

SECTION 4.1

IRAQ WMD ASSESSMENTS, PRE-JULY 2002

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Introduction and key findings

1. This Section addresses:

- the evolution of the assessment of Iraq's weapons of mass destruction (WMD) capabilities before Mr Blair's meeting with President Bush at Crawford in early April 2002; and
- how the information was used within Government and in public, including the preparation between February and July 2002 of a document for publication, initially on WMD programmes of concern in four countries and subsequently on Iraq.

2. The development of UK strategy on Iraq before the attacks on the US in September 2001 is addressed in Section 1.2; the development of UK strategy and options after 9/11 is addressed in Section 3.

3. The development of the Joint Intelligence Committee (JIC) Assessments of Iraq's WMD programmes from late July onwards, and the resumption of work on the dossier after Mr Blair's press conference in Sedgefield on 3 September, are addressed in Section 4.2.

Key findings

- The ingrained belief that Saddam Hussein's regime retained chemical and biological warfare capabilities, was determined to preserve and if possible enhance its capabilities, including at some point in the future a nuclear capability, and was pursuing an active policy of deception and concealment, had underpinned UK policy towards Iraq since the Gulf Conflict ended in 1991.
- Iraq's chemical, biological and ballistic missile programmes were seen as a threat to international peace and security in the Middle East, but overall, the threat from Iraq was viewed as less serious than that from other key countries of concern – Iran, Libya and North Korea.
- The Assessments issued by the JIC reflected the uncertainties within the intelligence community about the detail of Iraq's activities.
- The statements prepared for, and used by, the UK Government in public from late 2001 onwards, conveyed more certainty than the JIC Assessments about Iraq's proscribed activities and the potential threat they posed.
- The tendency to refer in public statements only to Iraq's "weapons of mass destruction" was likely to have created the impression that Iraq posed a greater threat than the detailed JIC Assessments would have supported.
- There was nothing in the JIC Assessments issued before July 2002 that would have raised any questions in policy-makers' minds about the core construct of Iraq's capabilities and intent. Indeed, from May 2001 onwards, the perception conveyed was that Iraqi activity could have increased since the departure of the weapons inspectors, funded by Iraq's growing illicit income from circumventing the sanctions regime.

- In the light of sensitivities about their content and significance, publication of documents on 'Iraq's Weapons of Mass Destruction', 'Weapons Inspections' and 'Abuse of Human Rights' was postponed until the policy on Iraq was clearer.

The UK's assessment of Iraq's WMD capabilities pre-9/11

The legacy of the 1990s

4. The conviction that Iraq had retained elements of its prohibited nuclear, chemical, biological and ballistic missile programmes was the fundamental tenet of UK policy towards Iraq throughout the 1990s.

5. When Saddam Hussein invaded Kuwait in August 1991, Iraq had deployable stocks of chemical and biological weapons, was developing long-range missiles and had an active nuclear programme.

6. Saddam Hussein had used chemical weapons during the 1980s, in breach of international law, both against the Kurds and during the war with Iran. He did not, however, use them during the 1991 Gulf Conflict.

7. After the 1991 Conflict, the UN Security Council sought to contain Iraq's military capability and restore international peace and security. On 3 April 1991, the UN Security Council adopted resolution 687 imposing a wide range of obligations on Iraq. The obligations in relation to "weapons of mass destruction" are summarised in the Box below.

Resolution 687 (1991): Iraq's WMD obligations

Section C of resolution 687 invited Iraq (operative paragraph (OP) 7) to reaffirm unconditionally its obligations under the 1925 Geneva Protocol and to ratify the Biological and Toxin Weapons Convention (BTWC).

The Security Council decided (OP8) that "Iraq shall unconditionally accept the destruction, removal or rendering harmless, under international supervision", of all:

- "chemical and biological weapons";
- "stocks of agents";
- "related sub-systems and components";
- "research, development, support and manufacturing facilities";
- "ballistic missiles with a range greater than one hundred and fifty kilometres";
- "related major parts"; and
- "repair and production facilities".

Iraq was required (OP9) to submit, within 15 days, "a declaration of the locations, amounts and types of all items" specified in OP8, and agree to urgent on-site inspection.

The Council decided (OP10) that “Iraq shall unconditionally undertake not to use, develop, construct or acquire any of the items specified” in OPs 8 and 9.

Iraq was invited (OP11) “to reaffirm unconditionally its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968”.

The Council decided (OP12) that “Iraq shall unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-useable material, or any sub-systems or components or any research, development, support or manufacturing facilities related to” nuclear weapons.

The resolution also made provision for on-site inspection, destruction and removal of prohibited material and future monitoring and verification.

8. Containment of the threat from Iraq, and in particular its WMD capability, was a continuing foreign policy concern throughout the 1990s and frequently required active consideration of difficult and controversial issues, including significant military action.

9. The difficulties encountered by UN inspectors in pursuing the remit in resolution 687 and subsequent UN resolutions, and the decision in December 1998 to withdraw UN inspectors and to launch US and UK military action against Iraqi facilities, Operation Desert Fox, are addressed in Section 1.1.

10. In his statement to Parliament following Operation Desert Fox, Mr Blair said that the objectives were “clear and simple: to degrade the ability of Saddam Hussein to build and use weapons of mass destruction”.¹

11. The impact of Operation Desert Fox is addressed later in this Section.

12. A Joint Memorandum produced by the Foreign and Defence Secretaries for the Defence and Overseas Policy Committee (DOP) in May 1999 described policy towards Iraq as “in the short term, to reduce the threat Saddam poses to the region, including by eliminating his weapons of mass destruction (WMD) programmes”.²

13. A summary of the evolution of the JIC Assessments of Iraq’s capabilities between 1990 and December 1998 is in Section 1.1. The Butler Report concluded that it had been “left with four strong impressions” from its analysis of those Assessments:

- “• ... effective – but not demonstrably complete – work carried out by the IAEA and UNSCOM to supervise the dismantlement of Iraq’s nuclear, biological and chemical weapons programmes, together with those missile programmes prohibited under United Nations Security Council resolution 687.
- ... a progressive reduction in JIC estimates of Iraq’s indigenous capabilities in the period to 1994/95.

¹ House of Commons, *Official Report*, 17 December 1998, column 1097.

² Joint Memorandum by the Secretary of State for Foreign and Commonwealth Affairs and the Secretary of State for Defence, 17 May 1999, ‘Iraq: Future Strategy’.

- ... growing suspicions and concerns underlying JIC Assessments between 1995 and 1998 of Iraq's chemical, biological and ballistic missile capabilities, which were exacerbated and reinforced by Iraqi prevarication, concealment and deception.”³

14. The Butler Report added that it had detected “signs that this context led to the JIC making its estimates of Iraqi capabilities on an over-cautious or worst case basis” but that was “not always declared as such”.

15. The Butler Report also concluded that there were “differences in the quality of the assessments carried out by the JIC” and contrasted the quality of the JIC Assessments of Iraq's nuclear capability during that time with those on chemical and biological weapons.⁴

16. On nuclear capabilities, the Butler Report stated that it had:

“... been impressed by intelligence assessments ... They were generally thorough; drew fully on both open and secret material; brought together human and technical intelligence; offered a view where appropriate on the quality of the underlying intelligence sources; were balanced and measured; identified explicitly those areas where previous assessments had been wrong, and the reasons why, to correct the record; and at each significant stage included consideration of alternative hypotheses and scenarios, and provided an explanation of the consequences were any to arise, to aid readers' understanding.”

17. In relation to the Assessments on chemical and biological weapons, the Butler Report recognised that assessments were:

“... intrinsically more difficult, and that analysis draws on different intelligence techniques. We are conscious in particular that, because chemical and biological weapons programmes can draw heavily on 'dual use' materials, it is easier for a proliferating state to keep its programmes covert. The intelligence community will also have had in mind that Iraq had used its chemical weapons in the past, and was engaged in a sustained programme to try to deceive United Nations inspectors and to conceal from them evidence of its prohibited programmes. Even so, we have found JIC Assessments in these areas less assured. Our impression is that they were less complete, especially in their considerations of alternative hypotheses; used a different 'burden of proof' in testing Iraqi declarations; and hence inclined towards over-cautious or worst case estimates, carrying with them a greater sense of suspicion and an accompanying propensity to disbelieve.”

³ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 207.

⁴ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 208-209.

