighted the danger that information can become propaganda: “Clearly there is a very fine line between showing the evidence and making a case. It is where showing the evidence turns into making the case where the system has to take a very, very strong grip on itself.”¹³⁵ Andrew Wilkie, who had seen other JIC papers but who accepted he was a lone voice in the Australian intelligence community,¹³⁶ believed the dossier had been exaggerated: “I think this document is a step beyond what I would expect the JIC to produce. ... It is too unambiguous. It paints too confident a picture of Iraq’s WMD programme.”¹³⁷ Andrew Gilligan, who claimed to have seen a number of JIC Reports—although with one exception they were old and already in the public domain—told us that “It is as much a matter of language, phraseology ... an intelligence report of any description is pretty unexciting to be honest. It is couched, it is full of caveats, it is full of conditionals.”¹³⁸

93. Gary Samore said that

Certainly in the Institute dossier we were a bit more cautious in saying “probably” and trying to explain on which basis we had reached that conclusion but I think that the kind of confidence that you just described in the British Government dossier was very widely shared in western intelligence agencies.

94. We note that the paper published by the FCO on 10 November 10 1998 in advance of Operation Desert Fox and which clearly draws on intelligence material, uses much less certain language. In paragraph 9 it states “The Iraqi chemical industry could produce mustard gas almost immediately and nerve agents within months”; and “Saddam almost certainly retains some BW production equipment, stocks of agents and weapons.” The WMD dossier states (in paragraph 6 of the Executive Summary) “As a result of intelligence we judge that Iraq has: ...continued to produce chemical and biological agents.” The dossier is much more certain.

95. In her evidence, Dame Pauline Neville Jones told us “If you put those two statements together one is a much more active statement than the other...” and “those two statements are justified but can only be justified by a change in the situation.”¹³⁹

96. We also note a difference in wording between the body of the dossier and the Executive Summary. The Executive Summary states in paragraph 6 “As a result of the intelligence we judge that Iraq has ... continued to produce chemical and biological agents”. The main text

¹³⁴ Q 341

¹³⁵ Q 361. See also Q 100 (Clare Short)

¹³⁶ Qq 592, 655

¹³⁷ Q 618. See also Q 635.

¹³⁸ Q 512

¹³⁹ Q 362

states “The JIC concluded that Iraq had sufficient expertise, equipment and material to produce biological warfare agents within weeks ...” and “... the JIC assessed that Iraq retained some chemical warfare agents, precursors, production equipment and weapons from before the Gulf War. These stocks would enable Iraq to produce significant quantities of mustard gas within weeks and nerve agent within months.”¹⁴⁰ The wording of the Executive Summary is again stronger than the main text.

97. This occurs again in relation to the 45 minute claim. The Summary states in paragraph 6 “As a result of intelligence we judge that Iraq has ... military plans for the use of chemical and biological weapons ... Some of these weapons are deployable within 45 minutes of an order to use them.” The main text states “Intelligence indicates that the Iraqi military are able to deploy chemical or biological weapons within 45 minutes of an order to do so.”¹⁴¹

98. In significant respects the Executive Summary is stronger than the main text.¹⁴²

99. On the other hand, the immediate past Chairman of the JIC, Peter Ricketts, “[did] not find anything in the language of [the dossier] at all surprising in terms of the judgments that the JIC reach.”¹⁴³ And Dr Tom Inch thought the dossier was if anything less assertive than he would have wished: “I found that there were too many weasel-words in the report, as I read it. They could do this or they might do that and so on, rather than saying that the evidence was hard.”¹⁴⁴

100. We conclude that the language used in the September dossier was in places more assertive than that traditionally used in intelligence documents. We believe that there is much value in retaining the measured and even cautious tones which have been the hallmark of intelligence assessments and we recommend that this approach be retained.

Did the September dossier present complete and accurate information?

101. We summarised the weapons of mass destruction claims made in the September dossier (and those made in the IISS publication) in our Report of last December on Foreign Policy Aspects of the War against Terrorism.¹⁴⁵ Then, we concluded that “evidence of Iraq’s retention and continued development of weapons of mass destruction is compelling, and a cause for considerable concern” and we commended the Government for producing the dossier.¹⁴⁶

¹⁴⁰ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, para 3

¹⁴¹ *Ibid.*, p 19, para 5

¹⁴² For a full comparison of the summary and the main text, see Appendix 2.

¹⁴³ Q 808

¹⁴⁴ Q 227

¹⁴⁵ Second Report from the Foreign Affairs Committee, Session 2002–03, *Foreign Policy Aspects of the War against Terrorism*, HC 196, paras 89 –95

¹⁴⁶ *Ibid.*, para 96

Robin Cook was in no doubt that the dossier had overstated the case:

The plain fact is a lot of the intelligence in the September dossier has turned out in practice to be wrong. I think it is important that we fasten on how wrong it was, why it was wrong, and were there other parts of intelligence around which might have suggested more caution?¹⁴⁷

Even Jack Straw would have preferred the judgments and the claims in the dossier to have been better supported:

I was satisfied that the available intelligence justified the judgments that were made. Would I, in an ideal world, have preferred more intelligence? For sure, because the only reason we had to rely on intelligence was because of the highly secretive and mendacious nature of the Iraqi regime.¹⁴⁸

The need to ensure that evidence is up-to-date was emphasised by Dame Pauline Neville Jones:

I would have wanted to go back a bit to see the consistency of the evidence and whether we really had an audit trail of evidence that did not have breaks in it so that you did not somehow suddenly get a period when those previous judgments did not seem to be supported or where there were gaps in the picture, because that would have made me worry.¹⁴⁹

102. Former UN arms inspector Terence Taylor had no doubt that Iraq retained WMD:

... there was substantial, I would say overwhelming, evidence, a mountain of evidence, that Iraq had research, development and production facilities and useable weapons and almost certainly operational biological and chemical weapons. If I were sitting in a position in early March 2003, that would be a conclusion and I think I would be irresponsible if I came to some other conclusion.¹⁵⁰

103. Mr Taylor was of the opinion that the dossier was substantially accurate:

In its main substance, it seemed to me to be very accurate. Of course, I was not party to intelligence information myself, so I was judging it from open sources and from what I knew and from what I could judge. I suppose it is fair to say that I am an insider in many ways and, having studied the information in detail, I think that in main substance, the UK Government's dossier was correct.¹⁵¹

104. When asked whether he thought Iraq had continued to produce chemical or biological weapons after 1998, Dr Tom Inch, a Deputy Director of Porton Down in the early 1990s, was more circumspect: "I do not think that there is any compelling evidence to say that they did, but again there is no compelling evidence to say that they did not." Andrew Wilkie, who claimed to have had access to relevant intelligence, said that

¹⁴⁷ Q 34

¹⁴⁸ Q 772

¹⁴⁹ Q 368

¹⁵⁰ Q 307

¹⁵¹ Q 297. See also Q 336.

... what we have found so far is much closer to my claim that it was a disjointed and contained WMD programme and not the sort of big national programme that was sold to us as the justification for the war. ... in retrospect it [the September dossier] is a lousy document because this document led us to expect that the troops would go into Iraq and encounter and uncover a huge WMD programme.¹⁵²

105. Dame Pauline Neville Jones also had doubts:

I do not draw the conclusion because they have not been found they will not be found or do not exist. I am surprised they have not been found What I cannot help feeling is if they had been more operational they would have found something by now.¹⁵³

106. A member of the Cabinet until the decision to go to war was taken, Robin Cook told us that “frankly I am rather surprised we have not discovered some biological toxins or some chemical agents. Indeed, in my resignation speech I said they probably are there. The position actually has turned out to be even less threatening than I anticipated at the time I resigned.”¹⁵⁴

107. Dame Pauline Neville Jones agreed that the absence of significant weapons finds in Iraq increases the cynicism of the British public as to the motivation behind the decision to go to war, saying: “That is why it is very important to establish what went on.”¹⁵⁵ **We conclude that continuing disquiet and unease about the claims made in the September dossier are unlikely to be dispelled unless more evidence of Iraq’s weapons of mass destruction programmes comes to light. We recommend that the Government in its response to this Report set out whether it still considers the September dossier to be accurate in respect of material in it not already referred to in our earlier recommendations above, in the light of subsequent events.**

¹⁵² Qq 600, 617

¹⁵³ Q 371

¹⁵⁴ Q 21

¹⁵⁵ Q 372

The February dossier

The genesis of the February dossier

108. What was to become known as the ‘dodgy dossier’ began as a proposal of the Iraq Communications Group chaired by Alastair Campbell, who described the purpose of the paper as being “to get our media to cover this issue of the extent to which Saddam Hussein was developing his programme of concealment and intimidation of the United Nations’ inspectors.”¹⁵⁶ Mr Campbell told us that it was his idea to produce the paper.¹⁵⁷

The process of compiling the dossier

109. In January 2003, new intelligence was received that the Iraqi regime was obstructing the work of the UNMOVIC inspectors. The Secret Intelligence Service gave permission for that information to be used publicly, and the Iraq Communications Group tasked the Communications and Information Centre (which later became the Coalition Information Centre, CIC) with producing a background briefing paper for the press, which was eventually to become the ‘dossier’.¹⁵⁸ Alastair Campbell described for us the origins of the CIC:

The Coalition Information Centre started as an entity during the Kosovo conflict where it was made up of people from different government departments and also from people from other overseas governments, the United States, Spain, France I think at some point, Germany, a number of governments. In terms of how they are appointed, once we were setting up this cross-departmental team, which continues in a smaller form now, essentially what happens is we trawl departments to try to find people who can be seconded ... for three months, six months, what have you.¹⁵⁹

110. The CIC is based in the FCO, and the FCO is represented on it.¹⁶⁰ The CIC used FCO and Ministry of Defence documents in preparing the dossier, as well as intelligence material, but the controversy has centred on its use of previously published material.

111. Sir Michael Jay described the process by which the dossier was compiled:

I think what happened was that the CIC were asked, or tasked, by Alastair Campbell and the Iraq Communication Group to produce the briefing note; they then asked various government departments to produce for them background information which could go into the note. Some of that came from the Foreign Office, some of that came from other government departments, and some of that information was from Government sources and some of that information was from published sources, and that was then fed into the CIC.¹⁶¹

¹⁵⁶ Q 1045

¹⁵⁷ Ev 7

¹⁵⁸ Qq 900 (Alastair Campbell), 786, 863 (Sir Michael Jay); Ev 10

¹⁵⁹ Q 1004

¹⁶⁰ Q 865 (Sir Michael Jay)

¹⁶¹ Q 867 (Sir Michael Jay)

Mr Campbell was asked by the Committee to submit a written statement separating intelligence from open source information in the February dossier. Mr Campbell was forthcoming with regards to this request, however, he was not authorised by the SIS to go into greater detail.¹⁶²

112. Our own analysis based on Dr Glen Rangwala's written evidence has revealed that almost the entire second part was taken from three articles which corresponds to Mr Campbell's confirmation that only the first and third part of the dossier were backed by SIS information.¹⁶³ Dr Rangwala also pointed out to the Committee that several claims made in the first part, which Mr Campbell explicitly refers to as intelligence information, are in open contradiction to Dr Blix's and UNMOVIC's accounts.

113. The material had been cleared for use by the SIS, but not by the JIC, which is supposed to have an overview of all intelligence material and the uses to which it is put. The procedure has since been changed. The FCO told us that "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."¹⁶⁴ We welcome this change.

114. The CIC appears to have operated as an autonomous unit within the FCO, chaired by a senior FCO official but reporting to Alastair Campbell.¹⁶⁵ The FCO as a whole was unsighted on its work. We were surprised to be told that "No FCO Ministers, neither FCO Special Advisers, were consulted on the document."¹⁶⁶ On Thursday 30 January, the document was given to the FCO with a "short deadline for comment."¹⁶⁷ It must have been very short indeed, as we now know that the document was handed to journalists in Washington for the Prime Minister's visit the next day, having been signed off by Mr Campbell.¹⁶⁸

115. Sir Michael Jay explained why he personally had not been informed:

I would not have expected to have been informed about a document which was being prepared as a briefing document of that kind; there were briefing documents of this sort being produced several times every day of the week by the CIC, that was its purpose, its purpose was to produce briefing documents, those were then used by ministers or by Number 10 to brief the press, this was happening daily. So the fact that such a document was being produced as a briefing document I would not have expected, myself, to have been aware of or to have seen; this is all part of the give and take of business. What was different was when it became a document put into Parliament.¹⁶⁹

116. The document became a document put into Parliament on the first sitting day after it had been handed to the press—Monday 3 February. The Prime Minister was making a

¹⁶² Ev 10

¹⁶³ Ev 30. See also Appendix 3, (to be published in Volume III)

¹⁶⁴ Ev 47. See also Q 948 (Alastair Campbell)

¹⁶⁵ Qq 787, 794, 865

¹⁶⁶ Ev 47

¹⁶⁷ Ev 47

¹⁶⁸ Q 878 (Sir Michael Jay), Q 922 (Alastair Campbell)

¹⁶⁹ Q 883

statement to the House on his US visit, and it was decided to place the document in the Library of the House, which is a way of making a paper available to Members with the minimum of formality.

117. No Minister, other than the Prime Minister, was consulted on the document at any stage.¹⁷⁰ Neither the Secretary to the Cabinet nor the Chairman of the JIC saw the dossier in draft or in final form.¹⁷¹ Alastair Campbell failed to ask the Prime Minister or the Chairman of the JIC for authority to release a document which stated on its cover that it was compiled from intelligence and other sources. By the time the Prime Minister authorised it to be placed in the Library of the House,¹⁷² it had already been handed to journalists, and it was already effectively in the public domain.

118. In his Memorandum to the Committee Mr Campbell stated that the February dossier, as he recalled “was my idea”.¹⁷³ In his oral evidence to the Committee Mr Campbell also said that he took responsibility for the February dossier.¹⁷⁴ On the front page of the dossier it is clearly stated in the very first sentence: “This report draws upon a number of sources, including intelligence material ...”

119. Before releasing the document to the press and to Parliament, Mr Campbell failed to ask two basic questions. First he failed to ask whether the material in the document was predominantly intelligence material or not. This caused the Prime Minister to state to the House on 3 February: “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.” Most of the document was not in fact intelligence material.

120. The second basic question that Mr Campbell failed to ask about the February dossier was what were the non-intelligence sources being used and why they were not attributed. Failure to ask this question caused the plagiarism error not to be picked up before the document was published with serious consequences for the presentation of the Government’s case on Iraq.

121. We conclude that the degree of autonomy given to the Iraqi Communications Group chaired by Alastair Campbell and the Coalition Information Centre which reported to him, as well as the lack of procedural accountability, were contributory factors to the affair of the ‘dodgy dossier’.

122. The Committee also concludes that the process of compiling the February dossier should have been more openly disclosed to Parliament. As Mr Campbell has stated:

¹⁷⁰ Q 739 (Jack Straw)

¹⁷¹ Qq 928–932 (Alastair Campbell).

¹⁷² Q 822 (Jack Straw), Ev 7

¹⁷³ Ev 7

¹⁷⁴ Q 1013

... the procedures were different. On the dossier of September 2002 the lead person was the Chairman of the Joint Intelligence Committee, it was produced by the Joint Intelligence Committee; the dossier in February was not.¹⁷⁵

Had this information been available to the House at the time, much of the confusion could have been avoided.

The use made in the dossier of Mr Marashi's published work

123. Ibrahim al-Marashi is an American citizen of Iraqi origin. A Research Associate at the Center for Nonproliferation Studies (CNS) of the Monterey Institute of International Studies, his work has focused on the diffusion of nuclear, biological, and chemical weapons and missile technologies in the Middle East, particularly Iraq and Iran. Prior to joining CNS, Mr Marashi worked with the Center for Middle Eastern Studies at Harvard University on a project classifying captured Iraqi state documents. He has also been a researcher on Iran-Iraq affairs at the US State Department, Congressional Research Service, and National Defense University. He is now a DPhil student at St Antony's College, Oxford.

124. In 2002, Mr Marashi published an article in the journal *Middle East Review of International Affairs*, MERIA, based on his analysis of Iraqi intelligence documents captured in the Gulf War.¹⁷⁶ It was this article which formed the basis of part 2 of the 'dodgy dossier', as Alastair Campbell confirmed when he appeared before us:

... the Foreign Office research department sent this journal from September 2002 by Dr al-Marashi, who you interviewed recently. That then went to the CIC. At that point within the CIC work from that paper was taken and absorbed into the draft that was being prepared within the CIC.¹⁷⁷

125. Finding the article was not exactly an exercise in advanced detective work. As Mr Marashi told us:

The only way I can infer they got hold of this article was that not only is it published in the *Middle East Review of International Affairs* but there is also an on-line version. If one were to do an internet search of Iraqi intelligence agencies on any of the web browsers my article is the first to come up. Basically, it was one of the first articles ever written compiling all the open source information on Iraq's intelligence agencies, so on any kind of internet service this would be the first article that would come up. I had reason to believe that the internet version of this article was consulted for the dossier released in February 2003 because grammatical mistakes made on the internet version ended up in this February 2003 document ...¹⁷⁸

¹⁷⁵ Q 926

¹⁷⁶ Ibrahim al-Marashi, *Iraq's Security and Intelligence Network; a Guide and Analysis*, *Middle East Review of International Affairs*, vol 6, No. 3—September 2003, www.meria.idc.ac.il

¹⁷⁷ Q 904

¹⁷⁸ Q 662

In his written evidence, Dr Glen Rangwala of Newnham College, Cambridge, has shown how Mr Marashi's work was altered in a number of particulars:

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”.¹⁷⁹

These were clearly changes of substance. Mr Marashi told us they were not supported by his research: “the alterations were not accurate and those alterations changed the meaning of ... my piece.”¹⁸⁰

126. Mr Campbell and Ministers maintain that, although the changes may not be supported by Mr Marashi's work, they did reflect intelligence assessments and they were accurate.¹⁸¹ However, in one further change, the Government confused two separate Iraqi security organisations, the Military Security Service and the Iraqi General Security Service. As Mr Straw said when confronted with this, it is hardly a hanging offence.¹⁸² But Mr Straw here missed the point: as he had earlier acknowledged, quite minor mistakes of this kind undermine confidence in the Government's presentation of its case more generally.¹⁸³ Mr Marashi has also accused those responsible for the dossier of “distorting the intent” behind his work.¹⁸⁴

127. Not only was Mr Marashi's work altered in ways which changed its meaning, it was used without attribution. This, Mr Campbell has acknowledged, was the “error” and the “mistake” made in the CIC.¹⁸⁵ Once it had been made, all those involved subsequently were unaware of the source of the material, but assumed it to have been produced somewhere

¹⁷⁹ Ev 22

¹⁸⁰ Q 680

¹⁸¹ Q 926 (Alastair Campbell), Qq 795, 848, 1049 (Jack Straw)

¹⁸² Q 797

¹⁸³ Q 795

¹⁸⁴ Q 683

¹⁸⁵ Ev 7, Q 898

within the Government machine.¹⁸⁶ It was in itself a small mistake, but its consequences were significant, and it should not have occurred.