18. After its withdrawal from Iraq, the UN Special Commission (UNSCOM) produced two reports on 25 January 1999, one on the disarmament of Iraq's weapons of mass destruction and one on monitoring and verification, which were formally circulated to the Security Council on 29 January.⁵

19. The report on disarmament described the work of UNSCOM since 1991 and its methodology and set out "material balances" for proscribed missiles and chemical and biological weapons in three detailed annexes. It also included an annex "on actions by Iraq to obstruct disarmament".

20. In March 1999, the Amorim panel made a series of recommendations for changing the regime of inspection.⁶

21. After prolonged debate, resolution 1284, adopted on 17 December 1999, welcomed the reports of the three panels chaired by Mr Celso Amorim, which had been subject to "comprehensive consideration" by the Council, and stressed the "importance of a comprehensive approach to the full implementation of all relevant Security Council resolutions ... and the need for Iraqi compliance with those resolutions".⁷

22. The resolution replaced UNSCOM with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), which would operate as the Amorim panel recommended, to provide "a reinforced system of ongoing monitoring and verification, which will implement the plan approved by the Council in resolution 715 (1991) and address unresolved disarmament issues".

23. There were significant differences about the interpretation of the resolution and the way ahead. As a result, China, France, Malaysia and Russia abstained in the vote, but there was no veto.⁸

The UK's assessment of Iraq's WMD 2000 to 2001

JIC ASSESSMENT, 19 APRIL 2000: 'IRAQ: CHEMICAL AND BIOLOGICAL WEAPONS PROGRAMMES'

24. In April 2000, the JIC judged that it was likely that Iraq was continuing to develop offensive biological and chemical warfare capabilities.

⁵ UN Security Council, 29 January 1999, 'Letter dated 25 January 1999 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council' (S/1999/94).

⁶ UN Security Council, 30 March 1999, 'Letter dated 27 March 1999, from the Chairman of the panels established pursuant to the note by the President of the Security Council of 30 January 1999 (S/1999/100) addressed to the President of the Security Council' (S/1999/356).

⁷ UN Security Council resolution 1284 (1999).

⁸ UN Security Council, '4084th Meeting Friday 17 December 1999' (S/PV.4084).

25. On 19 April 2000, the JIC produced a substantial Assessment of Iraq's chemical and biological weapons programmes.⁹

26. In its Key Judgements, the JIC stated:

- “• Our picture is limited. But it is likely that **Iraq is continuing to develop its offensive chemical warfare (CW) and biological warfare (BW) capabilities.**
- There is **clear evidence of continuing Iraq biological warfare activity**, including BW related **research** and the **production of BW agent**. Iraq seems to be exploring the **use of mobile facilities to give its BW activities greater security**. But we have **no evidence for Iraq filling weapons with biological agent since the Gulf War**.
- There is **less evidence of continuing Iraqi chemical warfare activity, including advances in binary weapons development and the reconstruction of suspect civil chemical production facilities**. There is **no evidence of Iraq filling weapons with chemical agent since the Gulf War**.
- **The chances of detecting any production of biological warfare agent, or small scale production of chemical agent, with or without UN inspections, would be slim**. But we would expect to detect evidence of the production of large quantities of chemical agent, with or without UN inspectors.”

27. The Assessment stated that Iraq's doctrine for offensive chemical and biological warfare remained “unclear”. It had used chemical weapons for internal repression and against Iran in the 1980s and the JIC judged that it “would be prepared to use such weapons again in similar circumstances, and, in extremis, in defence of the regime”. The JIC warned that since the departure of UNSCOM in December 1998, its picture was “limited” and had been “further reduced”. Iraqi officials were “well practised in concealing such programmes”. Increased procurement of dual use equipment and materials could not be linked to chemical and biological warfare programmes. There were indications of continuing progress. The JIC did not know if those were “accelerating”; but the departure of the inspectors had removed “a constraint”.

28. In relation to Iraq's chemical warfare activity, the Assessment stated:

- Iraq “could have hidden dual use precursor chemicals and production equipment” and the JIC continued “to assess that even with UNMOVIC and other UN controls, Iraq could produce mustard agent within weeks of a decision to do so. Iraq could produce limited quantities of nerve agent within months of such a decision.”
- Procurement activities “**which could be associated with a chemical weapons programme**” had “**continued**”, including efforts to procure dual use chemicals, and attempts to procure crop spraying aircraft and protective suits.

⁹ [JIC Assessment, 19 April 2000, 'Iraq: Chemical and Biological Weapons Programmes'](#).

- Facilities “**formerly associated with Iraq’s chemical warfare programme at ... Habbaniyah**” were “**being reconstructed**”. There were signs of “renewed activities” but “no firm evidence” that activity was “chemical weapons related, or of the precursor plant which would be needed to produce CW agent”.
- Iraq was “restoring its civil chemical production capability, including pesticides” and the JIC assessed that “would help any revival of its CW programme”.
- Iraq “could be modifying bombs [...] aerial bombs, procured in the 1980s, for delivery of chemical warfare agents [...] a significant advance in Iraqi development of a binary type munition”.
- The JIC judged that Iraq was “likely to be continuing to develop” its knowledge of chemical weapons “and other aspects of its CW capabilities”.

29. In relation to Iraq’s biological warfare activity, the Assessment stated:

- Iraq had “never revealed” the full extent of its offensive biological warfare programme to UNSCOM although it had admitted to “laboratory work on a range of BW agents” and that anthrax spores, botulinum toxin and aflatoxin were “produced in bulk”. Bombs and missile warheads had been “filled with these agents immediately prior to the Gulf War”. Iraq had “yet to make a credible ‘Full, Final and Complete Declaration’ of BW activity required by the UN”, and its claims that it had “terminated its programme at the end of the Gulf War” had “failed to convince” the UN.
- The JIC assessed that Iraq was “likely to have concealed BW production equipment, agent stocks and weapons”.
- The JIC continued “to assess that, even without procurement from abroad, Iraq has retained sufficient expertise, equipment and materials to produce BW agents within weeks using its legitimate biotechnology facilities”.
- Iraq had been “trying to procure **dual use materials and equipment** which could be used for a BW programme”, but it was “impossible to determine” whether the procurement was for a BW programme.
- There were indications that, contrary to its claims to have terminated the BW programme at the end of the Gulf War, during the last decade, Iraq had continued to conduct research on a range of biological agents using personnel known to have been connected with the programme before 1991.
- “A recent piece of liaison intelligence reported that Iraq had started to **produce biological agent in ‘mobile production centres’**.”
- “According to an Iraqi defector, planning for the project had begun in 1995 under Dr Rihab Taha ... known to have played a central role in Iraq’s BW programme.” There were “reportedly six mobile production centres, with one under construction. As of March 1999, three of these were fully functional and work was under way to enable the production of five unspecified BW agents. At one of these sites, some 20-30 tonnes of primary product were reportedly manufactured over four months.”

- The JIC assessed that those quantities of agent “could produce significant casualties”.

30. The Assessment stated:

“Iraq seems to be exploring the use of mobile facilities to give its biological warfare activities greater security. The Iraqis had mobile ... facilities for filling chemical weapons at the time of the Gulf War. We know that senior Iraqis have told UNSCOM that the use of mobile facilities was considered during the planning of their one dedicated BW facility. But we have no other evidence for BW mobile production centres. We judge that it would be technically feasible for Iraq to produce 20-30 tonnes of ... BW agent ... We have no evidence for Iraq filling weapons with biological agent since the Gulf War. But for practical reasons, advance stockpiling of some BW agents is less likely than for CW agents.

“In the light of this and other evidence of Iraqi illicit procurement of dual use equipment and materials, we judge that Iraq is likely to be continuing to develop its BW capabilities.”

31. The Butler Report stated that the Key Judgement on Iraq’s biological warfare activities was based on two new strands of evidence, and was somewhat more firmly expressed than the subsequent analysis in the Assessment might bear.

32. Considering the Assessment in 2004, the Butler Report stated that the firmer assessment (that there was “clear evidence” of continuing BW activity) in the Key Judgement:

“... was based on two new strands of evidence. The first was intelligence reports on aspects of Iraqi research and development activities in 1997/1998. The second, and more significant, was new intelligence from a liaison service received a few days before the production of the JIC Assessment on the use by Iraq of mobile facilities to produce biological agent.”

33. The Butler Report stated that the language in the Assessment on mobile laboratories:

“... was appropriate for a new source whose reporting had not by then been validated although the Key Judgement was somewhat more firmly expressed than the subsequent analysis in the Assessment might bear.”¹⁰

34. Sir John Scarlett, Chairman of the JIC from September 2001 to July 2004, told the Inquiry that the first report on mobile laboratories came through “in early 2000” and was “reflected ... if only briefly” in the Assessment in April 2000.¹¹

¹⁰ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 239.

¹¹ Private hearing, 5 May 2010, page 17.

35. Mr Julian Miller, Chief of the Assessments Staff from September 2001 to November 2003, told the Inquiry that the reporting on mobile laboratories, which had been received “through liaison channels”:

“... appeared to tie in with some understandings that the British experts had of previous interest in use of mobile facilities. So it wasn’t seen as being inherently implausible.”¹²

JIC ASSESSMENT, 1 DECEMBER 2000

36. As part of the inter-departmental review of policy on Iraq in late 2000, the JIC judged that:

- **It was likely that Iraq had a limited residual WMD and prohibited long-range missile capability.**
- **Since the departure of inspectors, the pace and scope of Iraq’s missile research and development programme had increased.**
- **Without sanctions and UN monitoring, Iraq would accelerate its WMD and missile programmes.**

37. A JIC Assessment of the prospects for Iraq co-operating with resolution 1284 (1999) on 1 November 2000, judged that Saddam Hussein’s “ambitions to rebuild ... weapons of mass destruction programmes” would “make him hostile to intrusive inspections or any other constraints likely to be effective”.¹³

38. In December 2000, at the request of the Cabinet Office Overseas and Defence Secretariat (OD Sec), the JIC produced an Assessment of Iraq’s capability to threaten its neighbours with conventional forces and weapons of mass destruction, and an analysis of how changes in the sanctions regime might affect those judgements, to inform the inter-departmental policy review on Iraq.¹⁴

39. The review of policy on Iraq, which began in 2000 and was intended to inform discussions with the new US Administration, is addressed in Section 1.2.

40. In its Key Judgements on WMD, the JIC stated:

- “• Iraq has probably concealed a **handful of 650km range ballistic missiles** that could reach Kuwait, Saudi Arabia and even Israel, as well as some **chemical and biological agent**. But even if Saddam Hussein has such weapons, he is **unlikely to use** them except in extremis, in order to preserve his regime or as a final gesture of defiance.
- Without economic sanctions but with effective UN monitoring, Iraq **could develop though not produce longer range missiles**. Although its ability

¹² Private hearing, 5 May 2010, page 16.

¹³ [JIC Assessment, 1 November 2000, ‘Iraq: Prospects for Co-operation with UNSCR 1284’.](#)

¹⁴ [JIC Assessment, 1 December 2000, ‘Iraq’s Military Capabilities’.](#)

to rebuild dedicated chemical weapons or large scale biological weapons production capabilities would be constrained, it would be able to **use civil industry to produce chemical and biological agents**. UN monitoring would, however, act as a **deterrent to Iraqi development of its nuclear ambitions**.

- Without both economic sanctions and UN monitoring, Iraq would **accelerate its WMD and missile programmes**. It could produce new 650km range missiles within a year. But it would take **at least five years to make a crude nuclear device and a further two to manufacture a nuclear warhead for missiles.**”

41. The conclusions on Iraq’s WMD are set out in the Box below.

JIC Assessment, 1 December 2000: ‘Iraq’s Military Capabilities’

The residual threat from WMD

Assessing whether there was a “**residual threat**” from Iraq’s WMD, the JIC stated that “most of [its] **ballistic missiles, chemical weapons** and nuclear programme have been destroyed”. Iraq had claimed to have destroyed its biological weapons capability but that could not be confirmed. It was “likely” that Iraq had a “**residual WMD and missile capability**”:

- a “handful of ageing SCUD-derived **missiles** with a **range of up to 650km**” [the Al Hussein] were “probably disassembled and concealed”. Those “could be re-assembled quickly [‘within weeks’] and used (albeit with limited accuracy) against targets in Kuwait, Saudi Arabia, and even Israel”;
- “some **chemical and biological agent** may be concealed, possibly weaponised”;
- Iraq had “developed a **missile with a range of 150km** [the Al Samoud], which is permitted under UN controls. Although not fully operational, this could reach Kuwait and Saudi Arabia”; and
- Iraq was “converting the L-29 jet trainer aircraft into a crude **remotely piloted vehicle** which could carry an explosive, chemical or biological weapon to Kuwait and against other targets in the northern Gulf”.

Prospects for the future

The JIC stated that “in the absence of UN inspectors”, since December 1998, Iraq had:

- “... increased the pace and scope of its **missile** research and development programmes. Series **production**” of the Al Samoud missile “**could begin within months**”. A “longer range version (up to 200km)” was “being worked on”.
- There was “no evidence” of a revival in the Al Hussein programme.
- “According to intelligence preliminary work” was “under way on another missile with a possible range of over 700km”.
- Intelligence suggested “some **biological** and **chemical** warfare activity”. Iraq was “rebuilding its civil chemical industry, including facilities formerly associated with chemical weapons”.

- The JIC judged that “Iraq may already be producing biological agent and could produce a small number of chemical weapons within weeks of a decision to do so”; and, “were economic sanctions lifted”, Iraq could “build a **large scale production capability within a few years**”.
- The same was “probably true for **biological weapons**”.
- There was “little evidence of **nuclear** weapons research”: but, “as in all areas of WMD”, Iraq retained “expertise” and was “trying to buy dual-use materials”.

The JIC judged that Saddam Hussein would “**seek to re-establish all his WMD and missile programmes**”:

- “• **effective UNMOVIC and IAEA monitoring** would act as a **deterrent** and constraint to his ambitions, in particular on the nuclear and longer range missile programmes. But it would be less effective in monitoring Iraq’s development of chemical and biological weapons, which could be more easily concealed;
- **without economic sanctions** but with **effective UN monitoring**, Iraq could conduct research and development on longer range missiles. It could not, however, put them into production. Its ability to rebuild a dedicated chemical weapons or large scale biological weapons production capability would be constrained. But Iraq could use its restored civil chemical industry and existing biotechnology industry to produce chemical and biological agent. Effective UN monitoring would act as a deterrent to Iraqi development of its nuclear ambitions;
- without either economic sanctions or an effective UN monitoring presence, Iraq would significantly increase its procurement and accelerate its WMD and missile programmes. Iraq could begin to produce a small number of new ... Al Hussein missiles within a year. We would be less likely to detect progress in other areas. It would take Iraq at least five years to make a crude nuclear device and a further two years to manufacture a nuclear warhead for missiles.”

The Assessment stated if economic sanctions were lifted, military sanctions would remain in place for some time. If they were eventually lifted “both Saddam Hussein and any likely successor” were “likely to give **high priority**” to restoring military capability, “**including WMD**”.

How sanctions and UN monitoring had affected the development of Iraq’s WMD and ballistic missile programmes, and how the progressive lifting of both would affect the future of Iraq’s WMD capability against its neighbours, was examined in more detail in an Annex to the Assessment. That included:

Ballistic missile capability

- The JIC judged that, following the Gulf War, Iraq had “probably concealed components and a small number of ... Al Hussein missiles”.
- Since 1991, Iraq had “expanded its liquid propellant expertise with the Al Samoud missile”. Development of the missile had “**accelerated** over the past year as a result of increased funding and Saddam Hussein’s personal interest” and “Iraq had also been working on extending its range to at least 200km”. Iraq believed that “with further imports, they could complete development work for this version within 6 months”. Iraq was “also expanding a number of sites associated with its

solid fuel missile programme". "Preliminary work" was "under way on the 150km Ababil-100". Iraq "would continue with the development" of that missile and "the longer range solid propellant project".

- **"Series production of Al Samoud could begin within months.** A longer range version might be developed over the same period."
- Iraq "could **assemble a number of Al Hussein missiles for deployment within weeks**".
- "Without trade sanctions and UN monitoring, **Iraq could produce a small number of new Al Hussein missiles within a year.**"

Chemical warfare programmes

- "All known CW production facilities and dedicated precursor plants were disassembled or destroyed during the Gulf Conflict or subsequently under UNSCOM supervision"; but "agents, munitions, warheads, precursor chemicals and production equipment" could have been concealed from UN inspectors.
- Sanctions and monitoring had slowed "**reconstruction of some of the facilities formerly associated with**" Iraq's CW programme.
- While there was "no firm evidence of a chemical warfare programme", Iraq had "continued to acquire **dual use chemicals** and conduct research". That "and intelligence of **research into weaponising aerial bombs** suggests that some chemical warfare activity continues".
- Iraq "**could produce small but significant amounts of mustard agent within weeks** of a decision to do so. It **could produce nerve agent within months** ... It could **also produce small numbers of CW munitions and missile warheads.**"
- "Were trade sanctions lifted, and in the absence of UNMOVIC, Iraq could re-establish a large scale production capability within a few years."