128. No-one asked Mr Marashi for permission to use his work. No-one informed him that it would be used, and even altered, a fact which Clare Short finds “shameful” and “shocking”.¹⁸⁷ We asked Mr Marashi how he came to hear that his work had been borrowed by the British Government:

I found out through an e-mail by Glen Rangwala from Cambridge. He asked me if I had collaborated with this dossier. I said I was not even aware of this dossier. In fact, he was the one who sent me the text of the dossier I have here, so it was not until he had sent it that I was made aware of this document. I was made aware of the similarities. I did not take any action beyond that. I just compared the documents, knew there was a plagiarism, but I just left it at that. Given the fact that I had relatives back in Iraq I do not want to bring attention to this. The story developed a life of its own in the UK and so by Thursday, I believe it was February 7, I saw the story break on the internet and then it took off from there.¹⁸⁸

129. Once the story broke, Mr Marashi gave press interviews, but he had misgivings about his new high profile. He feared that a link between his work and a document closely associated with the British Government’s policy on Iraq could endanger his relatives:

... the biggest fear I had out of this whole story breaking out was that I am an Iraqi myself and when I wrote this article I did not think it would get much of a circulation, maybe 5,000 people at the most, people in the Middle East academic community. What the events have done to me around February and March was that basically they connected me to the British case for going to war and, having relatives in Iraq with my last name connected to me in the UK would have been disastrous for them. I have already lost two relatives to the Saddam regime. Any connection now between me and the UK Government and the case for going to war would have had a disastrous effect on my family back home. That was my biggest regret out of this entire affair.¹⁸⁹

130. Mr Marashi told us that he had received no apology, nor had any contact from the British Government of any kind.¹⁹⁰ Subsequently, Jack Straw apologised to Mr Marashi before the Committee on behalf of the Government; and Alastair Campbell undertook to apologise in writing.¹⁹¹ We welcome this belated recognition by the Government, under pressure from this Committee, that they did Mr Marashi a grave disservice by using his work without permission and without attribution, and by altering it without making clear where and how it had been altered.

¹⁸⁶ Qq 909, 926, 946, 1048

¹⁸⁷ Qq 122, 123

¹⁸⁸ Q 678

¹⁸⁹ Q 668

¹⁹⁰ Qq 666, 668

¹⁹¹ Qq 851, 1152

131. Notwithstanding the apologies which have now been made, we remain concerned about the fate of Mr Marashi's extended family in Iraq. **We recommend that the Government offer every assistance to Mr Marashi in tracing his relatives in Iraq.**

"A glorious, spectacular own goal"

132. In the House on 3 February 2003, the day of publication of the 'dodgy dossier', the Prime Minister said

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. In the dossier that we published last year, and again in the material that we put out over the weekend, it is very clear that a vast amount of concealment and deception is going on.¹⁹²

133. The intelligence material on Iraq's obstruction of UNMOVIC inspectors which provoked the idea of what became the 'dodgy dossier' was provided to the Iraq Communications Group and cleared for public use by the Secret Intelligence Service (MI6), without clearance by the Joint Intelligence Committee.¹⁹³ This procedure was inadequate, as Sir Michael Jay told us:

I think, as I said, that the way in which this particular document was prepared was faulty, and I think we all accept that, and we have taken steps and done all we can to ensure that that does not happen again, and, in a sense, it is always useful to learn lessons from mistakes.¹⁹⁴

Henceforth, the JIC will have to approve for publication any document which includes intelligence-derived information. We welcome this sensible change.

134. It was Robin Cook who described the February dossier as "a glorious, spectacular own goal."¹⁹⁵ Other witnesses used less colourful language, but agreed that publishing the dossier was a mistake, which severely damaged the Government's case.¹⁹⁶ The Home Secretary, David Blunkett, has said that the document should not have been published at all,¹⁹⁷ a sentiment shared by the Foreign Secretary and Mr Campbell.¹⁹⁸ Jack Straw went further and called it "a complete Horlicks."¹⁹⁹ The Prime Minister referred to "the mistake of not attributing it."²⁰⁰ Mr Campbell has admitted that "It should not have happened in

¹⁹² HC Deb, 3 February 2003, col 25

¹⁹³ Q 939 (Alastair Campbell)

¹⁹⁴ Q 895. See also Q 380 (Dame Pauline Neville Jones)

¹⁹⁵ Q 10

¹⁹⁶ Q 381 (Dame Pauline Neville Jones)

¹⁹⁷ For example, see: Dodgy Iraq dossier was error, says Blunkett, *Daily Telegraph*, 9 June 2003

¹⁹⁸ Qq 818, 920

¹⁹⁹ Q 818

²⁰⁰ HC Deb, 24 June 2003, col 1046

the way that it did.”²⁰¹ He has to take responsibility for that, because it was done under his authority.

135. From the evidence provided, it seems safe to say that Mr Campbell did not intentionally contribute to Parliament being misinformed. However, it was Mr Campbell’s responsibility to ensure that, when providing such a pivotal document, sufficient attention to detail was paid. He failed to do so, thereby committing a mistake. By the same token, the danger is that future JIC dossiers will be received with increased scepticism. The bar to misleading Parliament could have easily been overstepped

136. We conclude that the effect of the February dossier was almost wholly counter-productive. By producing such a document the Government undermined the credibility of their case for war and of the other documents which were part of it.

137. We further conclude that by referring to the document on the floor of the House as “further intelligence” the Prime Minister—who had not been informed of its provenance, doubts about which only came to light several days later—misrepresented its status and thus inadvertently made a bad situation worse.

138. We conclude that it is wholly unacceptable for the Government to plagiarise work without attribution and to amend it without either highlighting the amendments or gaining the assent of the original author. We further conclude that it was fundamentally wrong to allow such a document to be presented to Parliament and made widely available without ministerial oversight.

139. We recommend that any paper presented to Parliament—whether laid on the Table, made available in the Vote Office or placed in the Library—for the purpose of explaining the Government’s foreign policy be signed off by a FCO Minister. We further recommend that any FCO document presented to Parliament which draws on unofficial sources should include full transparency of sources, and attribution where appropriate.

The machinery of Government

The Cabinet, Cabinet Committees and informal groups

140. Ministerial oversight of the actions of officials is an essential feature of the United Kingdom's political system. By this means, Ministers take political responsibility and are made accountable for what is done in their name. The means of exercising this oversight across the Government as a whole is the Cabinet, and its system of Cabinet Committees.

141. At our first hearing for this inquiry, Clare Short, who was a Cabinet Minister until the end of the conflict phase of the war, alleged that a small group of officials based at Number 10 had effective control of policy on Iraq. These, she said, were

Alastair Campbell ... , Jonathan Powell, Baroness Morgan, Sir David Manning, that close entourage. ... That was the team, they were the ones who moved together all the time. They attended the daily 'War Cabinet'. That was the in group, that was the group that was in charge of policy.²⁰²

142. Alastair Campbell rejected this charge:

... if you were to say who in relation to Iraq were the officials in Downing Street who spent the most time with the Prime Minister in terms of the many foreign trips that he was doing, in terms of briefing, in terms of general meetings, it probably was the four, but in relation to that whole period he had meetings every single day with the Foreign Secretary and the Defence Secretary in particular, with the Deputy Prime Minister, with the group that comprised those three plus the Chancellor of the Exchequer, the Home Secretary, the Leader of the House—now the Health Secretary—with Margaret Beckett, and with Clare Short, and also with officials including some of the intelligence officials that we have been discussing.²⁰³

Jack Straw too denied there was any attempt to exclude Ministers from key decisions:

There has always been an entourage in Number 10 for as long as Number 10 has existed and people need to chill out about that. At any time there are people who are not in Number 10 who get concerned about the entourage. That is true if you look at recent history with Mrs Thatcher and also if you go back to the staff in Number 10 at the time of Harold Wilson, Harold Macmillan, Winston Churchill, Lloyd George, and so it goes on. As far as the Cabinet was concerned, Robin Cook provided the complete answer to what Clare was saying which was that there was the most intensive discussion week by week by week. I have given the answers here. The Cabinet discussed Iraq at every Cabinet meeting between 23 September 2002 and 22 May 2003, which is 28 meetings.²⁰⁴

²⁰² Qq 97, 98

²⁰³ Q 1011. See also Q 1117.

²⁰⁴ Q 813

143. Given this, we were surprised to learn—first from Clare Short, and then confirmed by Jack Straw—that the Cabinet’s Defence and Overseas Policy Committee has not met since June 2001.²⁰⁵ Mr Straw explained the situation thus:

That is correct but in its place there is a ministerial committee with wider membership, which I think met 28 times between the beginning of the military conflict and the end of April. ... Nor is it the case, as Clare claimed, that all the discussions which were held in smaller ministerial groups (some of them, yes, relatively informal) were without papers and, for example, it is simply untrue that there were no papers that analysed the military options. Of course what is the case, can I just explain this, which is a reconciliation between what Clare was saying and what I have just told the Committee, is that some of these decisions had to be and some of the discussions had to be very tightly held, and there was a reason for that, which is that we were involved in very intense diplomatic activity throughout the period from the middle of July and if you were involved in intense diplomatic activity to start with, and it was with our partners in the United States and with other partners in the Security Council, you have to ensure that these discussions are tightly held.²⁰⁶

144. As a former senior FCO official who attended Cabinet meetings, Dame Pauline Neville Jones knows the advantages of the traditional Cabinet Committee system:

... in my day the Cabinet Committee system was very important and the OPD of the day was an absolutely vital piece of the machinery The Prime Minister chairs that meeting, it is a formal meeting, it is fully minuted. A lot of the information supplied by the JIC is therefore part of the background material against which the members of that committee would then be considering the policy issues.²⁰⁷

Sir Michael Jay explained how the current system works:

The main ministerial discussion which takes place on foreign policy issues is in Cabinet, and there is a Cabinet meeting, there are always foreign affairs on the agenda, and I think I am right in saying that Iraq was on the agenda of each Cabinet meeting, or virtually every Cabinet meeting, in the nine months, or so, up until the conflict broke out, in April. The main, formal ministerial forum for discussing foreign policy issues is in Cabinet.²⁰⁸

145. Against this, Clare Short, who participated in the meetings, claimed that there was little real discussion within Cabinet,²⁰⁹ and Dame Pauline suggested that

... increasingly ... Cabinet is a meeting into which business is reported but very often not actually discussed in any detail. ... The Cabinet Committee is the place for discussion. The conclusion of that Cabinet Committee are reported, if the system is

²⁰⁵ Q 72 (Clare Short), Ev 54

²⁰⁶ Q 812

²⁰⁷ Q 343

²⁰⁸ Q 857

²⁰⁹ Q 126. See also Qq 87, 127.

working properly, into the full Cabinet by the Prime Minister with the lead minister usually coming in behind giving further explanation.²¹⁰

Dame Pauline went on to give a further explanation of her concerns about the apparently less formal system now in place:

... there is the danger that you do not get properly recorded decisions and properly analysed decisions. ... There is also the question of accountability. ... It does not necessarily lead to a worse discussion, the discussion will depend on the quality of the people in the room, to be really brutal about it, so it does not mean that worse policy is made. It does mean that that policy is less embedded in the government as a whole because a whole series of other participants are not there and therefore bound by it.²¹¹

146. The extent to which the Cabinet and its Committees are or are not fully engaged in determining policy and exercising control over officials goes wider than foreign policy, and thus wider than this Committee's responsibilities. But we have heard enough to be concerned. We urge our colleagues on the Public Administration Committee to look closely at these issues.

147. The committee wholly supports the interdepartmental structures which were put in place prior to the war; however, this raises questions over accountability and responsibility. We were surprised to find a clear lack in knowledge of the staff of these interdepartmental groups such as the CIC. This was reflected in our evidence session with the Foreign Secretary.²¹² **We recommend that there should be clarity over which Department has lead responsibility for groups such as the CIC. That Department should then be accountable to the relevant select committee. This would avoid the situation where nobody is prepared to take responsibility for certain interdepartmental groups.**

The security and intelligence machinery

Relations between the agencies and the media

148. Based on her experience some ten years ago, Dame Pauline Neville Jones told us that "there are no ground rules" regarding contacts between the intelligence services and journalists.

Basically and fundamentally these are not people who talk to the public and personally I do not think they should or to journalists. There clearly was turbulence inside the machine and some people have been talking, I would not draw general conclusions about attitudes inside the services on the basis of conversations that appear to have taken place between some journalists and some individuals. It is dangerous to draw that conclusion because you do not know what they represent, what their motive is and whether to put any weight on it.²¹³

²¹⁰ Q 358

²¹¹ Qq 360, 378

²¹² Q 792

²¹³ Q 383

Dame Pauline added that she did not believe such contacts happened as a general rule: “this is a loyal and professional culture and very important it stays like that.”²¹⁴

149. On the other hand, BBC journalist Andrew Gilligan told us that such contacts do occur, although

There is nothing as formal as the lobby. There are no regular meetings. There are, to my knowledge, few, if any, group meetings. The agencies do have officers whose particular job is to talk to journalists, and certain journalists have those people’s contact numbers.²¹⁵

150. Mr Gilligan painted a picture of frequent contacts, both official and unofficial.²¹⁶ He alleged that one of his four unofficial contacts showed him a Defence Intelligence Staff paper classified *Top Secret*,²¹⁷ and that another showed him a JIC paper.²¹⁸ Others briefed him about specific or general concerns in the agencies. Mr Gilligan says he has four sources. We assume that his sources are being investigated and that, if intelligence officers have been speaking to journalists without permission, they will be dealt with appropriately.

151. It is quite clear that specified officers from the intelligence and security agencies are licensed to talk to journalists. Alastair Campbell confirmed that “there are systems that allow the press to make inquiries of the intelligence community.”²¹⁹ The Foreign Secretary told us that “because of the intense interest that the public and the media have in intelligence agencies, they have some arrangements which are entirely official for ... the briefing of the press.”²²⁰ We find it particularly odd that there are not similar arrangements for the briefing of Members of Parliament.

152. We accept the need for the agencies on occasion to brief the press within very strict guidelines, to correct inaccurate stories or speculation, but unauthorised contacts and the leaking of information and breaches of security which they entail should not be permitted. **We recommend that Andrew Gilligan’s alleged contacts be thoroughly investigated. We further recommend that the Government review links between the security and intelligence agencies, the media and Parliament and the rules which apply to them.**

Role of the JIC

153. The role and importance of the JIC were summed up by Jack Straw:

The reason why we have a Joint Intelligence Committee which is separate from the intelligence agencies is precisely so that those who are obtaining the intelligence are not then directly making the assessment upon it. That is one of the very important strengths of our system compared with most other systems around the world.²²¹

²¹⁴ Q 383

²¹⁵ Q 389

²¹⁶ Qq 395, 396, 411, 412, 490

²¹⁷ Qq 425, 498

²¹⁸ Q 514

²¹⁹ Q 1059

²²⁰ Qq 814, 815

²²¹ Q 772

154. Andrew Wilkie described the JIC as “a strength of the British system ... where ultimately a compromise has to be reached to go to government.”²²² But the work of the JIC is necessarily secret, and as a body it is unused to being in the public eye. Dame Pauline Neville Jones suggested that exercises of the kind which led to the Iraq dossiers should be infrequent: “I do think it is much preferable that services of that kind are actually below the line of publicity, I think it safeguards their integrity. Therefore these situations should be exceptions.”²²³ With huge—if unintentional—irony, Andrew Gilligan said that “One of the complaints made by some of our intelligence sources, not just mine but across the press, was that intelligence services are secret and they do not like necessarily having their work exposed to the public gaze.”²²⁴

155. In his excellent history of the Joint Intelligence Committee, one of its former Chairmen, Sir Percy Cradock, wrote that

Ideally, intelligence and policy should be close but distinct. Too distinct and assessments become an in-growing, self-regarding activity, producing little or no work of interest to the decision-makers. ... Too close a link and policy begins to play back on estimates, producing the answers the policy-makers would like, as happened with Soviet intelligence. The analysts become courtiers, whereas their proper function is to report their findings, almost always unpalatable, without fear or favour. The best arrangement is intelligence and policy in separate but adjoining rooms, with communicating doors and thin partition walls, as in cheap hotels.²²⁵

156. We agree entirely with these sentiments. Intelligence has a vital role to play in determining policy; but policy can never be permitted to define the intelligence. Looking in from the outside as we do, we believe that the JIC plays a vital role in safeguarding the independence and impartiality of intelligence. We would be gravely concerned if the JIC were to be used by Ministers or their advisers for political purposes, for example by the application of pressure to change the content or emphasis of an assessment. We have no evidence that this line has been crossed.

157. We conclude that the continuing independence and impartiality of the Joint Intelligence Committee is of utmost importance. We recommend that Ministers bear in mind at all times the importance of ensuring that the JIC is free of all political pressure.

²²² Q 615

²²³ Q 364

²²⁴ Q 477

²²⁵ Sir Percy Cradock, *Know your enemy—How the Joint Intelligence Committee saw the World*, (John Murray 2002), p 296

The machinery of Parliament

The roles of the Intelligence and Security Committee and the Foreign Affairs Committee

158. The Intelligence and Security Committee (ISC) is a committee formed of members of both Houses of Parliament, appointed by the Prime Minister. It is a creation of statute, not of the Standing Orders of the two Houses.²²⁶ Its secretariat is provided by the Cabinet Office. It reports to the Prime Minister, who lays an annual report on its activities before Parliament.²²⁷ The ISC exercises oversight of the three intelligence and security agencies of Government, and also regularly meets the JIC. It always meets in private.

159. The Foreign Affairs Committee (FAC) is a select committee of the House of Commons, set up under the Standing Orders of the House and appointed by it.²²⁸ Its secretariat is provided by the Clerk of the House. It reports to the House and publishes its evidence with its Reports. The FAC scrutinises the expenditure, policy and administration of the Foreign and Commonwealth Office and its associated public bodies.

160. When the ISC was created (by the Intelligence Services Act 1994), the then Foreign Secretary, Lord Hurd, assured the House that it would not “truncate in any way the existing responsibilities of existing committees.”²²⁹ However, since the ISC was set up, successive Secretaries of State have on more than one occasion refused to allow FAC access to the agencies, on the grounds that Parliamentary scrutiny of those agencies is carried out by the ISC.²³⁰

161. We have attempted, so far in vain, to explain to Ministers that for the FAC to discharge effectively its role of scrutinising the policies of the FCO, it will on occasion require access to intelligence material and, on rare occasions, to the agencies themselves. The present inquiry is a case in point. Ministers base their refusal to grant such access on the existence of the ISC, suggesting—in our view wholly wrongly—that Lord Hurd’s undertaking has been honoured, because there was no such access before 1994. This leads us to wonder what “existing responsibilities” Lord Hurd could have had in mind.

162. We are particularly concerned that there is no symmetry in the Government’s position. Our colleagues on the ISC produced a useful and well received Report on the Bali bombing, a substantial part of which commented on the administration of the FCO and was based on evidence taken from the FCO. Because the ISC operates in conditions of secrecy, we do not know how hard they had to press the FCO to allow them to scrutinise its procedures, but we do know that they succeeded. By the FCO’s own logic, it should have applied its policy of avoiding “competing jurisdictions” to the ISC’s wish to scrutinise the work of the consular division of the FCO, as it applied it to our request for access to

²²⁶ Intelligence Services Act 1994, Chapter 13

²²⁷ Intelligence and Security Committee, *Annual Report 2002–03*, Cm 5837, June 2003

²²⁸ House of Commons, Standing Orders of the House of Commons, January 2003, HC 175, SO No. 152

²²⁹ HC Deb, 22 February 1994, col 164

²³⁰ Second Report from the Foreign Affairs Committee, Session 1998–99, *Sierra Leone*, HC 116–I, paras 102–109

intelligence papers which formed the basis of the FCO's travel advice at the time of the Bali bombing.

163. We regard the Government's refusal to grant us access to evidence essential to our inquiries as a failure of accountability to Parliament, the more so as it does not accord entirely with precedent. As our predecessor Committee noted in 1998, the Foreign Affairs Committee was granted access to the highly classified "Crown Jewels" papers on the Falklands War in 1984; while in the course of its inquiry into Sierra Leone the Committee enjoyed some limited success in obtaining copies of classified telegrams. In both cases, parallel inquiries were under way (the Franks and Legg inquiries respectively). It is, as we have already observed, a matter of great regret that those precedents have not been followed in this case.²³¹

164. The FAC does not seek to duplicate the work of the ISC, which has a valuable role to perform as the Committee responsible for scrutinising the work of the agencies. But there will be occasions, inevitably, when the work of both overlaps. This is quite normal with select committees, but the problem is that the ISC is not a select committee.

165. We note that the Foreign Secretary has now gone on the record as supporting the recasting of the ISC as a select committee of Parliament.²³² This option would offer a number of advantages: the possibility of joint hearings, joint inquiries and joint reports; established structures for the management of overlap; a more open way of working; and a seat for the ISC Chairman on the Liaison Committee. **We recommend that the Intelligence and Security Committee be reconstituted as a select committee of the House of Commons.**

166. But so long as the present status of the ISC continues—and we recognise that primary legislation will be required to change it—if this Committee is to do its job properly we will on occasion require access to intelligence material and personnel. This is not a threat to the agencies; it is not an attempt to usurp the role of the ISC for as long as it continues; it is simply a recognition that in order to understand the foreign policy-making process this committee needs to have access to all stages of that process, just as the ISC has had access to the FCO in its Bali inquiry.

167. We also note that select committees have always enjoyed the power to send for "persons, papers and records" to assist them in their work. While committees cannot summon members of either House (Commons or Lords) to appear before them, officials have a duty to attend when requested. By tradition, select committees have observed what are colloquially known as the 'Osmotherly Rules', which provide guidance to civil servants appearing before committees.²³³ These state that when a Minister and a select committee disagree about the attendance of a particular, named official, the Minister should give evidence personally. However, in 1990, the then Permanent Secretary to the Cabinet and

²³¹ Third Report from the Foreign Affairs Committee, Session 1984–85, *Events surrounding the Weekend of 1–2 May 1982*, HC II; and Second Report from the Foreign Affairs Committee, Session 1998–99 *Sierra Leone*, HC 116–I

²³² Q 836

²³³ The guidance was first issued by E B C Osmotherly, a Cabinet Office civil servant, in 1980. The latest version is : Cabinet Office, *Departmental Evidence and Response to Select Committees*, 1999, available at: www.cabinet-office.gov.uk

Head of the Home Civil Service, Sir Robin Butler, confirmed that when a specific civil servant was summoned by a committee they had a “duty” to attend.²³⁴

168. We conclude that continued refusal by Ministers to allow this committee access to intelligence papers and personnel, on this inquiry and more generally, is hampering it in the work which Parliament has asked it to carry out.

169. We recommend that the Government accept the principle that it should be prepared to accede to requests from the Foreign Affairs Committee for access to intelligence, when the Committee can demonstrate that it is of key importance to a specific inquiry it is conducting and unless there are genuine concerns for national security. We further recommend that, in cases where access is refused, full reasons should be given.

²³⁴ Treasury and Civil Service Committee, Fifth Report of Session 1989–90, *Civil Service Pay and Conditions*, HC 260, Qq 75–76

Postscript: post-conflict Iraq

The search for weapons of mass destruction

170. Months after the cessation of the military phase of operations in Iraq, no conclusive evidence has come to light that the regime did indeed possess weapons of mass destruction. The question arises, why were these weapons not used, assuming they existed at all? This is at once one of the most difficult and one of the most important questions the Government has to answer.

171. The assumption that chemical or biological weapons would be used caused military planners to assume that such weapons would be found in the course of the war.²³⁵ None was found, although there was some evidence that the Iraqi forces were prepared to protect themselves from their effects. Neither have any been discovered since the military phase ended; this includes artillery shells which might have been capable of being deployed within 45 minutes of an order to use them

172. Dr Samore described what he felt was Saddam Hussein's miscalculation on this point:

It was clear to me that Iraq was trying to provide just enough co-operation with the inspectors to keep the Security Council divided and to try to deny Washington and London a rationale for going to war, but not so much co-operation that they actually truly opened up the books and gave up whatever capabilities they were hiding. I think Saddam's effort to balance those conflicting objectives ended up being part of the reason why he was doomed.²³⁶

173. Terence Taylor described the difficulties he had faced as a Chief Inspector in the 1990s:

Generally, on my inspections we were allowed access. There were some difficulties sometimes, but they were usually overcome through negotiations. So, generally speaking at least on my part, there were no limitations on the access; I could go more or less where I wanted. Of course, they had a comprehensive concealment plan. They also were monitoring our communications and also they had penetrated UNSCOM from New York right the way through to Baghdad. So, we had this challenge that we had to face. We knew this and so we had to try to deal with this situation and we had to be very creative about how we went about our inspections, in order of course to achieve surprise.²³⁷

174. The Iraqis also practised concealment techniques, and had dual-use facilities which could switch from the production of legitimate chemical and biological products to the manufacture of chemical and biological warfare agents.²³⁸ It is surprising, though, that there have been no indications of attempts by Iraq rapidly to disperse stocks of chemical

²³⁵ Q 198 (Dr Samore)

²³⁶ Q 171

²³⁷ Q 287

²³⁸ Qq 301, 302 (Terence Taylor)

and biological weapons. In his oral evidence to us, Dr Inch told us that he was “totally confused” by reports that Iraq still had large quantities of such weapons: “It is very difficult to see where it has all gone in such a short space of time, particularly when such movements, I would have thought, would have been monitored by our total air superiority. You cannot move that amount of weaponry around without seeing it, I would not have thought.”²³⁹

175. William Ehrman, Director General Defence/Intelligence at the FCO told us that “All of the sites listed in the [September] dossier were visited by UNMOVIC inspectors, and most revealed—to a greater or lesser extent—an intent to develop prohibited programmes.” He went on to list what had been found at these sites.²⁴⁰

176. Since the UNMOVIC inspectors left as hostilities commenced, however, efforts by coalition forces to find evidence of Iraq’s WMD programmes have been unsuccessful. Gary Samore suggested why this might be so:

... they had set up special groups to search for and secure such weapons. In the US case it was called the 75th Exploitation Team. They were given a list of sites which the US government believed could be storage sites for chemical and biological weapons. All of those turned out to be inaccurate and all turned out not to have such weapons. It was only then that Washington and London realised they were going to have to put together a much more sophisticated detective operation to look at documents, interview people, do further forensic testing, and that has taken some time, it has taken months to get that organisation up and running. Even now I think they are just beginning the work. If I can just add, for perfectly understandable reasons, Washington and London have been focusing their efforts in Iraq not on hunting for weapons of mass destruction or for associated equipment and materials but on trying to secure stability and defeat the remnants of the previous regime. It is perfectly understandable but unfortunately, as a consequence, we have probably lost a couple of months and the looters have probably cleaned out a lot of evidence. So it may be difficult to come to final conclusions in a number of those areas.²⁴¹

177. The lack of success in finding evidence of WMD has led the coalition to set up the Iraq Survey Group. This is “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.”²⁴² Dr Samore gave his view of why it had taken so long to set up the Survey Group:

I actually think they have been a bit late getting off the ground because Washington and London thought they were going to find chemical and biological weapons in the field in the course of the conflict. When that did not happen it has taken a while to set up an organisation that will have to do much more difficult work to try to trace through documents and interviews and so forth what kind of capabilities Iraq might have had, including, if not stocks of chemical and biological weapons then possibly

²³⁹ Q 228

²⁴⁰ Q1257

²⁴¹ Q 199

²⁴² Ev 4

the kind of equipment and material that would be necessary to produce them at some time in the future.²⁴³

He pointed out the difficulties which will face the Survey Group:

... it would be very difficult for the inspectors to find anything because, to the extent that Iraq had retained stockpiles of chemical and biological weapons, they would both be small enough and probably mobile enough for them to move them around in a way that would make it very hard for the inspectors to find them.²⁴⁴

178. Mr Taylor suggested that it could still take some time to find weapons facilities, even once the scientists involved in the programmes have been questioned:

Even the scientists at the senior level would certainly not know where the weapons were. They would know about research and development, they would know about possibly some production, they would know names of certain people, but the special security organisation which had the responsibility and some elements of the Special Republican Guard were the people that really knew. These were the hardest core part of the regime and that is really where I think those coalition members doing the investigation need to get to.²⁴⁵

179. Robin Cook called for the UNMOVIC inspectors to be sent back in:

I am deeply perplexed as to why we persist in denying access to the UNMOVIC inspectors. It seems to me if we want to establish any capability on the part of Saddam which the rest of the world can respect we do need to have the UN inspectors there to validate it. I can understand the Americans are probably not going to admit it because they have a long-standing hostility under the administration at the United Nations, but there is presumably no reason, and it is a perfectly fair question I would have thought to put to the Foreign Secretary, why we could not admit the UN inspectors to that sector of Iraq that we ourselves control.²⁴⁶

180. Against this, Terence Taylor thought that

... UNMOVIC is not structured to carry out this new mission, this fundamentally new mission, with a coalition in charge, with having to use all their intelligence resources and their interrogations of people coming in, offering security to them. They are about to deploy 1,200 and I think it could be up to 1,500 people, ten times the size of UNMOVIC, so it has to be led by the coalition and, with all the security implications, I think it makes it very difficult to include UNMOVIC as it is presently structured with the kind of people they have at the moment, they probably need some different kinds of people to do the missions.²⁴⁷

²⁴³ Q 167

²⁴⁴ Q 176

²⁴⁵ Q 322

²⁴⁶ Q 61

²⁴⁷ Q 319

181. Dr Inch proposed a role for the Organisation for the Prevention of Chemical Weapons (OPCW):

182. There is the problem of inspection post-event, the importance of understanding the industrial processes and whether or not they can be easily diverted. There is the problem of obtaining analytical data which is totally rigorous and indisputable. The people most experienced in that now are the inspectors who routinely carry out industrial inspections, the OPCW in The Hague. ... and I would also want to make sure that, for any final analysis, it went to the independent labs around the world which are trained up for those purposes.²⁴⁸

The justification for war

183. This inquiry into the information which the Government presented to Parliament in the period leading up to war in Iraq has focused on the two dossiers which were published in September 2002 and in February 2003. Although there were other papers, other speeches which did not refer to the dossiers, and other justifications offered for resorting to military action, it was these documents, and particularly the first, which were seen as forming the basis of the Government's case against the regime of Saddam Hussein.

184. On the evidence before us, we reject the serious allegations which have been made that the September dossier was the object of political interference. **We conclude that the September dossier was probably as complete and accurate as the Joint Intelligence Committee could make it, consistent with protecting sources, but that it contained undue emphases for a document of its kind. We further conclude that the jury is still out on the accuracy of the September dossier until substantial evidence of Iraq's weapons of mass destruction, or of their destruction, is found.**

185. On the second dossier, there can be no dispute that, whatever the accuracy of the information it contains, it was a disaster. **We conclude that the February dossier was badly handled and was misrepresented as to its provenance and was thus counter-productive. The furore over the process by which the document was assembled and published diverted attention from its substance. This was deeply unfortunate, because the information it contained was important.**

186. The central charge has been that Ministers misled Parliament. We have not been permitted to question the Prime Minister, although our Chairman and his colleagues on the Liaison Committee will have such an opportunity the day after we publish this Report. We have based our conclusions on the totality of the oral and written evidence available to us, alongside our own judgment as Members of Parliament who read or heard almost every word of the Government's case in the period leading up to the war. **Consistent with the conclusions reached elsewhere in this Report, we conclude that Ministers did not mislead Parliament.**

²⁴⁸ Qq 276–277

Appendix 1

BRIEFING NOTE FOR THE FOREIGN AFFAIRS COMMITTEE: IRAQ AND WEAPONS OF MASS DESTRUCTION

Introduction

A central element of the justification offered by the British and US Governments for military action against Iraq was the need to disarm the Saddam Hussein regime of its proscribed weapons of mass destruction (WMD).²⁴⁹

On 24 September 2002 the British Government published a dossier containing its assessment of Iraq's programmes to develop WMD (the 'September Dossier').²⁵⁰ The dossier drew on existing publicly available information, such as UN reports and testimony from Iraqi defectors, and on analysis of secret intelligence sources.²⁵¹ The executive summary declared that the judgements made in the report "reflect[ed] the views of the Joint Intelligence Committee (JIC)."²⁵² The Prime Minister declared in the foreword that: "I and other Ministers have been briefed in detail on the intelligence and are satisfied as to its authority."²⁵³

An organogram of the United Kingdom's national intelligence machinery showing the lines of ministerial responsibility is included as Annex 1.

A further dossier released by the Prime Minister's Office on 3 February 2003 provided information on the infrastructure put in place by the Iraqi regime to conceal its WMD programmes (the 'February Dossier').²⁵⁴ The introduction stated that the document drew on a number of sources, "including intelligence material". Some media commentators have labelled it the "dodgy dossier" due to its apparent reliance on, and rewording of, academic articles²⁵⁵ and the reported absence of ministerial consultation prior to publication.

Since the conflict in Iraq, responsibility for investigating Iraq's alleged WMD programmes has been assumed by Coalition weapons inspectors from the USA, UK and Australia, in place of the previous UN inspection teams. Inspections of around 230 suspected sites have

²⁴⁹ The term 'Weapons of Mass Destruction' is generally used to denote nuclear, chemical and biological weapons. Within the context of Iraq, it has been used more broadly to cover all weapons programmes proscribed under Resolution 687 of 1991, including ballistic missiles and other unmanned delivery systems with a range greater than 150 kilometres. For more background on Iraq and WMD, see Library Research Papers 02/53, 02/64 and 03/50.

²⁵⁰ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, available online at <http://www.fco.gov.uk/Files/kfile/iraqdossier.pdf>

²⁵¹ These sources are primarily the Secret Intelligence Service (SIS or MI6), the Government Communications Headquarters (GCHQ), the Security Service (or MI5), and the Defence Intelligence Staff (DIS). The Government also said it had "access to intelligence from close allies". *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.9

²⁵² *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.6

²⁵³ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.3

²⁵⁴ *Iraq – its infrastructure of concealment, deception and intimidation*, released 3 February 2003, available online at <http://www.number-10.gov.uk/output/page1470.asp>

²⁵⁵ It is claimed the dossier relied on the following articles: Sean Boyne, 'Inside Iraq's Security Networks' (parts I and II), *Jane's Intelligence Review*, July & August 1997, Ibrahim al-Marashi, 'Iraq's Security and Intelligence Network: a guide and analysis', *MERIA Journal* Vol.6, No.3, September 2002, available online at <http://meria.idc.ac.il/journal/2002/issue3/jv6n3a1.html>, and Ken Gause, 'Can the Iraqi Security Apparatus save Saddam?', *Jane's Intelligence Review*, November 2002

uncovered little evidence of proscribed weapons and materials, and the process was relaunched in late May with an increased number of personnel and an expanded mandate. The focus has reportedly shifted to the interrogation of officials linked to Iraq's WMD programmes in an attempt to obtain further leads.

The British Government has expressed confidence that Coalition inspections will find WMD in Iraq, Mr Blair declaring on 4 June that: "I have absolutely no doubt at all that they will find the clearest possible evidence of Iraq's weapons of mass destruction."²⁵⁶ He said Iraq had mounted a "concerted campaign of concealment of the weapons", which made it more difficult to reassemble those weapons, "but that does not in any shape or form dispute the original intelligence."²⁵⁷

There have been contradictory messages from members of the Bush administration on this question, with some echoing Mr Blair's confidence that evidence would be forthcoming. Yet Defence Secretary Donald Rumsfeld said on 17 April that he doubted any firm evidence of WMD would be found by the Coalition, adding on 27 May that: "It is also possible that they [the Iraqis] decided that they would destroy them prior to a conflict."²⁵⁸

The following briefing considers the evidence presented by the British Government in its September dossier and in subsequent statements in the House on the main elements of Iraq's proscribed WMD programmes. It then compares the evidence produced by other sources, including the US Government, independent think tanks, and the two UN bodies tasked with securing the disarmament of Iraq, UNMOVIC (previously UNSCOM) and the IAEA.²⁵⁹

A brief chronology of developments with regard to Iraq and its WMD programmes is provided in Annex 2.