Biological warfare programme

- Iraq "claimed to have ... destroyed all ... materials and weapons" related to its biological warfare programme, but the JIC judged that it might "retain hidden production equipment, stocks of agent and even biological weapons".
- Sanctions had "slowed but not prevented imports of dual use equipment that could be used in a BW programme".
- Iraq still had "**sufficient expertise, equipment and material to produce BW** without procurement from abroad. It could **use legitimate civil or dedicated BW facilities, including mobile laboratories,** for this work."

Nuclear weapons programme

- Iraq had "retained the scientific cadre associated with nuclear weapons work. Iraqi entities, some formerly associated with its nuclear programme, seek **dual use equipment that could be used in association with a centrifuge programme.** Unconfirmed intelligence indicates **Iraqi interest in acquiring uranium and continuing nuclear weapons related research after the Gulf War.** None of the intelligence acquired since the war is 'smoking gun' evidence. But it remains suspicious and seems indicative of attempts to retain a cadre of expertise, which will decline over time without international access."

- Iraq still lacked “fissile material and the infrastructure to make it”.
- If Iraq were “able to acquire sufficient fissile [material] for a weapon or centrifuges and feed material from outside Iraq”, the time periods to manufacture a crude nuclear weapon and a nuclear warhead could, “with foreign assistance”, be “significantly shortened, with or without current controls”.

42. The JIC’s conclusions in relation to Iraq’s threat to its neighbours are set out in Section 1.2.

43. The Butler Report stated that the intelligence supporting the judgements on Iraq’s research and development programmes for ballistic missiles “came from a range of sources”, and was “substantial”.¹⁵

44. Addressing the intelligence underpinning the Assessment on Iraq’s nuclear activities, the Butler Report stated:

- Intelligence had detected a visit of Iraqi officials to Niger in 1999,¹⁶ and some details had subsequently been confirmed by Iraq. The purpose of the visit was not immediately known but, in the circumstances, including Iraq’s previous purchases of uranium ore from Niger, the JIC judged that the purchase of uranium ore could have been the subject of discussions and noted that unconfirmed intelligence indicated Iraqi interest in acquiring uranium.¹⁷
- “There was further and separate intelligence that in 1999 the Iraqi regime had also made inquiries about the purchase of uranium ore in the Democratic Republic of Congo.”¹⁸
- The description of the intelligence underpinning the statement on Iraq’s interest in acquiring uranium from Africa was “represented correctly by the JIC”.¹⁹
- The statements in the Assessment about Iraqi attempts to procure dual use equipment that could be used in association with a centrifuge programme fairly represented the intelligence.²⁰

¹⁵ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 248.

¹⁶ The Butler Report stated: “This visit was separate from the Iraqi-Nigerien discussions, in the margins of the mid-1999 Organisation of African Unity meeting in Algiers, attested to by Ambassador Wilson in his book ‘The Politics of Truth’” (Carroll & Graf, 2004, page 28).

¹⁷ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 493.

¹⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 494.

¹⁹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 220.

²⁰ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 220.

JIC ASSESSMENT, 9 FEBRUARY 2001: 'LONG RANGE BALLISTIC MISSILE THREAT'

45. In February 2001, the JIC assessed that Iraq was covertly working on long range missile systems, but it would be unable to achieve an operational capability while sanctions remained effective.

46. Based on one recent intelligence report, the JIC suggested for the first time that Iraq might have assembled “up to 20” Al Hussein missiles.

47. The JIC issued an updated Assessment of the “long range ballistic missile intentions and capabilities of North Korea, Iran, Iraq and Libya and their likely development over the next 10-15 years” on 9 February 2001.²¹ Those four countries were the only states currently developing long range ballistic missiles (with ranges over 1,000km) which were of concern to the UK.

48. The Assessment stated that North Korea was the main proliferator of ballistic missile technology. It also stated that Iran was developing long range missiles as part of what was judged to be a regional policy to deter other actors, including Iraq.

49. In its Key Judgements relevant to Iraq, the JIC stated:

- “• At present, none of them intends to attack the UK and **only North Korea** has a **clear intent** to develop a capability to **reach the US**. But their intentions could change quickly. Our assessments must therefore concentrate on capabilities, including both **worst case engineering judgements** and best estimates of the **likely timeframes** of their acquisition of usable ... missiles.
- Iraq is covertly **developing ballistic missiles** that are **beyond the 150km range permitted** ... It could also be in the **early stages** of developing a **two stage system with a possible range of 2,000km**. If successful, this would significantly increase the threat Saddam poses in the region and could, in the longer term, be developed to become a threat to the UK and US. At present, however, Iraq’s **missile programmes are constrained by sanctions**. While they remain effective, it is **unlikely that Iraq could achieve an operational long range capability.**”

50. The JIC Assessment stated:

- Iraq was “**known to want a capability to target Israel and Iran, and would like to acquire a capability to reach the rest of the Gulf**”; and its “strategic objectives” would “probably remain the same whether or not the current Government remains in power”.
- The JIC did “not know” whether an Iraqi Government “would aim to target Western Europe or the US, but it would be a credible deterrent objective for Saddam”.

²¹ JIC Assessment, 9 February 2001, ‘Long Range Ballistic Missile Threat’.

- Any acquisition of long range missiles “would significantly increase Saddam’s threat to the region and could, in the longer term, become a threat to the UK and US”.
- In the absence of the UN monitors, Iraq had **“increased the pace and scope of its missile programmes”**.
- The programmes were “at an early stage of development” and, while the embargo remained effective, it was **“improbable that Iraq could produce an operational long range capability”**.
- The JIC knew that Iraq had “retained key components of disassembled **650km range Al Hussein missiles**. Recent intelligence suggests that **they may have assembled up to 20 of these** missiles.”
- Iraq had used its permitted programmes “to develop the expertise it acquired on longer range systems before the Gulf War”.
- Intelligence indicated that **“Iraq may be working on a two stage solid propellant missile capable of delivering a payload to a range of some 2000km.**
- Iraq had “yet to develop successfully even its current short range solid propellant system”.
- The JIC assessed that **“Were sanctions lifted ... Iraq could produce a missile that could reach Europe, and possibly the UK within about six years and one capable of reaching the US within ten years.”** Those timeframes “could be shortened if Iraq received significant external assistance or was able to buy North Korean missile kits”.
- Iraq was “technically capable of arming a missile with a conventional, chemical or biological warhead”.
- The JIC judged it would take Iraq “at least seven years after the lifting of sanctions **to produce a nuclear warhead**”.
- The JIC could not yet “assess” what the payload would need to be for a nuclear warhead on a missile which would be able to reach the UK, or whether Iraq would “be able to develop the 500kg nuclear payload needed [for a missile] to reach the US in that time”.

51. The Butler Report stated that the JIC appeared to have based its judgement about Iraq’s possession of Al Hussein missiles on its long-standing view on Iraq’s concealment activities and three pieces of intelligence from three separate sources.²² The figure of “up to 20” missiles, which was used in all subsequent JIC Assessments and Government statements, was provided by one of those sources who was in a position to report authoritatively and reported reliably. He was, however, passing on the comments of a

²² *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 250.

sub-source who reported only once and whom the Secret Intelligence Service (SIS) was not able to contact after the conflict.

52. The need for a revised set of controls for Iraq's WMD and military programmes was agreed by No.10 in March 2001.

53. An FCO initiative seeking more information publicly to explain policy on Iraq seems not to have been pursued.

54. Sir John Sawers, Mr Blair's Private Secretary for Foreign Affairs from 1999 to 2001, told the Inquiry that, during the first meeting of Mr Blair and President Bush at Camp David on 23 February 2001 (see Section 1.2), Mr Colin Powell, US Secretary of State, had:

“... made clear that he was most concerned about Iraqi activities on chemical and biological weapons. There was a range of dual use goods here that should be properly controlled and should be subject to sanctions but the wider range of trade sanctions should be removed.”²³

55. The record of the Camp David meeting stated that the US and UK agreed on the need for a policy which was more widely supported in the Middle East region.²⁴ As a result of the policy of the previous 10 years, Iraq was not as large a threat as it could have been (including to Kuwait); but Saddam was still pursuing WMD (he had done little on the nuclear side).