Chemical Weapons

In its September Dossier the British Government set out the following conclusions drawn from publicly available information and its latest intelligence assessments:

Iraq has a useable chemical [...] weapons capability [...] which has included recent production of chemical [...] agents;

Iraq can deliver chemical [...] agents using an extensive range of artillery shells, free-fall bombs, sprayers and ballistic missiles;

Iraq's current military planning specifically envisages the use of chemical [...] weapons;

²⁵⁶ BBC News web site at <http://news.bbc.co.uk>, 6 June 2003

²⁵⁷ HC Deb 4 June 2003, c156

²⁵⁸ 'Rumsfeld admits doubts over Iraqi WMDs', *Daily Telegraph*, 29 May 2003

²⁵⁹ UNMOVIC, the UN Monitoring, Verification and Inspection Commission, replaced UNSCOM, the UN Special Commission on Iraq, in late 1999. The IAEA is the International Atomic Energy Agency.

Iraq's military forces are able to use chemical and biological weapons, with command, control and logistical arrangements in place. The Iraqi military are able to deploy these weapons within 45 minutes of a decision to do so.²⁶⁰

The latter claim about 45 minutes was made three times in the document and was repeated by the Prime Minister during his Statement prior to the Debate of 24 September.²⁶¹ It was subsequently quoted by Foreign Secretary Jack Straw during a speech at Chatham House on 21 February:

Recent intelligence shows that Saddam's military plans envisage using chemical and biological weapons against a range of targets, including his own Shia population. Some of these weapons are deployable within 45 minutes of an order to use them.²⁶²

The claim attracted particular attention from media observers. Bronwen Maddox, the Foreign Editor of *The Times*, argued that it was "simply stupid of Blair to have made it", adding that:

In one sense, the allegation is simply a banal military estimate of the length of time for a launch command to pass down the chain. It is plausible that the Intelligence services made such a claim.

But it is hard to imagine that any Intelligence agent would have intended that calculation to be presented as flamboyantly as it was in the dossier, dominating the short foreword with its drama to justify the claim of imminent threat.²⁶³

Ibrahim al-Marashi, a research associate at Centre for Non-proliferation Studies in Monterey and author of one of the articles used in the February Dossier, was also critical of the 45-minute claim, arguing that:

No professional analyst would publish a figure such as this, based on only one source. This time span does not take into account the complicated Iraqi chain of command and the technical requirements needed to prepare and launch such a weapon.²⁶⁴

Mr Straw offered more detail on the source of the intelligence on 4 June:

The intelligence on 45 minutes came [...] from an established and reliable source, not a defector, who has been reporting to us secretly for some years. The intelligence became available at the end of August. It was discussed by the Joint Intelligence Committee in the first week of September. It was included straight away in classified JIC documents. The fact that it had already been included in JIC assessments before

²⁶⁰ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.6, 24 September 2002

²⁶¹ HC Deb 24 September 2002, c3

²⁶² 'Reintegrating Iraq into the International Community: a cause with 'compelling moral force'', Speech by the Foreign Secretary to the Royal Institute of International Affairs, 21 February 2003

²⁶³ Bronwen Maddox, 'Honesty or judgement: Blair fails on one or the other', *The Times*, 5 June 2003

²⁶⁴ Ibrahim al-Marashi, "'Sexed-up' WMD dossiers should not obscure Saddam's evil intent', *Daily Telegraph*, website, 5 June 2003, available online at http://www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2003/06/05/do0501.xml&secureRefresh=true&_requestid=120338

its appearance in the public dossier puts in perspective the wilder accusations in the media.²⁶⁵

He also disputed that the reference to 45-minutes had been a significant factor in the decision of the House to support military action:

It is nonsense to suggest that the issue before the House on 18 March was whether a particular phrase in the dossier happened to be accurate. It was accurate—exactly in the terms used. However, I have been unable to find any speeches made on 17 or 18 March that even mention that 45-minute intelligence reference.²⁶⁶

Mr Blair declared on 4 June:

I want to make it clear to the House—I have spoken and conferred with the chairman of the Joint Intelligence Committee—that there was no attempt, at any time, by any official, or Minister, or member of No. 10 Downing street staff, to override the intelligence judgments of the Joint Intelligence Committee. That includes the judgment about the so-called 45 minutes. It was a judgment made by the Joint Intelligence Committee and by that committee alone.

He went on to say:

[...] the claims that have been made are simply false. In particular, the claim that the readiness of Saddam to use weapons within 45 minutes of an order to use them was a point inserted in the dossier at the behest of No. 10 is completely and totally untrue. Furthermore, the allegation that the 45-minute claim provoked disquiet among the intelligence community, which disagreed with its inclusion in the dossier [...] is also completely and totally untrue. Instead of hearing from one or many anonymous sources, I suggest that if people have any evidence, they actually produce it.²⁶⁷

No evidence has emerged thus far, either during or after the conflict, to validate the Government's assertion.

Production Facilities

The September Dossier declared that: “Intelligence shows that Iraq has continued to produce chemical agent.”²⁶⁸ It noted that some facilities associated with Iraq's past chemical weapons programme had been rebuilt, including a potentially dual-use plant producing chlorine and phenol at Fallujah 2. New chemical facilities were also reported to have been built, some with “illegal foreign assistance”. The Dossier drew particular attention to the phosgene plant at al-Qa'qa, which could have civilian purposes but could also be used to produce nerve agent precursor.

In his presentation to the Security Council on 5 February 2003, US Secretary of State Colin Powell declared:

²⁶⁵ HC Deb 4 June 2003, c193

²⁶⁶ HC Deb 4 June 2003, c197

²⁶⁷ HC Deb 4 June 2003, c148

²⁶⁸ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.19, 24 September 2002

We know that Iraq has embedded key portions of its illicit chemical weapons infrastructure within its legitimate civilian industry. To all outward appearances, even to experts, the infrastructure looks like an ordinary civilian operation. Illicit and legitimate production can go on simultaneously or on a dime. This dual-use infrastructure can turn from clandestine to commercial and then back again. [...]

Under the guise of dual-use infrastructure, Iraq has undertaken an effort to reconstitute facilities that were closely associated with its past program to develop and produce chemical weapons.²⁶⁹

UN inspectors visited on several occasions the various sites highlighted by the US and British Governments, but reported no evidence of proscribed activity. Coalition inspection teams are currently conducting further investigations and testing at these and other sites.

Mustard Gas

According to the September Dossier, JIC assessments from mid-2001 concluded that:

Iraq retained some chemical warfare agents, precursors, production equipment and weapons from before the Gulf War. These stocks would enable Iraq to produce significant quantities of mustard gas within weeks.²⁷⁰

The independent think tank, the International Institute for Strategic Studies (IISS), concluded in its Strategic Dossier of 9 September 2002 that Iraq had probably retained a few hundred tonnes of mustard gas.²⁷¹

14 artillery shells containing around 49 litres of previously declared mustard were destroyed by UNMOVIC in early 2003.²⁷² No further agent has been uncovered during the UN or Coalition inspections processes.

Nerve Agents

The September Dossier declared that Iraq had the capability to produce sarin, cyclosarin, and VX, adding that its pre-1991 stocks of materials, equipment and weapons would enable Iraq to produce significant quantities of nerve agent within months.²⁷³

IISS concluded in its Strategic Dossier that Iraq had probably retained precursors for a few hundred tonnes of sarin/cyclosarin and for perhaps a few hundred tonnes of VX from pre-1991 stocks.²⁷⁴

Dr Blix declared in late January that:

Iraq has declared that it only produced VX on a pilot scale, just a few tonnes and that the quality was poor and the product unstable. Consequently, it was said, that the

²⁶⁹ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

²⁷⁰ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.18, 24 September 2002

²⁷¹ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.74

²⁷² *Thirteenth Quarterly Report of the Executive Chairman of UNMOVIC in accordance with paragraph 12 of Security Council Resolution 1284 (1999)*, S/2003/580, 30 May 2003, p.30

²⁷³ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.18, 24 September 2002

²⁷⁴ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.74

agent was never weaponised. Iraq said that the small quantity of agent remaining after the Gulf War was unilaterally destroyed in the summer of 1991.

UNMOVIC, however, has information that conflicts with this account. There are indications that Iraq had worked on the problem of purity and stabilization and that more had been achieved than has been declared. Indeed, even one of the documents provided by Iraq indicates that the purity of the agent, at least in laboratory production, was higher than declared.

There are also indications that the agent was weaponised. In addition, there are questions to be answered concerning the fate of the VX precursor chemicals, which Iraq states were lost during bombing in the Gulf War or were unilaterally destroyed by Iraq.²⁷⁵

Some progress in resolving the issue occurred in March after Iraq announced it was reopening a disposal site from 1991 where the unilateral destruction was reported to have occurred. The withdrawal of inspectors in mid-March cut the process short, although, as Dr Blix noted in May, it seemed unlikely that the excavation would have provided conclusive answers to UNMOVIC's questions due to the difficulties in establishing the exact amount of VX that had been destroyed at the site.²⁷⁶ UNMOVIC also indicated that its primary concern over VX was not simply the quantity destroyed in 1991 but rather the retention by Iraq of precursors, know-how and the extent of the development of the programme in 1990.

No nerve agent or precursors have been declared found thus far by Coalition inspectors.

Chemical and Biological Munitions and Delivery Capability

The September Dossier stated that Iraq had "a variety of delivery means available" for chemical and biological agents, including free-fall bombs, artillery shells and rockets, helicopter and aircraft borne sprayers, ballistic missiles and Unmanned Aerial Vehicles (UAVs). No details were offered on the estimated number of munitions, although the dossier drew attention to the 20,000 artillery munitions that had not been accounted for by UNSCOM/UNMOVIC. It also added: "It is probable that Iraq retains a capability for aerosol dispersal of both chemical and biological agent over a large area."²⁷⁷

Secretary of State Powell declared in February 2003: "Our conservative estimate is that Iraq today has a stockpile of between 100 and 500 tons of chemical weapons agent. That is enough agent to fill 16,000 battlefield rockets."²⁷⁸ He also showed an UNSCOM video purporting to show an Iraqi Mirage F-1 aircraft simulating the spraying of anthrax.

²⁷⁵ 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

²⁷⁶ *Thirteenth Quarterly Report of the Executive Chairman of UNMOVIC in accordance with paragraph 12 of Security Council Resolution 1284 (1999)*, S/2003/580, 30 May 2003, p.25

²⁷⁷ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.22

²⁷⁸ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

IISS concluded in its Strategic Dossier that Iraq could be capable of delivering chemical and biological agents in a variety of impact-fuse tactical munitions, such as artillery shells, rockets and aerial bombs, of which it could have as many as a few thousand.²⁷⁹

In January eighteen empty 122-mm chemical munitions were found by UNMOVIC and Iraq.²⁸⁰ Iraqi officials insisted that the munitions had been overlooked from 1991. Dr Blix acknowledged in late January that “this could be the case”, but warned that: “They could also be the tip of a submerged iceberg. The discovery of a few rockets does not resolve but rather points to the issue of several thousands of chemical rockets that are unaccounted for.”²⁸¹

Dr Blix also drew attention to the so-called “Air force document,” which gave an account of the expenditure of bombs, including chemical munitions, by Iraq during the conflict with Iran:

The document indicates that 13,000 chemical bombs were dropped by the Iraqi Air Force between 1983 and 1988, while Iraq has declared that 19,500 bombs were consumed during this period. Thus, there is a discrepancy of 6,500 bombs. The amount of chemical agent in these bombs would be in the order of about 1,000 tonnes. In the absence of evidence to the contrary, we must assume that these quantities are now unaccounted for.²⁸²

No further finds of chemical or biological munitions have been reported by the Coalition inspection teams operating in Iraq. Searches of potential storage sites are ongoing.

Biological Weapons

The September Dossier reported that, along with chemical weapons, Iraq’s biological capabilities “represented the most immediate threat” from WMD. It claimed that Iraq had a biological agent production capability and could produce at least anthrax, botulinum toxin, aflatoxin and ricin. It concluded that Iraq had continued to produce biological agents and had military plans and command and control arrangements in place to use such weapons.²⁸³ Between 1998 and 2002 the JIC noted intelligence on the following:

Personnel known to have been connected to the biological warfare programme up to the Gulf War had been conducting research into pathogens. There was intelligence that Iraq was starting to produce biological warfare agents in mobile production facilities. Planning for the project had begun in 1995 under Dr Rihab Taha, known to have been a central player in the pre-Gulf War programme. The JIC concluded that

²⁷⁹ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.74

²⁸⁰ Initial reports had suggested that the bunker in which the munitions at Al Ukhaidhir were stored had been relatively new, leading Dr Blix to declare on 27 January that “the rockets must have been moved there in the past few years, at a time when Iraq should not have had such munitions”. He corrected that report on 9 February by saying that, in fact, the bunkers were not new.

²⁸¹ ‘The Security Council: An Update on Inspections’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

²⁸² ‘The Security Council: An Update on Inspections’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

²⁸³ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.5, 24 September 2002

Iraq had sufficient expertise, equipment and material to produce biological warfare agents within weeks using its legitimate bio-technology facilities.²⁸⁴

Secretary of State Powell told the Security Council in February 2003 that:

There can be no doubt that Saddam Hussein has biological weapons and the capability to rapidly produce more, many more. And he has the ability to dispense these lethal poisons and diseases in ways that can cause massive death and destruction.²⁸⁵

In addition to the weaponisation of anthrax, botulinum toxin, aflatoxin and ricin, Mr Powell claimed that:

Saddam Hussein has investigated dozens of biological agents causing diseases such as gas gangrene, plague, typhus, tetanus, cholera, camelpox, and hemorrhagic fever. And he also has the wherewithal to develop smallpox.²⁸⁶

With regard to the deployment of biological weapons, he declared:

[...] we know from sources that a missile brigade outside Baghdad was dispersing rocket launchers and warheads containing biological warfare agent to various locations, distributing them to various locations in western Iraq.

Most of the launchers and warheads had been hidden in large groves of palm trees and were to be moved every one to four weeks to escape detection.

We also have satellite photos that indicate that banned materials have recently been moved from a number of Iraqi weapons of mass destruction facilities.²⁸⁷

The IISS Dossier concluded that Iraq had probably retained substantial growth media and BW agent (perhaps thousands of litres of anthrax) from pre-1991 stocks.²⁸⁸ It also concluded that Iraq would be capable of resuming BW agent production within weeks using existing civilian facilities, and suggested it could have produced thousands of litres of anthrax, botulinum toxin and other agents since 1998. Furthermore, it claimed Iraq had a capability to deliver BW agent using a simple airborne wet spray device, but it was not known if it had developed more advanced wet spray devices or acquired the ability to use dry agent.²⁸⁹ However, the report said that the actual extent of Iraq's stocks was unknown, as was its possession of viral agents and smallpox.²⁹⁰

None of the sites searched by UN or Coalition teams during 2003 have contained proscribed materials. Further investigations are ongoing.

²⁸⁴ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.18, 24 September 2002

²⁸⁵ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

²⁸⁶ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

²⁸⁷ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

²⁸⁸ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.74

²⁸⁹ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.74

²⁹⁰ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.74

Anthrax

The September Dossier cited UNSCOM and UNMOVIC concerns over growth media that had not been accounted for by Iraq. The Government assessed that, as of late 1998, UNSCOM had been unable to account for “growth media procured for biological agent production (enough to produce over three times the 8,500 litres of anthrax spores Iraq admits to having manufactured).”²⁹¹

On several occasions during early 2003 Dr Blix declared there were strong indications that Iraq had produced more anthrax than it had declared and stressed it was incumbent on Iraq to find and destroy it under UNMOVIC supervision or provide convincing evidence that it had indeed been destroyed unilaterally in 1991, as Iraq claimed.²⁹²

Some progress in resolving the issue occurred in March after Iraq announced it was reopening a disposal site from 1991 where the unilateral destruction was reported to have occurred. The withdrawal of inspectors in mid-March cut the process short, although, as Dr Blix noted in May, it seemed unlikely that the excavation would have provided conclusive answers to the questions posed by UNMOVIC due to the difficulties in establishing the exact amount of anthrax that had been destroyed at the site. He concluded that: “For a final assessment of the matter of anthrax destruction [...] further information from other sources, such as interviews and documentary evidence would be required.”²⁹³

Production Facilities

The British Government declared in the September Dossier that:

We know from intelligence that Iraq has continued to produce biological warfare agents. [...] Iraq [...] is judged to be self-sufficient in the technology required to produce biological weapons. [...]

²⁹⁴

The Government also expressed concern that certain dual-use equipment, some of it new, “could be used in a resurgent biological warfare programme.” It highlighted certain “facilities of concern”, such as the castor oil production plant at Fallujah, which could be used for the production of ricin.

The various facilities highlighted in the September Dossier were visited on several occasions by UNMOVIC, but no evidence was found of proscribed activities. Coalition weapons inspectors are also reported to have visited the sites and are continuing their investigations.

²⁹¹ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.16

²⁹² 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

²⁹³ *Thirteenth Quarterly Report of the Executive Chairman of UNMOVIC in accordance with paragraph 12 of Security Council Resolution 1284 (1999)*, S/2003/580, 30 May 2003, p.25

²⁹⁴ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.22

Mobile Production Facilities

The September Dossier cited evidence from defectors who had left Iraq since 2000 that mobile biological agent production facilities had been developed by Iraq, adding that: “Recent intelligence confirms that the Iraqi military have developed mobile facilities.”²⁹⁵

Secretary of State Powell declared in his February presentation that:

We have first-hand descriptions of biological weapons factories on wheels and on rails. [...] In a matter of months, they can produce a quantity of biological poison equal to the entire amount that Iraq claimed to have produced in the years prior to the Gulf War. [...]

We know that Iraq has at least seven of these mobile, biological agent factories. The truck-mounted ones have at least two or three trucks each. That means that the mobile production facilities are very few—perhaps 18 trucks that we know of. There may be more. [...]

[...] these are sophisticated facilities. For example, they can produce anthrax and botulinum toxin.²⁹⁶

He cited four sources, including two defectors, to corroborate the claims.

UNMOVIC found no evidence of such vehicles during its inspections, although three vehicles are reported to have been found by Coalition weapons inspectors. Paul Reynolds, the BBC News Online World Affairs Correspondent, believes these vehicles “provide the strongest evidence so far of illegal Iraqi weapons production”.²⁹⁷

Nuclear Weapons

Between 1991 and the withdrawal of its inspection teams in 1998, the IAEA reported considerable progress in verifying and destroying the bulk of Iraq’s nuclear weapons programme. However, the British Government argued in its September Dossier that since 1998: “there has been an accumulation of intelligence indicating that Iraq is making concerted covert efforts to acquire dual-use technology and materials with nuclear applications.”²⁹⁸ The JIC reportedly concluded in early 2002 that:

UN sanctions on Iraq were hindering the import of crucial goods for the production of fissile material. The JIC judged that while sanctions remain effective Iraq would not be able to produce a nuclear weapon. If they were removed or prove ineffective, it would take Iraq at least five years to produce sufficient fissile material for a weapon indigenously. However, we know that Iraq retains expertise and design data relating to nuclear weapons. We therefore judge that if Iraq obtained fissile material and other essential components from foreign sources the timeline for production of a

²⁹⁵ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p.22, 24 September 2002

²⁹⁶ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

²⁹⁷ Paul Reynolds, ‘Iraq weapons: Where does the buck stop?’, *BBC News Online*, 10 June 2003

²⁹⁸ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p.25, 24 September 2002

nuclear weapon would be shortened and Iraq could produce a nuclear weapon in between one and two years.²⁹⁹

The IISS Strategic Dossier concluded that, of the three WMD types, nuclear weapons seemed “the furthest from Iraq’s grasp.” The Dossier added that Iraq lacked the facilities to produce fissile material in the quantities required for a nuclear weapon, but declared that: “If, somehow, Iraq were able to acquire sufficient nuclear material from foreign sources, it could probably produce nuclear weapons on short order, perhaps in a matter of months.”³⁰⁰

Some commentators expressed scepticism over the claims made in the Government’s Dossier. Bronwen Maddox of *The Times* commented in June:

The prominence that the dossier gave to Iraq’s nuclear ambitions seemed at the time to be unwarranted, given that no analysis seriously suggested that Iraq had nuclear capability. But Blair’s allegations now appear to be based on exceptionally shaky ground.³⁰¹

She argued that the assertion that “Saddam Hussein “continues in his efforts to develop nuclear weapons” remains uncontroversial”, but said the claim about obtaining fissile material from foreign sources was “melodramatic”:

It is a true but trite observation, and a misleading bid for the headlines, given that obtaining fissile material is the most difficult step in building a weapon and that there were few signs that Iraq had managed to circumvent the sanctions regime to do this.³⁰²

In March the IAEA Director General Dr Mohammed El-Baradei reported that the deterioration in Iraq’s industrial capacity at the majority of sites over the past four years would inhibit Iraq’s capability to resume a nuclear weapons programme. He suggested that this deterioration had been caused by the departure of foreign support since the 1980s, the departure of skilled Iraqi personnel during the 1990s, and the lack of consistent maintenance by Iraq of sophisticated equipment.³⁰³ He concluded that: “After three months of intrusive inspections, we have to date found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq.”³⁰⁴

Uranium and Niger

The September Dossier reported that there was “intelligence that Iraq has sought the supply of significant quantities of uranium from Africa”.³⁰⁵ This claim was repeated by

²⁹⁹ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p.26-7, 24 September 2002

³⁰⁰ *Iraq’s Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.70

³⁰¹ Bronwen Maddox, ‘Honesty or judgement: Blair fails on one or the other’, *The Times*, 5 June 2003

³⁰² Bronwen Maddox, ‘Honesty or judgement: Blair fails on one or the other’, *The Times*, 5 June 2003

³⁰³ ‘The Status of Nuclear Inspections in Iraq: An Update’, by the IAEA Director General, Dr Mohamed El-Baradei, 7 March 2003, from

<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

³⁰⁴ ‘The Status of Nuclear Inspections in Iraq: An Update’, by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from:

<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

³⁰⁵ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p.25, para.20, 24 September 2002

President Bush in his State of the Union address in January 2003: “The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.”³⁰⁶

The documents relating to the alleged agreement for the sale of uranium between 1999 and 2001 were passed to the IAEA for investigation. The Agency concluded rapidly that the documents were in fact not authentic and that these specific allegations were unfounded.³⁰⁷ Subsequent reports suggested that the documents had been crude forgeries, one bearing the name of a Niger Minister who had been out of office for some years.

Norman Dombey, Professor of Theoretical Physics at Sussex University, argued in September 2002 that the prominence given the uranium story was misleading:

Without enrichment facilities this material is useless for nuclear weapons, although it could conceivably be used in conventional weapons in the same way that depleted uranium is used by the UK and US. It is also very possible that this African story is an intelligence sting.³⁰⁸

Similarly, in early June the Sunday Times claimed the documents had been forged by British Intelligence in an attempt to discredit Iraq.³⁰⁹

The CIA reportedly indicated doubts about the accuracy of the documents in February 2003, although these were not apparently communicated to the White House or to the British Government.³¹⁰ The issue has been taken up by Democratic Congressman Henry Waxman in a letter to President Bush of 2 June 2003.³¹¹

When asked on 4 June by Mr Cook whether he would be willing to correct the record and acknowledge he had misled the House on this issue, Mr Blair declined, saying:

There was intelligence to that effect. I shall not go into the details of the particular intelligence, but at the time it was judged by the Joint Intelligence Committee to be correct. Until we investigate properly, we are simply not in a position to say whether that is so.³¹²

³⁰⁶ State of the Union address, 28 January 2003, from <http://www.whitehouse.gov/news/releases/2003/01/20030128-19.html>

³⁰⁷ ‘The Status of Nuclear Inspections in Iraq: An Update’, by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

³⁰⁸ Professor Norman Dombey, ‘What has he got?’, *London Review of Books*, 17 October 2002

³⁰⁹ Nick Fielding, ‘Lie another day’, *Sunday Times*, 1 June 2003

³¹⁰ ‘US rivals turn on each other as weapons search draws a blank’, *Observer*, 11 May 2003

³¹¹ Available online at

http://www.house.gov/reform/min/pdfs_108/pdf_inves/pdf_admin_iraq_nuclear_evidence_june_2_let.pdf

³¹² HC Deb 4 June 2003, c154

Aluminium Tubes

The September Dossier declared that:

Iraq has also made repeated attempts covertly to acquire a very large quantity (60,000 or more) of specialised aluminium tubes. The specialised aluminium in question is subject to international export controls because of its potential application in the construction of gas centrifuges used to enrich uranium, although there is no definitive intelligence that it is destined for a nuclear programme.³¹³

In his February presentation Mr Powell said the regime had “made repeated covert attempts to acquire high-specification aluminum tubes from 11 different countries, even after inspections resumed.”³¹⁴ He acknowledged there was a difference of opinion over the possible uses for such tubes:

There is controversy about what these tubes are for. Most U.S. experts think they are intended to serve as rotors in centrifuges used to enrich uranium. Other experts, and the Iraqis themselves, argue that they are really to produce the rocket bodies for a conventional weapon, a multiple rocket launcher.³¹⁵

However, he questioned why the tubes had been manufactured to such high tolerances and stressed that, in any case, Iraq was prohibited under the UN sanctions regime from acquiring such items.³¹⁶

In his statement to the Security Council on 7 March 2003 Dr El-Baradei said:

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.³¹⁷

Ballistic Missiles and Unmanned Aerial Vehicles

Scud-type Missiles

As of late 1998 UNSCOM believed it had accounted for 817 of the 819 Scud-type missiles declared by Iraq, although Iraq’s indigenous production capability raised doubts as to whether it had been able to conceal a small number of domestically built missiles.³¹⁸

³¹³ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p.26, para.22, 24 September 2002

³¹⁴ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

³¹⁵ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

³¹⁶ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

³¹⁷ ‘The Status of Nuclear Inspections in Iraq: An Update’, by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from

<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

³¹⁸ HC Deb 3 February 1999, c677w

The Government's September Dossier declared:

According to intelligence, Iraq has retained up to 20 al-Hussein missiles [Scud missiles with extended range] [...] These missiles were either hidden from the UN as complete systems, or re-assembled using illegally retained engines and other components. We judge that the engineering expertise available would allow these missiles to be maintained effectively, although the fact that at least some require re-assembly makes it difficult to judge exactly how many could be available for use. They could be used with conventional, chemical or biological warheads and, with a range of up to 650km, are capable of reaching a number of countries in the region including Cyprus, Turkey, Saudi Arabia, Iran and Israel.³¹⁹

It also said Iraq had "constructed a new engine test stand for the development of missiles capable of reaching the UK Sovereign Base Areas in Cyprus and NATO members (Greece and Turkey), as well as all Iraq's Gulf neighbours and Israel."³²⁰

The IISS Strategic Dossier concluded that Iraq had probably retained a small force of al-Hussein missiles, which could number around 12.³²¹ Secretary of State Powell declared in February that: "numerous intelligence reports over the past decade from sources inside Iraq indicate that Saddam Hussein retains a covert force of up to a few dozen Scud-variant ballistic missiles."³²²

Dr Blix reported in January that there remained

significant questions as to whether Iraq retained SCUD-type missiles after the Gulf War. Iraq declared the consumption of a number of SCUD missiles as targets in the development of an anti-ballistic missile defence system during the 1980s. Yet no technical information has been produced about that programme or data on the consumption of the missiles.³²³

No progress was made on this issue before the withdrawal of UN inspectors in mid-March. Thus far, no Scud-type missiles have been discovered in Iraq by Coalition teams.

Al Samoud 2 and Al Fatah Ballistic Missiles

The September Dossier reported that:

In mid-2001 the JIC drew attention to what it described as a "step-change" in progress on the Iraqi missile programme over the previous two years. It was clear from intelligence that the range of Iraqi missiles which was permitted by the UN and supposedly limited to 150kms was being extended and that work was under way on larger engines for longer-range missiles. In early 2002 the JIC concluded that Iraq had begun to develop missiles with a range of over 1,000kms. The JIC assessed that if

³¹⁹ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.28

³²⁰ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.6

³²¹ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.74

³²² Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

³²³ 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

sanctions remained effective the Iraqis would not be able to produce such a missile before 2007.³²⁴

More detail was provided on the Al Samoud missile system:

The al-Samoud liquid propellant missile has been extensively tested and is being deployed to military units. Intelligence indicates that at least 50 have been produced. Intelligence also indicates that Iraq has worked on extending its range to at least 200km in breach of UN Security Resolution 687.³²⁵

The IISS Strategic Dossier concluded that Iraq did not have the capability to produce long-range missiles, although it could have produced some Al Samoud missiles with a range of up to 200 km. Iraq was also believed to be capable of converting civilian vehicles to serve as mobile launchers for its remaining missile force.³²⁶

In its December 2002 Declaration to the UN Iraq revealed it had been testing two types of ballistic missiles that could exceed the range limit: the Al Samoud 2, which had been tested to a maximum range of 183 kilometres, and the Al Fatah, which had been tested to 161 kilometres.

UNMOVIC concluded that the al Samoud exceeded the 150 km range restriction and was therefore a proscribed weapons system.³²⁷ Destruction work began on 1 March but was halted because of the withdrawal of inspectors, with 50 of the 75 declared missiles having been destroyed. Dr Blix reported that further investigation would be required to determine the legality of the Al Fatah programme.³²⁸

Unmanned Aerial Vehicles (UAVs)

The September Dossier reported intelligence indicating that Iraq had attempted to modify the L-29 jet trainer “to allow it to be used as an Unmanned Aerial Vehicle (UAV) which is potentially capable of delivering chemical and biological agents over a large area.”³²⁹

This claim was echoed by Secretary of State Powell in his February presentation:

we detected one of Iraq's newest UAVs in a test flight that went 500 kilometers nonstop on autopilot in the racetrack pattern depicted here. The linkages over the past ten years between Iraq's UAV program and biological and chemical warfare agents are of deep concern to us. Iraq could use these small UAVs which have a wingspan of only a few meters to deliver biological agents to its neighbors or, if transported, to other countries, including the United States.³³⁰

³²⁴ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.27

³²⁵ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002, p.27

³²⁶ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.74

³²⁷ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para 30, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

³²⁸ 'Oral introduction of the 12th quarterly report of UNMOVIC Executive Chairman Dr. Hans Blix', 7 March 2003, from <http://www.un.org/Depts/unmovic/SC7asdelivered.htm>

³²⁹ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.23, 24 September 2002

³³⁰ Presentation by Secretary of State Colin Powell to the UN Security Council, 5 February 2003

During an inspection in February UN personnel observed one UAV, although UNMOVIC was unable to determine the nature and purpose of the vehicle in the time available. Dr Blix said the drone should have been included in Iraq's declaration, but said that it would constitute a violation only if it exceeded the 93-mile limit on range or if it were linked in some way to the delivery of chemical or biological weapons.³³¹

No further UAVs have been found thus far, either by the UN or by Coalition inspectors.

Potential factors to be considered

A significant amount has been established about Iraq's WMD and much of it is not in dispute. UN inspectors documented in great detail Iraq's efforts to conceal its proscribed programmes and set out at length the remaining areas of doubt.³³² However, the absence of significant finds of WMD and related materials since the end of the conflict has prompted questions about the accuracy of US and British intelligence estimates and the extent to which intelligence reports may have been manipulated to suit political purposes. The following section examines the various factors that may have influenced the gathering and analysis of intelligence, and contributed to what some observers believe may be a disparity between the British Government's assessments and the true extent of Iraq's WMD capabilities.

Difficulties in gathering Intelligence in Iraq

The British Government acknowledged in the September dossier that Iraq was a difficult intelligence target. The Prime Minister declared in the foreword that: "Gathering intelligence inside Iraq is not easy. Saddam's is one of the most secretive and dictatorial regimes in the world."³³³ The executive summary acknowledged that: "This intelligence cannot tell us about everything", although it "provides a fuller picture of Iraqi plans and capabilities."³³⁴

There have been suggestions that, due to the difficulties in penetrating the regime, western intelligence agencies became increasingly reliant on exile sources, such as the Iraqi National Congress, which had their own agenda to promote, or on relatively outdated intelligence from defectors. There have also been suggestions that the British side may have become overly dependent on shared intelligence received from the US. A senior Whitehall official was quoted in the *Financial Times* as saying: "If there is a fault in British intelligence it is that it took too much of what their US intelligence counterparts were telling them on trust, without cross-questioning the evidence."³³⁵

Utility and accuracy of Intelligence

Significant amounts of information from US, British and other intelligence agencies were passed to UNMOVIC and the IAEA during late 2002 and early 2003.³³⁶ Dr Blix,

³³¹ *Associated Press*, 10 March 2003

³³² See for example the 173-page UNMOVIC working document on *Unresolved Disarmament Issues* of 6 March 2003.

³³³ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.3, 24 September 2002

³³⁴ *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, p.5, 24 September 2002

³³⁵ 'Did intelligence agencies rely too much on unreliable data from Iraqi exiles, or did politicians exaggerate the evidence presented to them?', *Financial Times*, 4 June 2003

³³⁶ HC Deb 13 February 2003, c945w

acknowledged in February that intelligence information had been useful and, in one case, had led inspectors “to a private home where documents mainly relating to the laser enrichment of uranium were found.”³³⁷ However, he has since expressed reservations about the accuracy and utility of much of the information passed to him from national intelligence agencies. On 20 March he said: “I have a high regard for intelligence and I think it necessary but I must say that when you watch what came out of intelligence you were not so convinced.”³³⁸ On 5 June he declared that: “Only in three of those cases did we find anything at all, and in none of these cases were there any weapons of mass destruction, and that shook me a bit, I must say.” He said UN inspectors had been promised the best information available, adding: “I thought – my God, if this is the best intelligence they have and we find nothing, what about the rest?”³³⁹ Later in June he claimed that the USA and UK had treated intelligence in “a lighthearted way”, and suggested that Washington and London were seeking to focus attention away from their claims about deployed WMD towards Iraq’s programmes to develop such weapons.³⁴⁰

Other commentators noted that much of the intelligence passed to UNMOVIC had only a limited ‘shelf-life’ and would have become outdated relatively quickly, given the alleged mobility of Iraq’s proscribed material and weapons. They contend that it was unsurprising that inspectors found little or no evidence of proscribed weapons systems at the sites highlighted by intelligence.

It is harder to account for the absence thus far of evidence of deployed WMD now that the regime has fallen. Lieutenant General James Conway, commander of the 1st Marine Expeditionary Unit in Iraq, said in late May: “It remains a surprise to me now that we have not uncovered weapons ... in some of the forward dispersal sites. It’s not for lack of trying. We’ve been to virtually every ammunition supply point between the Kuwaiti border and Baghdad, but they’re simply not there.”³⁴¹

Interpretation and analysis of Intelligence

In its September Dossier the British Government said the intelligence gathered confirmed that chemical and biological weapons played an important role in Iraqi military thinking:

intelligence shows that Saddam attaches great importance to the possession of chemical and biological weapons which he regards as being the basis for Iraqi regional power. He believes that respect for Iraq rests on its possession of these weapons and the missiles capable of delivering them. Intelligence indicates that Saddam is determined to retain this capability and recognises that Iraqi political weight would be diminished if Iraq’s military power rested solely on its conventional military forces.³⁴²

³³⁷ ‘Briefing of the Security Council’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 14 February 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

³³⁸ Interview of Dr Hans Blix by Jim Naughtie, *BBC Radio 4 Today* programme, 20 March 2003

³³⁹ ‘Blix criticises coalition over Iraq weapons’, BBC News web site at <http://news.bbc.co.uk/1/hi/world/americas/2967598.stm>

³⁴⁰ ‘One last warning from the man who made an enemy of Bush: UN weapons inspector says Iraqi guilt is still not proven’, *Guardian*, 11 June 2003

³⁴¹ ‘US to expand search for Iraq weapons’, *Financial Times*, 31 May 2003

³⁴² *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p.18, 24 September 2002

That assessment of the Iraqi leadership's desire to maintain a WMD capability was shared by other observers. For example, the International Institute for Strategic Studies (IISS) commented in its Strategic Dossier of 9 September 2002 that:

there is no indication that President Saddam Hussein and the Iraqi leadership have changed their commitment to retain and develop WMD and missiles as a high priority for Iraq's foreign and defence objectives.³⁴³

Gary Samore, the author of the Strategic Dossier, has commented since that:

The primary conclusion—that Iraq had reconstituted chemical and biological weapons capability, was not in dispute. It now appears to be wrong, but it was not in dispute. [...]