56. The revised policy framework for Iraq, issued by No.10 on 7 March 2001, began:

“A revised set of controls [on Iraq] would be introduced as soon as possible, focused on Iraq's WMD and military programmes.”²⁵

57. Mr Tim Dowse, Head of the Foreign and Commonwealth Office (FCO) Non-Proliferation Department from January 2001 to November 2003, told the Inquiry that the FCO Board expressed an interest in early 2001 in drawing on intelligence and unclassified material to put more into the public domain to explain policy on Iraq.²⁶

58. The UK Government has been unable to identify any documents relating to this issue.²⁷

²³ Public hearing, 10 December 2009, pages 15-16.

²⁴ Letter Sawers to Cowper-Coles, 24 February 2001, 'Prime Minister's Talks with President Bush, Camp David, 23 February 2001'.

²⁵ Letter Sawers to Cowper-Coles, 7 March 2001, 'Iraq: New Policy Framework'.

²⁶ Public hearing, 25 November 2009, page 67.

²⁷ Letter Cabinet Office [junior official] to Aldred, 16 September 2015, 'Iraq Inquiry Request for Documents'.

59. On 25 April, Mr Dowse asked Mr Peter Ricketts, Chairman of the JIC from September 2000 to September 2001, for his help.²⁸ Mr Dowse wrote that there was “growing frustration” in the FCO that:

“... while we continue publicly to emphasise our concerns about the rebuilding of Iraqi WMD (and indeed the current UK/US review of policy looks like putting even more emphasis on this angle), the lines we have to deploy are based entirely on pre-Desert Fox material and are showing signs of too much recycling. Requests earlier this year from the Foreign Secretary and the FCO Policy Advisory Board for more up-to-date material received no response.”

60. A Defence Intelligence Staff (DIS) review of the intelligence had produced “somewhat disappointing results”.

61. Mr Dowse added that he understood the difficulties, but wrote:

“... it may be that there really is no more we can say and that we will have to rely on clever re-packaging. But our material compares unfavourably with fuller and fresher briefings [...] ... I wonder whether it might be worth a meeting to go over the possibilities, on the lines of the exercise the Cabinet Office co-ordinated just before Desert Fox, which produced an ‘unclassified JIC paper’ and a note for MPs, journalists etc?”

62. The UK Government has been unable to identify any response to this minute.²⁹

JIC ASSESSMENT, 10 MAY 2001

63. An Assessment issued on 10 May 2001, examining the UK’s ability to identify Iraq’s WMD facilities and the impact of military action, marked a shift in the JIC’s perception of Iraq’s intentions and activities.

64. The JIC acknowledged that the evidence base for its judgements on developments since December 1998 was “patchy”, but stated that Iraq was “becoming bolder” in conducting prohibited activities.

65. At the request of the MOD, a further JIC Assessment examining “what we know of Iraq’s WMD programmes, their future direction, our level of confidence in the intelligence, our confidence in being able to identify the location of Iraq’s WMD facilities accurately and the potential impact of direct military action against them”, was produced on 10 May 2001.³⁰

²⁸ Letter Dowse to Ricketts, 25 April 2001, ‘Iraqi WMD: Public messages’ attaching Minute DI ACR to Wedge, 29 March 2001, ‘Iraq: Review of Intelligence on Weapons of Mass Destruction’ and Minute DI ACR to Wedge, 11 April 2001, ‘Iraq: Release of Information Concerning Iraqi Regeneration of Bombed Facilities to the Press’.

²⁹ Letter Cabinet Office [junior official] to Aldred, 22 July 2015, ‘Declassification 3.3-MA’.

³⁰ JIC Assessment, 10 May 2001, ‘Iraqi WMD Programmes: Status and Vulnerability’.

66. The JIC noted that its “**knowledge of developments**” in Iraq’s WMD and ballistic missile programmes since December 1998 was “**patchy**”, but that “**intelligence gives grounds for concern** and suggests that Iraq is becoming bolder in conducting activities prohibited by UNSCR [UN Security Council resolution] 687”.

67. The JIC knew “**most about Iraq’s ballistic missile programme**”, where there had been “**a step change in progress**” over the previous two years. It knew that Iraq was “**developing longer range systems** possibly up to 2,000km”, and had “good intelligence on **research and development facilities**” but did “**not know where the longer range missiles will be built**”.

68. The JIC had “**no clear intelligence on Iraq’s nuclear programme**”. There was “evidence of increased activity at Iraq’s only remaining nuclear facility and a growing number of reports on **possible nuclear related procurement**”.

69. The JIC judged but could not confirm that Iraq was “conducting **nuclear related research and development** into the **enrichment of uranium** and could have longer term plans to produce enriched uranium for a weapon. If successful, this **could reduce the time needed to develop a nuclear warhead once sanctions were lifted.**”

70. The JIC continued to assess that “while sanctions remain in place, Iraq cannot indigenously develop and produce nuclear weapons. Were sanctions lifted, it would **take Iraq at least five years to produce a nuclear device** and a **further two to produce a warhead.**”

71. The JIC had “**good intelligence of Iraq’s former chemical and biological warfare (CBW) facilities, their limited reconstruction and civil production**”. That suggested “a continuing research and development programme”. There was “additional unconfirmed but credible **intelligence of weapons filling**”. But the JIC could not “confirm that specific sites” were “being used for CBW related activity”.

72. In the main body of the Assessment, the JIC:

- judged that intelligence reports reflected “**a continuing chemical warfare programme**, including research and development, together with the possible production and weaponisation of agent”;
- stated that the picture of Iraq’s BW programme was “unclear”; and
- stated that Iraq’s CBW capability was “not new”, but represented “**the most immediate Iraqi threat**”.

73. Other key points in the Assessment are set out in the Box below.

JIC Assessment, 10 May 2001: 'Iraqi WMD Programmes: Status and Vulnerability'

- Intelligence on Iraqi WMD was “difficult to obtain and to verify”.
- “Little of the intelligence is, however, sufficiently clear to identify the exact status and ultimate objectives of these programmes. Intelligence is clearest on Iraq’s **missile facilities and associated activities.**”
- “Because of the need for raw materials and components from abroad, sanctions remain an obstacle to the development of all Iraq’s WMD programmes.”

Iraq’s ballistic missile programme

- There was “**reliable intelligence of Iraq’s current short range ballistic missile programmes**” and “a growing body of evidence that Iraq intends to develop missiles well beyond its permitted range of 150km”. That “would represent a **step change in Saddam Hussein’s military capabilities**”.
- “An injection of an additional [US]\$20 million and political pressure from Saddam Hussein” appeared “to have **accelerated progress over the past year**”. That included:
 - “work on **extending the range of the Al Samoud missile to 200-300km** – production could start within the year”;
 - “work on a **further missile engine test stand with the capacity for much larger engines than the Al Samoud, including SCUD**”;
 - the intelligence was “less clear on longer term missile objectives”;
 - “... tests on pairs of solid propellant motor cases. These are at a very early stage of development, but **if combined in a missile**, they could have a range of up to **2,000km** with a 500kg payload. Developed individually into missiles, using the same payload, they could achieve a range of between **700-1,200km.**”
- The JIC assessed that both the Al Samoud and its extended range version “could deliver a conventional, chemical or biological warhead”.
- The JIC did “**not know** the location of some 20 reassembled 650km range Al Hussein missiles”.
- “Apart from the construction of a large test stand”, there was “**nothing to indicate plans to produce new SCUD type missiles**”.
- The JIC did “not know enough about the possible 2,000km range missile to judge a timescale for its completion”.

Chemical warfare programmes

- The JIC had “good intelligence of **Iraq’s former CW associated facilities**”; intelligence of “other related **CW activity, including possible weaponisation**” was “**less clear**”.
- The JIC did “not know the location of pre-Gulf War CW related stocks or where Iraq may have filled weapons. Such stocks would enable Iraq to use its chemical industry to **produce significant amounts of mustard gas within weeks** of a decision to do so, and **nerve agents within months.**”

Biological warfare programme

- The JIC had “**good intelligence of one facility** that could be used to **support BW agent production**. Other Intelligence which points to the possible research and **production of BW agent is unconfirmed**.”
- Iraq retained “**equipment and materials to produce BW**” and it had “**a number of delivery options**”; but there was “currently little evidence of BW activity at facilities formerly associated with Iraq’s BW programme”.
- The Assessment pointed to additional intelligence on “Iraqi **attempts to recruit new scientists by people formerly associated with Iraq’s BW programme** to work on **BW related research, including genetic engineering**”; “liaison reports of at least **six mobile Iraqi BW production facilities** for a number of unidentified agents”; and “evidence of increased activity at a former **BW associated plant in Amariyah**”.
- The JIC continued to judge that “**Iraq could produce BW agent within weeks** of a decision to do so”.