Studying the history, I became convinced that Saddam had a magical belief in the ability of chemical weapons to defend his country. So I assumed that deep motivation together with available capability equalled a chemical and biological weapons programme.³⁴⁴

Foreign Secretary Jack Straw said on 4 June that the various reports from UN inspectors since 1998 suggested Iraq had indeed had something to hide:

It is impossible to read those reports and to set them against the evidence of Saddam's behaviour without coming to the conclusion that, in Dr. Blix's words, there was a strong presumption for the holding of those weapons.³⁴⁵

Bronwen Maddox of *The Times* believes that, if such weapons and capabilities are never found, "it points to a serious failure of the intelligence services themselves, one that cannot be excused by political exaggeration."³⁴⁶

Former Foreign Secretary Robin Cook, declared in his resignation speech of 17 March that:

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 1980s when US companies sold Saddam anthrax agents and the then British Government approved chemical and munitions factories.³⁴⁷

In June he told the BBC that: "The war was sold on the basis of what was described as a pre-emptive strike—hit Saddam before he hits us. It is now quite clear that Saddam did not have anything with which to hit us in the first place."³⁴⁸

³⁴³ *Iraq's Weapons of Mass Destruction: A Net Assessment*, IISS Strategic Dossier, 9 September 2002, p.11

³⁴⁴ Bronwen Maddox, 'Honesty or judgement: Blair fails on one or the other', *The Times*, 5 June 2003

³⁴⁵ HC Deb 4 June 2003, c198

³⁴⁶ Bronwen Maddox, 'Honesty or judgement: Blair fails on one or the other', *The Times*, 5 June 2003

³⁴⁷ HC Deb 17 March 2003, c727

³⁴⁸ Quoted in 'Did intelligence agencies rely too much on unreliable data from Iraqi exiles, or did politicians exaggerate the evidence presented to them?', *Financial Times*, 4 June 2003

Dr Blix commented in an interview on US television on 11 June that:

I think they [the USA and UK] believed in what they saw, but some of the material did not hold water. If you want to start a war on this basis, then I think the intelligence should be good, not just 'Sorry about that, it was the wrong intelligence.'³⁴⁹

He said he remained "agnostic" about the prospects of finding evidence of WMD, saying "we know for sure they did exist" and that "we cannot exclude they [the Coalition] may find something." Others agree that evidence may emerge in time. Mr al-Marashi commented in early June:

The search for documentary evidence of Iraq's WMD will take time. The process will involve going through thousands of documents and will be painstakingly long. If the American government turns up some crucial document, many could argue that such papers are forgeries.

America should make the documents it has captured public, and hand over such papers to an independent research centre that will be objective in screening all documents for veracity.

It is still too early to throw in the towel in the search for Iraq's WMD. The "smoking gun" weapons may not be found in Iraq, but a smoking gun document or documents may exist, proving that the Iraqi regime had little intention of fully dismantling its weapons programme.³⁵⁰

On 4 June Foreign Secretary Jack Straw said:

We are all impatient for further evidence about Iraq's weapons of mass destruction, even though I am entirely satisfied about the basis on which we made our decision on 18 March [to move to military action].³⁵¹

He added on 10 June:

We recognise the need for credible, independent validation of any discoveries by the coalition. Dr. Blix noted last week that UNMOVIC remains ready to resume work in Iraq as an independent verifier, or to conduct long-term monitoring, should the Security Council so decide. United Nations Security Council resolution 1483 explicitly tasks the Security Council with reviewing the inspectors' mandates. This work will be undertaken in the coming weeks. Meanwhile, as the security situation in Iraq stabilises, the work of the 1,400-strong Iraq survey group of coalition forces will get under way. [...] I accept that if there are further—I emphasise the word further—finds of evidence they need to be independently verified.³⁵²

³⁴⁹ 'Blix attacks 'bastards in the White House'', *Evening Standard*, 11 June 2003

³⁵⁰ Ibrahim al-Marashi, "Sexed-up' WMD dossiers should not obscure Saddam's evil intent', *Daily Telegraph*, website, 5 June 2003, available online at http://www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2003/06/05/do0501.xml&secureRefresh=true&_requestid=120338

³⁵¹ HC Deb 4 June 2003, c194

³⁵² HC Deb 10 June 2003, c525-6

Mr Blair declared on 30 April that the Government would release any evidence found of Iraqi WMD programmes: “We will aim to release information concerning evidence of Iraqi WMD programmes when and where appropriate, as we did before the conflict began.”³⁵³

Political pressure on the Intelligence Agencies?

It has been alleged by some commentators that the British (and US) Government(s) put pressure on the intelligence agencies to present evidence to support their political case or presented the intelligence available in a selective manner to suggest that the threat posed by Iraq had become significantly greater and more imminent than had previously been the case. In the foreword to the September dossier, Mr Blair declared that, in his view, the threat from Iraq had increased over time:

In recent months, I have been increasingly alarmed by the evidence from inside Iraq that despite sanctions, despite the damage done to his capability in the past, despite the UN Security Council Resolutions expressly outlawing it, and despite his denials, Saddam Hussein is continuing to develop WMD, and with them the ability to inflict real damage upon the region, and the stability of the world.³⁵⁴

He went on to say that:

The picture presented to me by the JIC [Joint Intelligence Committee] in recent months has become more not less worrying. [...] I am in no doubt that the threat is serious and current, that he has made progress on WMD, and that he has to be stopped.³⁵⁵

Other observers, including some former members of western intelligence agencies, dispute the claim that the threat from Iraq had increased in recent years, arguing instead that containment was working and that the threat had changed little since 1991.³⁵⁶

Mr Blair has categorically denied the allegations of political manipulation, declaring on 10 June that: “There is not a shred of evidence that we doctored or manipulated evidence.”³⁵⁷ Mr Straw also disputed suggestions that the Prime Minister’s foreword in the September Dossier had offered a distorted impression of the document’s content. On 4 June he provided an overview of how the dossier had been compiled:

A dossier was prepared. It was in draft, and it was discussed in the normal way. Then it went back to the head of the JIC and his colleagues for final approval. I saw the draft; I cannot remember exactly what comments I made on it, but they will be among the evidence given to the Intelligence and Security Committee. A draft of the foreword was then prepared. That, too, was subject to discussion with and agreement

³⁵³ HC Deb 30 April 2003, c399w

³⁵⁴ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p.3, 24 September 2002

³⁵⁵ *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, p.3, 24 September 2002

³⁵⁶ For example Andrew Wilkie, former senior official in the Australian Office of National Assessments, and Greg Thielman, a former senior intelligence official in the US State Department.

³⁵⁷ BBC News web site at <http://news.bbc.co.uk>, 10 June 2003

from the head of the JIC to ensure, plainly, that what was in the foreword was entirely consistent with what was in the body of the document.³⁵⁸

He went on to offer a series of possible alternative explanations for the absence of further evidence of WMD since the conflict:

The set of propositions that lies behind the charges against the Government is frankly fanciful. Is it not more likely that Saddam, knowing that the game was up and realising that we meant what we said, went to extraordinary lengths to dismantle, conceal and disperse the weapons and any evidence of their existence? We warned about exactly that in the dossier on 24 September. Saddam had spent years perfecting the art of concealment and carried that out so completely that it will take us some time to search hundreds of sites, interview thousands of scientists and locate and evaluate what remains of the documentary and physical evidence.³⁵⁹

Degradation of chemical and biological agents?

The Iraqi Government claimed on a number of occasions that any material manufactured during the period before 1991 would have deteriorated and degraded to such an extent as to render them useless as a weapon. The extent to which chemicals and pathogens degrade depends on a number of variables which are not understood fully by scientists. The material's original purity, the environmental conditions in which it is held, the extent to which it is exposed to potential contaminants, and the addition of stabiliser can all affect the pace of degradation.

In the case of some materials degradation may be relatively swift, whereas in others the material may retain its toxicity for many years. For example, 15-year-old mustard gas shells that were tagged for destruction by UNMOVIC in March 2003 were found to be still of high quality. Tests revealed that the gas had retained around 97% purity.³⁶⁰

Unilateral destruction by Iraq?

One suggested possibility is that the intelligence from Iraq was correct, but that Iraq took a unilateral decision to destroy its WMD capabilities prior to the outbreak of conflict in March, perhaps in response to the growing international pressure as military action approached.³⁶¹

Another possibility is that Iraq's claims to have destroyed its WMD stocks unilaterally in 1991 were indeed true. Dr Blix noted in his final briefing of the Security Council in June that a great deal of the weapons and material accounted for by UNSCOM and UNMOVIC had been destroyed unilaterally by Iraq early on in the inspections process. Annex 1 to his report showed that nearly all weapons destroyed before 1998 had been declared by Iraq and destroyed in the period between 1991 and 1995. He commented that:

³⁵⁸ HC Deb 4 June 2003, c193

³⁵⁹ HC Deb 4 June 2003, c201

³⁶⁰ *Thirteenth quarterly report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/580, 30 May 2003, p.30

³⁶¹ See, for example, 'Did intelligence agencies rely too much on unreliable data from Iraqi exiles, or did politicians exaggerate the evidence presented to them?', *Financial Times*, 4 June 2003

We should perhaps take note of the fact that for many years neither UNSCOM nor UNMOVIC made significant finds of weapons. The lack of finds could be because the items were unilaterally destroyed by the Iraqi authorities or else because they were effectively concealed by them.³⁶²

If Iraq did destroy all proscribed material unilaterally, that would raise questions as to why it failed to provide documentary evidence to UN weapons inspectors in support of its claims. It is possible that, as various intelligence assessments suggested, Iraq viewed WMD as a key deterrent and source of prestige in the region, and believed that to acknowledge it had been disarmed of WMD would be a sign of weakness that could invite external aggression.

It is also possible that Iraq did destroy its stocks and weapons unilaterally, but sought to protect the technical expertise and the capability required to reconstitute its WMD capability at relatively short notice, once UN sanctions had been eased or lifted. Such a claim was put forward by John Barry in *Newsweek* in March 2003, who cited notes from the UN debrief of Hussein Kamel, Saddam Hussein's son-in-law and former head of Iraq's military industrial complex, who defected in 1995:

Kamel said Iraq had not abandoned its WMD ambitions. The stocks had been destroyed to hide the programs from the U.N. inspectors, but Iraq had retained the design and engineering details of these weapons. Kamel talked of hidden blueprints, computer disks, microfiches and even missile-warhead molds. [...] Why preserve this technical material? Said Kamel: "It is the first step to return to production" after U.N. inspections wind down.³⁶³

If true, this could explain its reluctance to cooperate fully with UN inspectors and its failure to resolve promptly the outstanding questions over unaccounted for weapons and materials, for fear of revealing the true extent of its proscribed programmes, which would then have been submitted to long-term monitoring and verification by the UN.

Tim Youngs

International Affairs and Defence Section, House of Commons Library

³⁶² Notes for the Briefing of the Security Council on the thirteenth quarterly report of UNMOVIC, 5 June 2003, from <http://www.un.org/Depts/unmovic/>

³⁶³ John Barry, *The Defector's Secrets*, *Newsweek*, 3 March 2003, from <http://www.msnbc.com/news/876128.asp>

Annex 2 – Chronology of developments since 1990

- 2 August 1990 Iraq invades Kuwait.
- 16 January 1991 US-led military coalition begins Operation Desert Storm.
- February 1991 Iraqi forces expelled from Kuwait
- 3 April 1991 UNSC Resolution 687, the “cease-fire resolution,” imposing obligations on Iraq to destroy its weapons of mass destruction programmes. UNSCOM established to carry out inspection and monitoring of destruction of chemical, biological and ballistic missile capabilities. IAEA charged with inspecting and destroying nuclear capability. Iraq obligated to recognise inviolability of border with Kuwait and return all Kuwaiti POWs.
- August 1991 Iraq submits initial declaration in which it admits to possessing chemical weapons and 53 ballistic missiles. It denies having offensive biological weapons programme or nuclear weapons grade material and related facilities.
- 15 August 1991 UNSC Resolution 707, condemning Iraq’s failure to comply with the IAEA and UNSCOM as “serious violation” and “material breach” of obligations under Resolution 687.
- August 1995 Iraq admits to offensive biological weapons capability following defection and revelations by Hussein Kamel.
- 12 June 1996 UNSC Resolution 1060, deploring Iraq’s refusal to allow access for UNSCOM to suspected weapons sites as “clear violation” of Resolutions 687, 707 and 715.
- 21 June 1997 UNSC Resolution 1115, condemning denial of access for UNSCOM to certain sites, and demanding immediate, unconditional and unrestricted access.
- 23 October 1997 UNSC Resolution 1134, condemning repeated refusal of access for UNSCOM teams, and deciding that such refusals constitute “flagrant violation” of Resolutions 687, 707, 715 and 1060.
- February 1998 Iraq decides to terminate cooperation with UNSCOM, prompting threat of military action by USA and UK to bring about forced disarmament of Iraq.
- Iraq signs Memorandum of Understanding with UN Secretary-General Kofi Annan to allow inspections to resume.
- 2 March 1998 UNSC Resolution 1154, endorsing Memorandum of Understanding and warning that any violation of it would have “severest consequences for Iraq.”
- 5 March 1998 UNSCOM inspectors return to Iraq.
- 5 August 1998 Iraq announces suspension of all cooperation with UNSCOM and IAEA.
- 5 November 1998 UNSC Resolution 1205, condemning Iraq’s decision to end cooperation with inspectors as “flagrant violation” of existing resolutions, and demanding

that Iraq provide UNSCOM and IAEA with “immediate, complete and unconditional co-operation.”

14 November 1998 US and British Governments authorise air strikes against Iraq as efforts continue at UN to find diplomatic solution. Action averted when Iraq indicates willingness to comply with UN demands.

16 December 1998 Operation Desert Fox. USA and UK initiate four days of air strikes against suspected WMD infrastructure, citing Resolutions 1154 and 1205, among others.

21 December 1998 Iraqi Vice President, Taha Yasin Ramadan, declares Iraq no longer willing to co-operate with UN inspectors.

17 December 1999 UNSC Resolution 1284, disbanding UNSCOM and replacing it with UNMOVIC.

9 September 2002 Publication by the International Institute for Strategic Studies of a Strategic Dossier on Iraq’s WMD

12 September 2002 President Bush addresses UN General Assembly in attempt to secure support for US position on Iraq.

16 September 2002 Iraq informs UN of acceptance of unconditional return of weapons inspectors.

24 September 2002 Publication of the British Government’s dossier on Iraq’s alleged WMD capabilities (September Dossier)

8 November 2002 UNSC Resolution 1441, affording Iraq “a final opportunity to comply with its disarmament obligations.” Council states that Iraq had been and remained in material breach of obligations and concludes by noting that it had repeatedly warned Iraq it would “face serious consequences as a result of its continued violations of its obligations.”

7 December 2002 Iraq submits weapons declaration to UN, pursuant to Resolution 1441.

19 December 2002 Heads of UNMOVIC and IAEA, Dr Hans Blix and Dr Mohamed El-Baradei, give informal briefing to Security Council on Iraqi declaration and the inspection process.

9 January 2003 Blix/El-Baradei briefing to Security Council.

27 January 2003 Blix/El-Baradei update Security Council on state of inspection process, pursuant to Resolution 1441.

3 February 2003 Publication by the Prime Minister’s Office of a dossier detailing Iraq’s efforts to conceal its WMD (February Dossier, also referred to by the media as the ‘Dodgy Dossier’)

- 5 February 2003 US Secretary of State, Colin Powell, makes presentation to Security Council on case for action, claiming that Iraq is failing to disarm and is deceiving inspectors over true state of proscribed weapons programmes.
- 14 February 2003 Blix/El-Baradei brief open session of Security Council.
- 7 March 2003 Blix/El-Baradei brief Security Council.
- 20 March 2003 Start of Coalition Military Action against Iraq

Appendix 2

Comparison of September Dossier Executive Summary and Chapter Information

This summary compares and contrasts the statements made in the executive summary of the Government's September Dossier (*Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, 24 September 2002) with the statements made in the body of the document.

The extracts from the executive summary are in bold, with the relevant sections from the chapters then summarised below. For the sake of completeness, each of the points in the Executive Summary is considered in turn.

2. 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.

(Para 13, page 16) "Based on the UNSCOM report to the UN Security Council in January 1999 and earlier UNSCOM reports, we assess that when the UN inspectors left Iraq they were unable to account for:

- up to 360 tonnes of bulk chemical warfare agent, including 1.5 tonnes of VX nerve agent;
- up to 3,000 tonnes of precursor chemicals, including approximately 300 tonnes which, in the Iraqi chemical warfare programme, were unique to the production of VX;
- growth media procured for biological agent production (enough to produce over three times the 8,500 litres of anthrax spores Iraq admits to having manufactured);
- over 30,000 special munitions for delivery of chemical and biological agents."

2. [Cont.] It shows that Iraq has refurbished sites formerly associated with the production of chemical and biological agents.

[**Comments:** The implication is that any such refurbishment had taken place recently, following the withdrawal of inspectors in 1998, given that UNSCOM had destroyed many of these facilities between 1991 and 1998. There is a distinction between the executive summary and the body of the report on the sources used to reach this conclusion. The executive summary suggests this information was already in the public domain from UN reports and defector testimony, whereas the body of the report says the information came from intelligence sources. It could be argued the executive summary is presenting intelligence assessments as facts established by the UN.]

(Para 8, pages 19-20) "Intelligence shows that Iraq has continued to produce chemical agent. [...] monitoring ceased when UNSCOM withdrew from Iraq in 1998. However, capabilities remain and, although the main chemical weapon production facility at al-

Muthanna was completely destroyed by UNSCOM and has not been rebuilt, other plants formerly associated with the chemical warfare programme have been rebuilt.”

(Para 9, page 20) “Other dual-use facilities, which are capable of being used to support the production of chemical agent and precursors, have been rebuilt and re-equipped. New chemical facilities have been built, some with illegal foreign assistance, and are probably fully operational or ready for production.”

(Para 12, pages 21-22) “We know from intelligence that Iraq has continued to produce biological warfare agents. Some dual-use equipment has also been purchased, but without monitoring by UN inspectors Iraq could have diverted it to their biological weapons programme. This newly purchased equipment and other equipment previously subject to monitoring could be used in a resurgent biological warfare programme.”

2. [Cont.] And it indicates that Iraq remains able to manufacture these agents, and to use bombs, shells, artillery rockets and ballistic missiles to deliver them.

[Comments: Again, there is a distinction between the executive summary and the body of the report on the sources used to reach this conclusion. The executive summary suggests this information was already in the public domain from UN reports and defector testimony, whereas the body of the report gives estimates and extrapolations of capabilities that Iraq was believed to have retained at the time of the 1998 withdrawal of UNSCOM. The use of the present tense suggests this capability was still in existence as of September 2002, a conclusion that would, in all likelihood, have come from intelligence assessments.]

(Para 1, page 17) Main conclusions: “Iraq can deliver chemical and biological agents using an extensive range of artillery shells, free-fall bombs, sprayers and ballistic missiles;”

(Para 14, pages 22-23) “Iraq has a variety of delivery means available for both chemical and biological agents. These include:

- free-fall bombs [...];
- artillery shells and rockets [...];
- helicopter and aircraft borne sprayers: [...] It is probable that Iraq retains a capability for aerosol dispersal of both chemical and biological agent over a large area;
- al-Hussein ballistic missiles (range 650km) [...]
- al-Samoud/Ababil-100 ballistic missiles (range 150km plus): it is unclear if chemical and biological warheads have been developed for these systems, but given the Iraqi experience on their missile systems, we judge that Iraq has the technical expertise for doing so;”

3. An independent and well-researched overview of this public evidence was provided by the International Institute for Strategic Studies (IISS) on 9 September. The IISS report also suggested that Iraq could assemble nuclear weapons within months of obtaining fissile material from foreign sources.

[**Comments:** The IISS report gives a shorter timeframe for the assembling of a nuclear weapon than that estimated by the Government in the body of its report.]

(Para 23, pages 26-7) “in early 2002, the JIC assessed that UN sanctions on Iraq were hindering the import of crucial goods for the production of fissile material ... if [sanctions] were removed or prove ineffective, it would take Iraq at least five years to produce sufficient fissile material for a weapon indigenously. However we know that Iraq retains expertise and design data relating to nuclear weapons. We therefore 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”

4. **As well as the public evidence, however, significant additional information is available to the Government from secret intelligence sources, described in more detail in this paper. This intelligence cannot tell us about everything. However, it provides a fuller picture of Iraqi plans and capabilities. It shows that Saddam Hussein attaches great importance to possessing weapons of mass destruction which he regards as the basis for Iraq’s regional power. It shows that he does not regard them only as weapons of last resort. He is ready to use them, including against his own population, and is determined to retain them, in breach of United Nations Security Council Resolutions (UNSCR).**

[**Comments:** These assertions are reiterated in the body of the report]

(Para 1, page 17) Main conclusions: “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;

(Para 5, page 18) “The intelligence also shows that the Iraqi leadership has been discussing a number of issues related to these weapons. This intelligence covers:

- **Confirmation that chemical and biological weapons play an important role in Iraqi military thinking:** intelligence shows that Saddam attaches great importance to the possession of chemical and biological weapons which he regards as being the basis for Iraqi regional power. He believes that respect for Iraq rests on its possession of these weapons and the missiles capable of delivering them. Intelligence indicates that Saddam is determined to retain this capability and recognises that Iraqi political weight would be diminished if Iraq’s military power rested solely on its conventional military forces.”

5. **Intelligence also shows that Iraq is preparing plans to conceal evidence of these weapons, including incriminating documents, from renewed inspections. [...]**

[**Comments:** This assertion is reiterated in the body of the report]

(Para 1, page 17) Main conclusions: “Iraq has learnt lessons from previous UN weapons inspections and is already taking steps to conceal and disperse sensitive equipment and documentation in advance of the return of inspectors;”

(Para 5, pages 18-19) “The intelligence also shows that the Iraqi leadership has been discussing a number of issues related to these weapons. This intelligence covers:

- **Iraqi attempts to retain its existing banned weapons systems:** Iraq is already taking steps to prevent UN weapons inspectors finding evidence of its chemical and biological weapons programme. Intelligence indicates that Saddam has learnt lessons from previous weapons inspections, has identified possible weak points in the inspections process and knows how to exploit them. Sensitive equipment and papers can easily be concealed and in some cases this is already happening.”

(Para 28, page 29) Satellite imagery has shown a new engine test stand [for ballistic missiles] being constructed [...]. The Iraqis have recently taken measures to conceal activities at this site”

6. **As a result of the intelligence we judge that Iraq has:**

- **continued to produce chemical and biological agents;**

[**Comments:** This assertion is reiterated in the body of the report]

(Para 1, page 17) Main conclusions: “Iraq has a useable chemical and biological weapons capability, in breach of UNSCR 687, which has included recent production of chemical and biological agents;”

(Para 8, page 19) “Intelligence shows that Iraq has continued to produce chemical agent.”

(Para 12, page 21) “We know from intelligence that Iraq has continued to produce biological warfare agents.”

6. **[Cont.] As a result of the intelligence we judge that Iraq has:**

- 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;

[**Comments:** This assertion is reiterated in the body of the report]

(Para 1, page 17) Main conclusions: “Iraq’s current military planning specifically envisages the use of chemical and biological weapons; [...] The Iraqi military are able to deploy these weapons within 45 minutes of a decision to do so;”

(Para 4, page 18) “In the last six months the JIC has confirmed its earlier judgements on Iraqi chemical and biological warfare capabilities and assessed that Iraq has the means to deliver chemical and biological weapons.”

(Para 5, page 19) “intelligence indicates that as part of Iraq’s military planning Saddam is willing to use chemical and biological weapons, including against his own Shia population. Intelligence indicates that the Iraqi military are able to deploy chemical or biological weapons within 45 minutes of an order to do so.”

6. [Cont.] As a result of the intelligence we judge that Iraq has:

- **command and control arrangements in place to use chemical and biological weapons. Authority ultimately resides with Saddam Hussein. (There is intelligence that he may have delegated this authority to his son Qusai);**

[Comments: This assertion is reiterated in the body of the report]

(Para 1, page 17) Main conclusions: “Iraq’s military forces are able to use chemical and biological weapons, with command, control and logistical arrangements in place.”

(Para 15, page 23) “The authority to use chemical and biological weapons ultimately resides with Saddam but intelligence indicates that he may have also delegated this authority to his son Qusai. Special Security Organisation (SSO) and Special Republican Guard (SRG) units would be involved in the movement of any chemical and biological weapons to military units. The Iraqi military holds artillery and missile systems at Corps level throughout the Armed Forces and conducts regular training with them. The directorate of Rocket Forces has operational control of strategic missile systems and some Multiple Launcher Rocket Systems.”

6) [Cont.] As a result of the intelligence we judge that Iraq has:

- **developed mobile laboratories for military use, corroborating earlier reports about the mobile production of biological warfare agents;**

[Comments: This assertion is reiterated in the body of the report]

(Para 13, page 22) “UNSCOM established that Iraq considered the use of mobile biological agent production facilities. In the past two years evidence from defectors has indicated the existence of such facilities. Recent intelligence confirms that the Iraqi military have developed mobile facilities.”

6. [Cont.] As a result of the intelligence we judge that Iraq has:

- **pursued illegal programmes to procure controlled materials of potential use in the production of chemical and biological weapons programmes;**

[Comments: This assertion is reiterated in the body of the report]

(Para 2, pages 17-18) “In the first half of 2000 the JIC noted intelligence on Iraqi attempts to procure dual-use chemicals . [...] Iraq has also been trying to procure dual-use materials and equipment which could be used for a biological warfare programme.”

(Para 12, page 21-22) “Some dual use equipment has also been purchased. This newly procured equipment and other equipment previously subject to monitoring could be used in a resurgent biological warfare programme.”

6. [Cont.] As a result of the intelligence we judge that Iraq has:

- **tried covertly to acquire technology and materials which could be used in the production of nuclear weapons;**

[**Comments:** This assertion is reiterated in the body of the report]

(Para 19, page 25) “intelligence shows that the present Iraqi programme is almost certainly seeking an indigenous ability to enrich uranium to the level needed for a nuclear weapon”

(Para 20, page 25) “Following the departure of weapons inspectors in 1998 there has been an accumulation of intelligence indicating that Iraq is making concerted covert efforts to acquire dual-use technology and material with nuclear applications”

(Para 21, page 26) “Intelligence shows that other important procurement activity since 1998 has included attempts to purchase:

- vacuum pumps [...]
- an entire magnet production line [...]
- Anhydrous Hydrogen Fluoride (AHF) and fluorine gas [...]
- one large filament winding machine [...]
- a large balancing machine [...].”

(Para 22, page 26) “Iraq has also made repeated attempts covertly to acquire a very large quantity (60,000 or more) of specialised aluminium tubes. [...] although there is no definitive intelligence that it is destined for a nuclear programme”

6. [Cont.] **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;**

[**Comments:** This assertion is reiterated in the body of the report]

(Para 20, page 25) “there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa.”

6. [Cont.] **As a result of the intelligence we judge that Iraq has:**

- **recalled specialists to work on its nuclear programme;**

[**Comments:** This assertion is **not** reiterated in these terms in the body of the report]

(Para 23, page 27) “we know that Iraq retains expertise and design data relating to nuclear weapons”

There are quotes relating to personnel linked to past chemical and biological weapons research. (Para 11, page 20) “Most of the personnel previously involved in the programme remain in country”

6. [Cont.] **As a result of the intelligence we judge that Iraq has:**

- **illegally retained up to 20 al-Hussein missiles, with a range of 650km, capable of carrying chemical or biological warheads;**

[**Comments:** The body of the report adds a number of caveats on the difficulties in concealing and reassembling these weapons]

(Para 26, page 28) According to intelligence, Iraq has retained up to 20 al-Hussein missiles. [...] These missiles were either hidden from the UN as complete systems, or re-assembled using illegally retained engines and other components. We judge that the engineering expertise available would allow these missiles to be maintained effectively, although the fact that at least some require re-assembly makes it difficult to judge exactly how many could be available for use. They could be used with conventional, chemical or biological warheads [...].”

6. [Cont.] **As a result of the intelligence we judge that Iraq has:**

- **started deploying its al-Samoud liquid propellant missile, and has used the absence of weapons inspectors to work on extending its range to at least 200km, which is beyond the limit of 150km imposed by the United Nations;**

[**Comments:** This assertion is reiterated in the body of the report]

(Para 26, page 27) “The al-Samoud liquid propellant missile has been extensively tested and is being deployed to military units. Intelligence indicates that at least 50 have been produced. Intelligence also indicates that Iraq has worked on extending its range to at least 200km”

6. [Cont.] **As a result of the intelligence we judge that Iraq has:**

- **started producing the solid-propellant Ababil-100, and is making efforts to extend its range to at least 200km, which is beyond the limit of 150km imposed by the United Nations;**

[**Comments:** This assertion is reiterated in the body of the report]

(Para 26, page 27) “Production of the solid propellant Ababil-100 is also underway, probably as an unguided rocket at this stage. There are also plans to extend its range to at least 200km.”

6. [Cont.] **As a result of the intelligence we judge that Iraq has:**

- **constructed a new engine test stand for the development of missiles capable of reaching the UK Sovereign Base Areas in Cyprus and NATO members (Greece and Turkey), as well as all Iraq’s Gulf neighbours and Israel;**

[**Comments:** This assertion is reiterated in the body of the report]

(Para 28, page 29) “Intelligence has confirmed that Iraq wants to extend the range of its missile systems to over 1000km, enabling it to threaten other regional neighbours”

(Para 28, page 29) “Satellite imagery [...] has shown a new engine test stand being constructed (A), which is larger than the current one used for al-Samoud (B), and that formerly used for testing SCUD engines (C) [...]. This new stand will be capable of testing engines for medium range ballistic missiles (MRBMs) with ranges over 1000km [...].”

6. [Cont.] As a result of the intelligence we judge that Iraq has:

- **pursued illegal programmes to procure materials for use in its illegal development of long range missiles;**

[Comments: This assertion is reiterated in the body of the report]

(Para 32, page 30) “Despite the UN embargo, Iraq has also made concerted efforts to acquire additional production technology, including machine tools and raw material in breach of UN Security Council Resolution 1051. [...] we know from intelligence that some items have found their way to the Iraqi ballistic missile programme. [...] Intelligence makes it clear that Iraqi procurement agents and front companies in third countries are seeking illicitly to acquire propellant chemical for Iraq’s ballistic missile programme. [...] There have also been attempts to acquire large quantities of liquid propellant chemicals [...]. We judge these are intended to support production and deployment of the al-Samoud and development of longer range systems.”

6. [Cont.] As a result of the intelligence we judge that Iraq has:

- **learnt lessons from previous UN weapons inspectors and has already begun to conceal sensitive equipment and documentation in advance of the return of inspectors.**

(Para 5, page 18) “Iraqi attempts to retain its existing banned weapons systems: Iraq is already taking steps to prevent UN weapons inspectors finding evidence of its chemical and biological weapons programme. Intelligence indicates that Saddam has learnt lessons from previous weapons inspections, has identified possible weak points in the inspections process and knows how to exploit them. Sensitive papers can easily be concealed and in some cases this is already happening.”

(Para 28, page 29) “Iraqis have recently taken measures to conceal activities at this site” (related to missile capability and test site)

Tim Youngs

International Affairs and Defence Section, House of Commons Library

Formal minutes

Thursday 3 July 2003

Members present:

Mr Donald Anderson, in the Chair

Mr David Chidgey	Mr Bill Olnor
Mr Fabian Hamilton	Mr Richard Ottaway
Mr Eric Illsley	Mr Greg Pope
Andrew Mackinlay	Sir John Stanley
Mr John Maples	Ms Gisela Stuart

The Committee deliberated.

Draft Report (The Decision to go to War in Iraq), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraph 1 read and agreed to.

Paragraphs 2 and 3 read, amended and agreed to.

Paragraph 4 read, amended, divided and agreed to (now paragraphs 4 and 5)

Paragraph 5 (now paragraph 6) read, amended and agreed to.

Paragraphs 6 to 10 (now paragraphs 7 to 11) read and agreed to.

Paragraph 11 (now paragraph 12) read, amended and agreed to.

Paragraphs 12 to 14 (now paragraphs 13 to 15) read and agreed to.

Paragraph 15 (now paragraph 16) read, amended and agreed to.

Paragraphs 16 to 23 (now paragraphs 17 to 24) read and agreed to.

Paragraph 24 (now paragraph 25) read, amended and agreed to.

Paragraph 25 (now paragraph 26) read and agreed to.

Paragraph 26 (now paragraph 27) read, amended and agreed to.

Paragraph 27 (now paragraph 28) read and agreed to.

Paragraph 28 (now paragraph 29) read, amended and agreed to.

A paragraph—(*Sir John Stanley*)—brought up, read the first and second time, amended and inserted (now paragraph 30).

Paragraph 29 (now paragraph 31) read and agreed to.

Paragraph 30 (now paragraph 32) read, amended and agreed to.

Paragraphs 31 to 36 (now paragraph 33 to 38) read and agreed to.

Paragraph 37 (now paragraph 39) read, amended and agreed to.

Paragraph 38 (now paragraph 40) read and agreed to.

Paragraph 39 (now paragraph 41) read, amended and agreed to.

Paragraphs 40 to 44 (now paragraphs 42 to 46) read and agreed to.

Paragraph 45 (now paragraph 47) read, amended and agreed to.

Paragraphs 46 to 54 (now paragraphs 48 to 56) read and agreed to.

A paragraph—(*Sir John Stanley*)—brought up, read the first and second time and inserted (now paragraph 57).

Paragraphs 55 and 56 (now paragraphs 58 and 59) read and agreed to.

Paragraphs 57 and 58 (now paragraphs 60 and 61) read, amended and agreed to.

Paragraphs 59 to 62 (now paragraphs 62 to 65) read and agreed to.

Paragraph 63 (now paragraph 66) read, amended and agreed to.

Paragraphs 64 to 66 (now paragraphs 67 to 69) read, amended and agreed to.

A paragraph—(*Sir John Stanley*)—brought up and read, as follows:

“The Committee notes in relation to the 45 minutes claim that, thus far, there have been no finds of chemical or biological weapons within 45 minutes of Iraqi delivery systems and no finds of command and control documents, codes or other materials relating to the deployment of chemical or biological weapons within 45 minutes of an order to do so.”

Ordered, That the paragraph be read a second time.

Question put, That the paragraph be inserted.

The Committee divided.

Ayes, 4

Noes, 5

Mr David Chidgey
Mr Richard Ottaway
Mr John Maples
Sir John Stanley

Mr Fabian Hamilton
Mr Eric Illsley
Mr Bill Olnor
Mr Greg Pope
Ms Gisela Stuart

Paragraphs 67 and 68 (now paragraphs 70 and 71) read and agreed to.

Paragraphs 69 to 71 read, agreed to and transferred (now paragraphs 87 to 89).

Paragraph 72 read, amended, agreed to and transferred (now paragraph 90).

Paragraphs—(*Mr Maples*)—brought up and read, as follows:

Andrew Gilligan's allegations

The allegation made by Andrew Gilligan's source as reported on the Today programme on 29 May was that the WMD Dossier 'was transformed in the week before it was published to make it 'sexier' and that 'the classic' example was the statement that WMD were ready for use in 45 minutes, that information was not in the original draft. It was included in the dossier against their (the Intelligence Services) wishes because it was not reliable.' He repeated these points to us in his evidence to us.

Mr Gilligan seemed a credible witness and in some two hours before us did not vary or backtrack at all on these central points. His source has proved correct on two matters which he told Mr Gilligan: that the 45 minute capability was a late insertion in the document and that it was single sourced. The Foreign Secretary confirmed both these points to us in his evidence.

It is worth noting that similar reports of unhappiness among the Intelligence Services were appearing elsewhere around the same time. These are set out in detail in the BBC's letter to the Chairman of the Committee. They include articles in The Observer Feb 24, Independent on Sunday April 27, Guardian May 30, The Times May 30, Washington Post May 30, The Observer June 1. It seems that Mr Gilligan's source was not the only person talking to journalists.

In her evidence, Dame Pauline Neville Jones told us (Q 382) in relation to people in the Intelligence Services talking to the press: 'There clearly was turbulence inside the machine...'

Mr Gilligan described the source for his story as:

'one of the senior officials in charge of drawing up the dossier and I can tell you that he is a source of longstanding, well-known to me, closely connected with the

question of Iraq's weapons of mass destruction, easily sufficiently senior and credible to be worth reporting.'

We consider below questions about Mr Gilligan's source, and about the relationship between the security and intelligence services and the media.

As we have noted above, there had been earlier drafts by the FCO, before the JIC assumed responsibility for the document. Mr Gilligan suggests that it was at this point that the dossier was 'sexed up', shortly before publication, by the insertion of the 45 minutes claim:

'... only a few weeks before the publication of the September dossier, ... Whitehall officials had been describing it to the press as rather uneventful. ... then three weeks after that the dossier appeared and it was more revelatory than those accounts had it. So something had changed in that three week period.'

Andrew Gilligan also said:

'The source's claim was that the dossier had been transformed in the week before it was published and I asked, "So how did this transformation happen?", and the answer was a single word, which was "Campbell". ... He also said that Downing Street officials, he did not name anybody else, had asked repeatedly if there was anything else [in addition to the 45-minutes claim] that could be included on seeing the original draft of the dossier which was considered dull.'