Iraq’s nuclear programme

- Iraq had “recalled its nuclear scientists in 1998”. It had made “**efforts ... since 1998 to procure items that could be used in a uranium enrichment programme using centrifuges**”.

Those included: “**aluminium pipes [tubes]**” and “**other dual use items**”.

Vulnerability of Iraq’s WMD programme

In relation to direct military action, the JIC judged that: “Although some WMD facilities could be destroyed by direct military action, this would be **unlikely to have a significant overall impact on Iraq’s WMD programmes**”. This was because:

- we do not know where all ballistic missile development is taking place. There would be **some impact on Iraq’s permitted missile development programme**, but military action would at best **only delay the development of prohibited longer range missiles**;
- **although targeting of Iraq’s remaining nuclear facility** might have some impact on its nuclear programme, it would be **unlikely to eliminate all nuclear activity**, some of which may be taking place at other sites;
- because much of Iraq’s CBW activity can be conducted in legitimate civil research facilities, Iraq’s **CBW** programme is likely to be unaffected by action against known suspect sites.”

The Assessment stated that “**targeting of suspected chemical or biological facilities would be portrayed as attacks on the civil infrastructure** and would in any case have limited or **no impact on Iraq’s ability to produce and weaponise chemical or biological agent**”.

The Assessment concluded:

“... **our ability to constrain Iraqi development of its WMD through other means is limited**. The development of Iraq’s WMD has been helped in recent years by **the absence of UN inspectors, the increase in illegal border trade and hard currency available to Iraq**. There have been an increasing number of

[...] reports on orders for illegal imports of missile related components and missile related components and materials [...] Because of the need for raw materials and components from abroad, sanctions remain an obstacle to the development of all Iraq's WMD programmes.”

74. Under a heading “Implications”, the JIC observed:

“This Assessment underlines the importance of pursuing vigorously work on the proposed UN controlled goods list, which would help sustain effective controls on Iraqi WMD development.”

75. The Butler Report commented that the Assessment “signalled a clear change in the JIC’s perception”.³¹

76. The Butler Report considered that the JIC judgements on Iraq’s ballistic missile programmes were “well-founded and properly expressed”.³²

77. Mr Miller told the Inquiry that the intelligence on the ballistic missile programme was “fuller, and in retrospect, proved to be more reliable”.³³ There was reliable reporting on missile production at one site. Separate reporting about the retention of Al Hussein missiles came from a source that was “characterised as regular and reliable”.

78. Mr Miller added that the report on the retention of the Al Hussein missiles was from “a year or two previously”, and that there was “a rather longer standing view that their disposal hadn’t been properly accounted for”.³⁴

79. In relation to the judgement that Iraq was “conducting nuclear related research and development into the enrichment of uranium and could have longer term plans to produce enriched uranium for a weapon”, the Butler Report stated it:

“... was based on two human intelligence reports, both from new sources and neither speaking from direct, current experience. Unusually in the nuclear field, we conclude that those reports were given more weight in the JIC Assessment than they could reasonably bear.”³⁵

80. Mr Miller told the Inquiry that there was “limited” new intelligence underpinning the Assessment on the nuclear programme. There was an SIS report that scientists had

³¹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 221.

³² *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 254.

³³ Private hearing, 5 May 2010, page 6.

³⁴ Private hearing, 5 May 2010, page 7.

³⁵ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 225.

been recalled to work on the programme in 1998 and other reports on Iraq's attempts to procure aluminium tubes and magnets.³⁶

81. The Butler Report stated that the judgements on Iraq's CW programme:

“appear to have been based on three main pieces of evidence:

- A single report from a new source who reported details of a project three years ago to integrate ... VX into rocket artillery warheads and the subsequent filling of 60 warheads.
- A further single report from a new source, passing on the comments of a subsource that he had been part of a project to produce the nerve agent VX in the period to 1998, again three years earlier.
- Intelligence pointing to the restoration of a facility formerly used for production of chemical agent precursors and on shipments to the plant, although there was no positive evidence that precursors had been produced.

“A further report from a liaison service on the establishment of a group of chemical experts to work on the production of chemical agent using mobile facilities appears to have been discounted by the JIC.”³⁷

82. The Butler Report concluded that the Assessment “reflected these reports fairly”; the intelligence “applied mainly to historical (as opposed to current) activity and, even so, was by no means conclusive”.³⁸

83. Mr Miller told the Inquiry:

- There was a new, UK human source at that time, “giving an account of weaponisation of ... VX in the mid- to late 1990s”.
- There was “another new source, with older reporting, about production in the earlier 1990s”.
- The reporting on VX “seemed to be reports to which we should pay serious attention” from “people who would have been in a position to know”, although one of them was “a new source”.
- Chemical production had been mentioned in the reporting “through liaison on mobile laboratories ... The view at the time by the technical experts was that if there were mobile facilities ... they were more likely to have a role in filling chemical munitions than the production of chemical agents.”³⁹

³⁶ Private hearing, 5 May 2010, page 2.

³⁷ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 233-234.

³⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 235.

³⁹ Private hearing, 5 May 2010, pages 7-8.

84. In relation to reports of the recruitment of new scientists to work on BW research and activity at a facility formerly associated with BW, the Butler Report stated that the “additional intelligence” identified “came from human intelligence and imagery”. It concluded that, “although the human intelligence was recording events that had taken place some time previously”, it had been fairly reflected by the JIC.⁴⁰

85. Sir John Scarlett told the Inquiry that the May 2001 Assessment had drawn “on two big assessments” in 2000 and provided “a sort of starting point”. By that time:

- “... there was heightened concern ... about possible nuclear-related procurement and longer-term plans to enrich uranium.”
- “Iraq was assessed to retain some stocks of chemical ... agents and weapons, but there were no details on locations or quantities. But there was a lot of attention being paid to the reconstruction of ... facilities which had been used in the past for chemical agent production.”
- There was “clear evidence of continuing biological warfare activity ... [T]he intelligence about mobile production laboratories ... was taken seriously. And ... there was a lot of emphasis on the capability of Iraq’s ... industry to start production of agents very quickly if a decision was taken to do that.”
- If Iraq “were to extend” the range of permitted ballistic missiles and then “design longer range missiles, that was given a lot of prominence in the assessment as a step change in the progress they were making”.⁴¹

86. Sir John subsequently added that the Assessment was:

“... a fairly firm judgement based on limited intelligence, but taking account of a lot of other issues, including past behaviour ... not just in terms of use but also of deception and concealment and so on.”⁴²

Wider concerns about proliferation and terrorist use of WMD

87. The perception of the threat posed by Iraq’s WMD programmes should be seen in the context of wider concerns about the proliferation of nuclear, chemical and biological weapons and their delivery systems, particularly ballistic missiles. By 2000 this was regarded as a major threat.

88. The Butler Report examined the background to the concerns about the nuclear, chemical, biological and ballistic missile programmes of Libya, Iran, North Korea and Iraq, and the state of knowledge about global trade and potential sources of proliferation. It also reviewed the intelligence available on the possibility that terrorist groups might seek to use such weapons.

⁴⁰ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 242-243.

⁴¹ Public hearing, 8 December 2009, pages 35-36.

⁴² Public hearing, 8 December 2009, page 42.

89. The possibility that terrorist groups might seek to use unconventional weapons was, until the mid-1990s, considered unlikely.

90. The Butler Review reported that JIC Assessments during the 1980s considered the possibility that terrorist groups might seek to use unconventional weapons as “remote”.⁴³

91. In June 1989, the JIC stated:

“We have no intelligence that any terrorist group makes CBW agents, possesses any such agents or is currently contemplating attacks using CBW agents or other toxic chemicals. The use of CBW agents by terrorists would generate widespread fear and could cause large numbers of casualties ... The mere threat of such use could be sufficient to cause panic.

“A terrorist would need only small quantities of CW agents. The simpler ones could in principle be made by anyone with a knowledge of A-level chemistry using readily obtainable materials. We believe that terrorist organisations could also readily obtain and handle without insurmountable difficulty, suitable bacteria, viruses and certain toxins.

“Although CBW proliferation undoubtedly increases the risk that CBW agents could be stolen ... or even supplied to terrorists by state sponsors ... this prospect must be viewed against a background where many suitable agents can be manufactured in small quantities using easily available materials. So far as terrorism is concerned, proliferation (if it comes about) may not necessarily be much affected by the actions of States with the relevant capability.”⁴⁴

92. In July, the JIC stated:

“We believe that even the most sophisticated and well-organised terrorist group is highly unlikely to be able to steal and then detonate a nuclear weapon within the foreseeable future ... At present the most feasible terrorist nuclear incident would probably be a credible hoax ...”⁴⁵

93. In April 1992, the JIC considered the technical options for terrorist attacks using chemical, biological, radiological or nuclear weapons, but emphasised the perceived difficulties, stating that terrorist groups might:

“... be deterred by the danger to their own members, or by the risk of alienating the public and especially their own supporters. They may also fear that an attack would cause international outrage leading to determined efforts on an international scale

⁴³ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 111.

⁴⁴ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 111.

⁴⁵ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 111.

to bring them to book. By contrast, conventional weapons are cheaper, easier to procure, and offer equal or greater effectiveness against traditional targets ...”⁴⁶

94. In the context of reports of fissile material being available on the black market, the JIC concluded in April 1994 that it was:

“... extremely unlikely that a terrorist group could produce even a crude nuclear device; nor is there any evidence that any group has contemplated the use of nuclear weapons. A more plausible scenario might be the dispersal of radioactive materials ...

“We believe that terrorists would not be able to acquire or deploy a nuclear weapon; radiological attacks are ... unlikely.”⁴⁷

95. The Assessment also stated:

“Attacks involving chemical or biological agents are also unlikely ...”

96. In an Assessment in July 1996, responding to a G7 declaration that special attention should be paid to the threat of the use of nuclear, biological and chemical materials for terrorist purposes, the JIC stated:

“There is no indication of any terrorist or other group showing interest in the use of nuclear, biological or chemical (NBC) materials against the UK. For a number of reasons, conventional weapons are likely to remain more attractive for terrorist purposes. But last year’s nerve agent attack in Tokyo [the use of sarin by the Aum Shinrikyo sect in the Tokyo underground in March 1995] will have heightened interest and, with ever more NBC information publicly available, hoaxes threatening NBC use are likely to become more difficult to assess.”⁴⁸

97. After Usama Bin Laden returned to Afghanistan, evidence accumulated of his interest in chemical and biological materials.

98. Usama Bin Laden had first become known as a high-profile supporter of Islamist extremism when fighting the Soviet forces in Afghanistan in the 1980s.⁴⁹

99. He founded the international terrorist group known as Al Qaida in 1989, “dedicated to opposing ‘un-Islamic’ governments in Muslim countries with force and violence”. He was based in Afghanistan and Pakistan from 1989 to 1991, when he moved to Sudan. Usama Bin Laden returned to Afghanistan in 1996.

⁴⁶ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 113.

⁴⁷ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 114.

⁴⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 116.

⁴⁹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 117.

100. In response to the presence of the US in the Arabian Peninsula and its “continuing aggression against the Iraqi people”, Usama Bin Laden and others issued a “fatwa” in February 1998 stating that it was “an individual duty for every Muslim” to “kill the Americans and their allies – civilian and military”.⁵⁰

101. In November 1998, the JIC stated that Usama Bin Laden had:

“... a long-standing interest in the potential use of CBR [chemical, biological and radiological] materials, and recent intelligence suggests his ideas about toxic materials are maturing and being developed in more detail ... There is also secret reporting that he may have obtained some CB material – and that he is interested in nuclear materials. We assess that he lacks the expertise or facilities even to begin making a nuclear weapon, but he might seek to make a radiological device.”⁵¹

102. In an interview with the *BBC* and the London-published Arabic newspaper *Asharq Al-Awsat* in December 1998, following Operation Desert Fox, Usama Bin Laden stated that “The British and American people loudly declared their support for their leaders’ decision to attack Iraq”, and that made it “the duty of Muslims to confront fight and kill” citizens of the two countries.⁵²

103. *BBC News* reported that Usama Bin Laden had stated that it was the duty of Muslims to “get rid of all the Americans and all of the Jews out of the land of Islam”.

104. In 1999, the JIC revised its position, concluding that some terrorists were no longer reluctant to cause mass casualties. The risk of a terrorist incident using chemical, biological, radiological or nuclear material had increased, but most terrorists would “continue to favour conventional weapons”.

105. Following receipt of further intelligence, the JIC stated in June 1999:

“Most of UBL’s [Usama Bin Laden’s] planned attacks would use conventional weapons. But he continues to seek chemical, biological, radiological and nuclear material and to develop a capability for its terrorist use. There is insufficient evidence to conclude that he has yet acquired radiological or nuclear material. In contrast, we now assess that his followers have access to some unspecified chemical or biological material. Some have received basic training in its use against individuals or in confined spaces.

“In April a leading Egyptian terrorist ... told an Egyptian court that UBL had CB ‘weapons’ which he could use against US or Israeli targets.”⁵³

⁵⁰ World Islamic Front, 23 February 1998, *Jihad against Jews and Crusaders*.

⁵¹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 117.

⁵² *BBC News*, 26 December 1998, *Bin Laden urges revenge*.

⁵³ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 118.

106. In July 1999, the JIC changed one of the key assumptions underpinning previous assessments, concluding that some terrorists were no longer reluctant to cause mass casualties:

“Over the 1990s there has been a significant increase in the quantity and quality of intelligence that some terrorists are interested in CBRN – and particularly in chemical and biological materials – as weapons. The risk of a CBRN terrorist incident has risen, albeit from a low base. In part this increase reflects the rise of Islamic extremism and ethnic hatred as terrorist motivations: some of the terrorists ... are less constrained by considerations such as public support, casualties among innocent bystanders, and the prospect of retaliation. It may also reflect the increasing availability of information about making and using CB materials ... [S]ociety’s vulnerability to terrorist attack from CB or radiological materials is high, exacerbated by the lack of a tried and tested CB counter-terrorist response in some countries.”⁵⁴

107. In addition, the JIC assessed that Usama Bin Laden had successfully acquired non-conventional weapons:

“... It has become clear that Usama Bin Laden has been seeking CBRN materials ... His wealth permits him to fund procurement, training and experimentation to an extent unmatched by other terrorists ... Given the quantity and quality of intelligence about his interests in CB materials, the length of time he has sought them, and the relative ease with which they can be made, we assess that he has by now acquired or made at least modest quantities of CB materials – even if their exact nature and effectiveness are unclear. The significance of his possession of CB materials is that, in contrast to other terrorists interested in CB, he wishes to target US, British and other interests worldwide. There is also intelligence on training in the use of chemicals as weapons in a terrorist camp in Afghanistan, although it is not yet clear if this is under Bin Laden’s auspices ... Bin Laden’s attacks remain more likely to employ conventional weapons than CB materials.”⁵⁵

108. The JIC retained its conclusion that:

“... the indications of terrorist interest in CBRN materials have yet to be matched by a comparable amount of evidence about possession and intent to use CBRN. Most terrorists continue to favour conventional weapons, as easier to use, more reliable, safer and more controllable than CBRN materials.”⁵⁶

⁵⁴ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 119.

⁵⁵ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 120.

⁵⁶ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 121.

109. Security Council resolution 1267 (1999) noted the US indictment of Usama Bin Laden and deplored the fact that the Taliban continued to provide him with a safe haven “to operate a network of terrorist training camps ... and to use Afghanistan as a base from which to sponsor international terrorist operations”.⁵⁷

110. The resolution:

- insisted that the Taliban authorities should “comply promptly” with previous resolutions “and in particular cease the provision of sanctuary and training for international terrorists and their organisations ...”;
- demanded that the Taliban turn over Usama Bin Laden to a country where he could be “effectively brought to justice”; and
- decided to impose sanctions on the Taliban.