Mr Straw denied this:

'There had been previous drafts and this particular draft, which I think started its life sometime in early September, went out, it went out for comment and I had a look at it. The thing I can say perfectly publicly is that I thought it should make more reference to earlier inspections because having read this document I thought it should have a wider audience, referring to UNSCOM's final report of uncompleted disarmament tasks through late 1998, things like that, suggestions. I think one of my colleagues suggested that there should be a foreword. That is what happens. I think the implication of what Mr Gilligan was saying was that the judgments were changed, but that was not the case.'

Alastair Campbell himself, Jack Straw and senior FCO officials who were closely involved in the preparation of the dossier all denied in evidence to us that the dossier had been materially changed by Mr Campbell. In particular, they deny that the 45 minutes claim was inserted by him or at his request, pointing out that it first appeared in a JIC assessment discussed at a meeting on 9 September and then in the first JIC draft of the dossier, dated 10 September, and that this was the first draft seen by Mr Campbell. Mr Campbell has told us in terms that: 'It (the 45 minutes claim) was not inserted at my request.'

Mr Campbell supplied us with a list of changes to the September dossier which were requested by him, some of which were made and some not. The first thing we note from this paper is that Mr Campbell actually chaired the planning meeting which took place on 9 September. This was surprising, because we were told by a FCO

official, albeit one who had not attended the drafting meetings, that they had been chaired by the Chairman of the JIC. We are concerned that a meeting to discuss a document which Ministers had asked the Chairman of the Joint Intelligence Committee to prepare was chaired by the Prime Minister's Special Adviser.

We conclude that it was wrong for Alastair Campbell or any Special Adviser to have chaired a meeting on an intelligence matter, and we recommend that this practice cease.

Mr Campbell tells us that he underlined the importance for the credibility of the document that it should be, and be seen to be, the work of the JIC. He states that he emphasised "it goes without saying that nothing should be published that you (the JIC Chairman and the Intelligence Agencies) are not 100% happy with."

The first draft of the document as prepared by the JIC Chairman reached Mr Campbell the following day. He tells us he made no comment on it. He received a further draft on 17 September. Mr Campbell has listed the comments which, to the best of his recollection and that of the Chairman of the JIC, he made on this draft. There is some confusion over what is meant by the phrase 'first draft' in this context. It appears that the first draft to contain the 45 minute point was seen by Mr Campbell on September 10th; however, there had clearly been drafts around since March. It is not clear how these drafts changed between March and September 10, nor which if any of these were seen and/or commented on by Mr Campbell. As it was intended back in March to produce a document for publication, it seems unlikely that Mr Campbell did not see these as well. Without seeing these earlier drafts, the minutes of meetings and correspondence, it is impossible for us to know what if any input he had between March and September 10.

Speaking about the generality of his comments, Mr Campbell told us that: 'I know the accusation is I sexed it up, I think this is sexing it down'. On the whole, the effect of his comments was, so far as we can tell, neutral. Some aspects of the draft he suggested should be toned down, some he asked to be explained more fully. Mr Campbell is adamant that, after September 10th, he only suggested the changes set out in his note to us.

Mr Campbell received a final draft of the dossier on 19 September, five days before publication. He has told us that neither he nor the Chairman of the JIC can recall that he made any further comments. Mr Straw told us that 'Let me make clear, nobody 'sexed-up' or exaggerated that September dossier, no-one at all, and that includes Alastair Campbell.'

We regret that the substance of all this has become a very public row between Mr Campbell and the BBC. We are neither equipped nor willing to arbitrate that dispute, or to come down in favour of one of the parties. We have received very compelling evidence from Mr Gilligan and from Mr Campbell; Mr Campbell's evidence has in important respects been confirmed by the Foreign Secretary. Without full access to all the relevant papers and witnesses, which we have been denied, we do not believe that we or anyone could resolve this matter satisfactorily.

Jack Straw told us that there had been no formal complaints from members of the security and intelligence services about the content of the dossier. We trust that our colleagues on the Intelligence and Security Committee will be in a position to confirm this or otherwise.

We conclude that the claims made in the September dossier were in all probability well founded on the basis of the intelligence then available, although as we have already stated we have concerns about the emphasis given to some of them.

Was the language appropriate?

Another question which arises, and which has been asked quite separately from Mr Gilligan's accusations, is whether the language employed in the dossier was more assertive or more tendentious than that which is normally associated with a JIC assessment. If it was, that would lend credence to the view that the dossier was the object of political interference, or at least pressure.

Dame Pauline Neville Jones was Chairman of the JIC in the early 1990s. She characterised the traditional JIC approach to drafting in the following terms: "If there is a bias in the system the bias is towards care, which means you are cautious, which means, if anything, you are conservative." Dame Pauline highlighted the danger that information can become propaganda: "Clearly there is a very fine line between showing the evidence and making a case. It is where showing the evidence turns into making the case where the system has to take a very, very strong grip on itself." Andrew Wilkie, who had seen other JIC papers but who accepted he was a lone voice in the Australian intelligence community, believed the dossier had been exaggerated: "I think this document is a step beyond what I would expect the JIC to produce. ... It is too unambiguous. It paints too confident a picture of Iraq's WMD programme." Andrew Gilligan, who claimed to have seen a number of JIC Reports—although with one exception they were old and already in the public domain—told us that "It is as much a matter of language, phraseology ... an intelligence report of any description is pretty unexciting to be honest. It is couched, it is full of caveats, it is full of conditionals."

Gary Samore said that

'Certainly in the Institute dossier we were a bit more cautious in saying "probably" and trying to explain on which basis we had reached that conclusion but I think that the kind of confidence that you just described in the British Government dossier was very widely shared in western intelligence agencies.'

We note that the paper published by the FCO on November 10 1998 (Iraq) in advance of Operation Desert Fox and which clearly draws on intelligence material, uses much less certain language. In para 9 it says "The Iraqi chemical industry could produce mustard gas almost immediately and nerve agents within months"; and "Saddam almost certainly retains some BW production equipment, stocks of agents and weapons.' The WMD Dossier says (para 6 Executive Summary) 'As a result of intelligence we judge that Iraq has: ...continued to produce chemical and biological agents.' The Dossier is much more certain.

In her evidence Dame PNJ told us (Q 362): ‘If you put those two statements together one is a much more active statement than the other...’ and ‘those two statements are justified but can only be justified by a change in the situation.’

We also note a difference in wording between the body of the Dossier and the Executive Summary. The Executive Summary para 6 says ‘As a result of the intelligence we judge that Iraq has...continued to produce chemical and biological agents’. The main text says (p 18 para 3) ‘The JIC concluded that Iraq had sufficient expertise, equipment and material to produce biological warfare agents within weeks...’ and ‘...the JIC assessed that Iraq retained some chemical warfare agents, precursors, production equipment and weapons from before the Gulf War. These stocks would enable Iraq to produce significant quantities of mustard gas within weeks and nerve agent within months.’ The wording of the Executive summary is again stronger than the main text.

This occurs again in relation to the 45 minute claim. The Summary says (para 6) ‘As a result of intelligence we judge that Iraq has....military plans for the use of chemical and biological weapons.... Some of these weapons are deployable within 45 minutes of an order to use them.’ The main text says (p 19, para 5) ‘Intelligence indicates that the Iraqi military are able to deploy chemical or biological weapons within 45 minutes of an order to do so.’

In significant respects the Executive Summary is stronger than the main text.

On the other hand, the immediate past Chairman of the JIC, Peter Ricketts, ‘[did] not find anything in the language of [the dossier] at all surprising in terms of the judgments that the JIC reach.’ And Dr Tom Inch thought the dossier was if anything less assertive than he would have wished: ‘I found that there were too many weasel-words in the report, as I read it. They could do this or they might do that and so on, rather than saying that the evidence was hard.’

We conclude that the language used in the September dossier was in places more assertive than that traditionally used in intelligence documents. We believe that there is much value in retaining the measured and even cautious tones which have been the hallmark of intelligence assessments and we recommend that this approach be retained.”

Question put, That the paragraphs be inserted.

The Committee divided.

Ayes, 4

Mr David Chidgey
Mr Richard Ottaway
Mr John Maples
Sir John Stanley

Noes, 6

Mr Fabian Hamilton
Mr Eric Illsley
Andrew Mackinlay
Mr Bill Oler
Mr Greg Pope
Ms Gisela Stuart

Paragraph 73 (now paragraph 72) read, amended and agreed to.

A paragraph—(*Mr Maples*)—brought up, and read the first and second time.

Question put, that the paragraph be inserted in the report.

The Committee divided.

Ayes, 5

Noes, 5

Mr David Chidgey
Mr Richard Ottaway
Andrew Mackinlay
Mr John Maples
Sir John Stanley

Mr Fabian Hamilton
Mr Eric Illsley
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Whereupon the Chairman declared himself with the Ayes.

Paragraph inserted (now paragraph 73).

Paragraphs 74 to 76 read and agreed to.

Paragraph 77 read.

Amendment proposed in line 8, to leave out from the word “request” to the end of the paragraph.—(*Mr Maples*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 4

Noes, 6

Mr David Chidgey
Mr Richard Ottaway
Mr John Maples
Sir John Stanley

Mr Fabian Hamilton
Mr Eric Illsley
Andrew Mackinlay
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Paragraph 77 agreed to.

Paragraph 78 read and agreed to.

Paragraph 79 read, amended and agreed to.

Paragraph 80 read and agreed to.

Paragraph 81 read.

Amendment proposed in line 3, after the word “draft”, to insert the words:

“There is some confusion over what is meant by the phrase ‘first draft’ in this context. It appears that the first draft to contain the 45 minute point was seen by Mr Campbell on September 10th; however, there had clearly been drafts around since March. It is not clear how these drafts changed between March and September 10, nor which if any of these were seen and/or commented on by Mr Campbell. As it was intended back in March to produce a document for publication, it seems unlikely that Mr Campbell did not see these as well. Without seeing these earlier drafts, the minutes of meetings and correspondence, it is impossible for us to know what if any input he had between March and September 10.”—(*Mr Maples*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 4

Mr David Chidgey
Mr Richard Ottaway
Mr John Maples
Sir John Stanley

Noes, 6

Mr Fabian Hamilton
Mr Eric Illsley
Andrew Mackinlay
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Paragraph agreed to.

Paragraph 82 read.

Amendment proposed in line 4, to leave out from the word “fully” to the end of the paragraph and insert the words: “Mr Campbell is adamant that after September 10th, he only suggested the changes set out in his note to us.”—(*Mr Maples*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 4

Mr David Chidgey
Mr Richard Ottaway
Mr John Maples
Sir John Stanley

Noes, 6

Mr Fabian Hamilton
Mr Eric Illsley
Andrew Mackinlay
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Paragraph agreed to.

Paragraph 83 read and agreed to.

Paragraph 84 read.

Amendment proposed to leave out paragraph 84 and insert the following new paragraph:

“We regret that the substance of all this has become a very public row between Mr Campbell and the BBC. We are neither equipped nor willing to arbitrate that dispute, or to come down in favour of one of the parties. We have received very compelling evidence from Mr Gilligan and from Mr Campbell; Mr Campbell’s evidence has in important respects been confirmed by the Foreign Secretary. Without full access to all the relevant papers and witnesses, which we have been denied, we do not believe that we or anyone could resolve this matter satisfactorily.”—(*Mr Maples*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 5

Mr David Chidgey
Mr Richard Ottaway
Andrew Mackinlay
Mr John Maples
Sir John Stanley

Noes, 5

Mr Fabian Hamilton
Mr Eric Illsley
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Whereupon the Chairman declared himself with the Noes.

Paragraph agreed to.

Paragraph 85 read, amended and agreed to.

Paragraph 86 read.

Amendment proposed in line 4, to leave out from the word “them” to the end of the paragraph.—(*Mr Maples*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 4

Mr David Chidgey
Mr Richard Ottaway
Mr John Maples
Sir John Stanley

Noes, 6

Mr Fabian Hamilton
Mr Eric Illsley
Andrew Mackinlay
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Paragraph agreed to.

Paragraphs 87 to 89 (now paragraphs 91 to 93) read and agreed to.

Paragraphs—(*Mr Maples*)—brought up and read the first and second time.

Question put that the paragraphs be inserted.

The Committee divided.

Ayes, 5

Noes, 5

Mr David Chidgey
Andrew Mackinlay
Mr John Maples
Mr Richard Ottaway
Sir John Stanley

Mr Fabian Hamilton
Mr Eric Illsley
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Whereupon the Chairman declared himself with the Ayes.

Paragraphs inserted (now paragraphs 94 to 98).

Paragraph 90 (now paragraph 99) read and agreed to.

Paragraph 91 read.

Amendment proposed in line 2, to leave out from the word “documents” to the word “We”.—(*Mr Maples*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 5

Noes, 5

Mr David Chidgey
Mr Richard Ottaway
Andrew Mackinlay
Mr John Maples
Sir John Stanley

Mr Fabian Hamilton
Mr Eric Illsley
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Whereupon the Chairman declared himself with the Ayes.

Paragraph, as amended, agreed to (now paragraph 100).

Paragraphs 92 to 98 (now paragraphs 101 to 107) read and agreed to.

Paragraphs 99 and 100 (now paragraphs 108 and 109) read, amended and agreed to.

Paragraphs 101 and 102 (now paragraphs 110 and 111) read and agreed to.

Paragraph 103 read.

Amendment proposed to leave out lines 9 to 14 and insert the words:

“Mr Campbell was asked by the Committee to submit a written statement separating intelligence from open source information in the February dossier. Mr Campbell was forthcoming with regards to this request, however, he was not authorised by the SIS to go into greater detail.

Our own analysis based on Dr Rangwala’s written statement has revealed that almost the entire second part was taken from three articles which corresponds to Mr Campbell’s confirmation that only the first and third part of the dossier were backed by SIS information. Dr Rangwala also pointed out to the Committee that several claims made in the first part, which Mr Campbell explicitly refers to as intelligence information, are in open contradiction to Dr Blix’s and UNMOVIC’s accounts.” —
(*Mr Andrew Mackinlay*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 5

Noes, 5

Mr David Chidgey
Andrew Mackinlay
Mr Richard Ottaway
Mr John Maples
Sir John Stanley

Mr Fabian Hamilton
Mr Eric Illsley
Mr Bill Olnor
Mr Greg Pope
Ms Gisela Stuart

Whereupon the Chairman declared himself with the Ayes.

Paragraph, as amended, agreed to (now paragraphs 112 and 113).

Paragraphs 104 to 108 (now paragraphs 114 to 118) read and agreed to.

Paragraphs—(*Sir John Stanley*)—brought up, read the first and second time, amended and inserted (now paragraphs 119 to 121).

Paragraph 109 read.

An amendment made.

Another amendment proposed in line 4, to insert the words:

“We further conclude that Alastair Campbell was seriously negligent in his handling of the Government’s report “Iraq – its infrastructure of concealment, deception and intimidation” – the so-called dodgy dossier.”—(*Sir John Stanley*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 4

Mr David Chidgey
Mr Richard Ottaway
Mr John Maples
Sir John Stanley

Noes, 6

Mr Fabian Hamilton
Mr Eric Illsley
Andrew Mackinlay
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Paragraph, as amended, agreed to (now paragraph 122).

A paragraph—(*Mr Mackinlay*)—brought up, read the first and second time, amended and inserted (now paragraph 123).

Paragraphs 110 to 122 (now paragraphs 124 to 136) read and agreed to.

A paragraph—(*Mr Mackinlay*)—brought up, read the first and second time, amended and inserted (now paragraph 137).

Paragraph 123 (now paragraph 138) read, amended and agreed to.

Paragraphs 124 to 133 (now paragraphs 139 to 148) read and agreed to.

A paragraph—(*Mr Mackinlay*)—brought up, read the first and second time, amended and inserted (now paragraph 149).

Paragraphs 134 to 150 (now paragraphs 150 to 166) read and agreed to.

Paragraph 151 read.

Amendment proposed in line 2, to leave out from the word “Parliament” to the end of the paragraph and insert the words:

“This option would offer a number of advantages: the possibility of joint hearings, joint inquiries and joint reports; established structures for the management of overlap; a more open way of working; and a seat for the ISC Chairman on the Liaison Committee. We recommend that the Intelligence and Security Committee be reconstituted as a select committee of the House of Commons.”—(*Chairman*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 7

Noes, 3

Mr David Chidgey
Mr Fabian Hamilton
Mr Eric Illsley
Mr Bill Olnier
Mr Greg Pope
Sir John Stanley
Ms Gisela Stuart

Andrew Mackinlay
Mr John Maples
Mr Richard Ottaway

Paragraph, as amended, agreed to (now paragraph 167).

Paragraphs 152 to 169 (now paragraphs 168 to 185) read and agreed to.

Paragraphs 170 and 171 (now paragraphs 186 and 187) read, amended and agreed to.

Paragraph 172 read.

Amendment proposed in line 8, to leave out from the word “that” to the end of the paragraph and insert the words:

“although Ministers misrepresented the provenance of the February 2003 dossier there was no intention to mislead Parliament.”—(*Mr Chidgey*)

Question proposed, That the Amendment be made.

The Committee divided.

Ayes, 5

Noes, 5

Mr David Chidgey
Andrew Mackinlay
Mr John Maples
Mr Richard Ottaway
Sir John Stanley

Mr Fabian Hamilton
Mr Eric Illsley
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Whereupon the Chairman declared himself with the Noes.

Paragraph agreed to (now paragraph 188).

Motion made, and Question put, That the Report, as amended, be the Ninth Report of the Committee to the House.—(*The Chairman.*)

The Committee divided.

Ayes, 6

Mr Fabian Hamilton
Mr Eric Illsley
Andrew Mackinlay
Mr Bill Olnier
Mr Greg Pope
Ms Gisela Stuart

Noes, 4

Mr David Chidgey
Mr John Maples
Mr Richard Ottaway
Sir John Stanley

Ordered, That the Chairman do make the Report to the House.

Ordered, That the provisions of Standing Order No. 134 (Select committees (reports)) be applied to the Report.

Several Papers were ordered to be appended to the Report.

Ordered, That the Appendices to the Report be reported to the House.—(*The Chairman.*)

Several Papers were ordered to be appended to the Minutes of Evidence.

Ordered, That the appendices to the Minutes of Evidence taken before the Committee be reported to the House.—(*The Chairman.*)

[Adjourned till Tuesday 15 July at 2.30pm]