111. In January 2000, the JIC stated that :

“UBL retains his interest in obtaining chemical, biological, radiological and nuclear (CBRN) materials and expertise. In autumn 1999 there was intelligence that he had recruited ... chemicals specialists ... Our assessment remains that UBL has some toxic chemical or biological materials, and an understanding of their utility ... But we have yet to see hard intelligence that he possesses genuine nuclear material.”⁵⁸

112. By August 2000, the JIC concluded that, although other Islamist extremist groups had an interest in non-conventional weapons, Usama Bin Laden posed the most severe threat.⁵⁹

113. Addressing the terrorist threat from unconventional weapons in January 2001, the JIC stated:

“The actual threat does not match the media hype. Almost all the available intelligence refers to terrorist interest in CB materials, rather than to specific attack plans. There is no credible intelligence that any terrorist except UBL has the capability or serious intent to explore the use of weapons-grade materials – nor, except for Chechen extremists, radiological material. Terrorists interested in CB are generally those least constrained by public opinion ... [T]he risks of attacks using toxic materials have always been greater overseas.

“UBL has sought CBRN materials for use as terrorist weapons ... From his public statements and interviews it is clear that he believes it is legitimate to use them as weapons ...

⁵⁷ UN Security Council resolution 1267 (1999).

⁵⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 122.

⁵⁹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 123.

“In 1999 he sought equipment for a chemical weapons lab in Afghanistan, and claimed already to have ... experts working there.”⁶⁰

114. In 2001, Iran, North Korea and Libya were “probably of greater concern than Iraq” in terms of nuclear and missile proliferation.

115. By early 2000, intelligence had revealed that AQ Khan, who directed Pakistan’s nuclear programme, was discussing the sale of nuclear technology to countries of concern, and that he was at the centre of an international proliferation network.⁶¹

116. Sir William Ehrman, FCO Director International Security from 2000 to October 2002, told the Inquiry that, at the beginning of the century, the nuclear programmes of concern in Libya, Iran and North Korea were “maturing”.⁶²

117. Sir William confirmed that, in terms of nuclear and missile proliferation, Iran, North Korea and Libya were “probably of greater concern than Iraq”.⁶³

118. Mr Dowse told the Inquiry that:

“... by 2001 ... various international regimes had clearly delayed and obstructed proliferation, but we were extremely concerned that in some specific cases determined proliferators were making progress. We were concerned about Iran ... Libya ... Iraq ... North Korea ... and we had also begun to get information about the activities of AQ Khan in Pakistan who was offering nuclear assistance for weapons programmes covertly to a number of countries, notably Libya.

“So we had a sense that ... the international non-proliferation regimes were important but not sufficient ...”⁶⁴

119. Mr Dowse added that there was particular concern about nuclear weapons and concerns about the impact of biological weapons. But it was “often quite difficult to see” how the latter “would be easily usable in an inter-state conflict”.

120. Lord Wilson of Dinton, the Cabinet Secretary from January 1998 to September 2002, described AQ Khan’s activities as:

“One of the most chilling developments in my time ... truly chilling and hugely worrying.”⁶⁵

⁶⁰ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 124.

⁶¹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 64-65.

⁶² Public hearing, 25 November 2009, page 9.

⁶³ Public hearing, 25 November 2009, page 10.

⁶⁴ Public hearing, 25 November 2009, pages 6-7.

⁶⁵ Public hearing, 25 January 2011, pages 51-52.

121. Following the 9/11 attacks, the JIC assessed on 18 September that they had set a new benchmark for terrorist atrocity, and that terrorists seeking comparable impact might seek to use chemical, biological, radiological or nuclear devices. But only Islamic extremists such as those who shared Usama Bin Laden’s agenda had the motivation to pursue attacks with the deliberate aim of causing maximum casualties.

122. The potential threat to UK interests would be higher the more closely the UK was identified with the US.

123. Following a request from Mr Blair for a reassessment of the nature and scale of the threat posed to the UK by terrorism and the contingency plans for dealing with it, the JIC considered whether the scale and nature of the terrorist threat to the UK had changed.⁶⁶

124. The key points made in discussion included:

- The attacks “marked a step change” and: “What had before been only an assessed possibility had now become a fact. A new benchmark had been set, and there could be no going back to the status quo ante.”
- “Even if the component parts of those attacks had not been wholly new, their sheer audacity, scale, co-ordination and ambition were novel.”
- “The terrorists with creativity and imagination would look for other ways to make as much impact. The draft [Assessment] needed to say more about the threat from chemical, biological, radiological and nuclear terrorism, which it underplayed.”
- “The paper needed to include some blue-sky thinking about what the future might hold, but to maintain a sense of proportion.”

125. Mr Scarlett concluded that “the draft needed reworking, in terms of both of its structure and framework, and of its detail”. A revised version would be circulated for further comment.

126. The Assessment, issued on 18 September, considered whether the attacks of 11 September changed the nature and scale of the terrorist threat to the UK, and the UK’s potential vulnerability to major terrorist attack, and “the current and immediately foreseeable threat in terms of the intention and capability of known terrorist groups”.⁶⁷ The Assessment assumed that there would be “a continuation of the current political circumstances in which the UK is closely identified with the US”.

⁶⁶ Minutes, 14 September 2001, JIC meeting. As a Director in the Treasury Public Services Directorate responsible for the Defence, Diplomacy and Intelligence Team, Ms Margaret Aldred, the Secretary to the Inquiry, was present at the discussion.

⁶⁷ JIC Assessment, 18 September 2001, ‘UK Vulnerability to Major Terrorist Attack’.

127. The JIC's Key Judgements included:

- The attacks had “set a new benchmark for terrorist atrocity. The level of destruction and the public impact are unprecedented.”
- “Terrorists seeking comparable impact may try to use chemical, biological radiological or nuclear devices ...”
- The “potential scope for terrorist attacks” was “very wide”: “But in order to assess the threat to the UK, we need to consider both the capabilities and the intentions of the terrorist groups.”
- “Only Islamic extremists such as those who shared Usama Bin Laden’s agenda currently have the motivation to pursue” attacks “with the deliberate aim of causing maximum casualties”. The more closely the UK was identified with the US, “the higher the potential threat” to UK interests “both here and overseas”.
- Major attacks like those of 9/11 required considerable planning and were “therefore likely to remain relatively infrequent”.

128. Addressing the nature of international terrorist groups, the JIC stated:

“The word ‘groups’ can be misleading in the context of *Islamic extremist terrorists*. There are established groups in different countries, usually working to a national agenda, but the networks associated with UBL are changeable ad hoc groupings of individuals who share his agenda, and who may come together only for a particular operation.”

129. The Assessment stated that it was “not yet clear” whether the success of the 9/11 attacks would:

“... alter how international terrorist groups view the context in which they operate. But it has certainly changed the psychological landscape. What had seemed a remote possibility has become a fact ... Copycat attacks could follow. Some terrorists might feel driven to match or exceed the scale of casualties in order to achieve a comparable impact. Or they might seek the same sort of shock, for example by using chemical, biological, radiological or nuclear devices. On the other hand, the sheer horror of the destruction could lead to a backlash against wanton attacks by those who have previously supported terrorists. And if the US successfully mobilises a new coalition of allies to end ... UBL’s career, some groups, and especially supportive states, might be deterred. But it will be some time before intelligence is able to build up a picture of the actual effect of the 11 September attacks ...”

130. Conventional munitions or Improvised Explosive Devices (IEDs), “now including hijacked aircraft”, were “the most likely form of attack”. But there was a need to take into account the “following potential threats”:

- **Chemical warfare agents:** UBL’s group was “assessed to have acquired a limited and unsophisticated chemical capability” and had been “reported at one stage to have seen potential use in assassinations and other attacks in small, confined spaces. But given time they might develop such ideas into plans to cause large numbers of casualties.”
- **Some biological warfare agents:** Intelligence had indicated that “UBL and other Islamic extremists” had “shown an interest in BW agents and their effects”.
- **Radiological dispersal devices:** There was “a considerable body of intelligence relating to trafficking in illicit nuclear materials, and intelligence that UBL possesses a small quantity of uranium. The use of uranium in a radiological dispersal device is extremely ineffective, and does not present anything other than the most minor of radiological hazards.”
- **Improvised nuclear device:** This would be “harder to design and build than a radiological dispersal device. [...] Such a device would be large, fragile and probably unreliable. It would need to be delivered by a vehicle or boat, or assembled in situ. [...] Acquiring the fissile material (plutonium or highly enriched uranium) would be the major obstacle. No terrorists have the ability to make fissile materials, and we have no evidence that any have acquired enough for a weapon. A terrorist with explosives expertise could detonate a nuclear weapon acquired from a nuclear-armed state, although it is unlikely to give its intended yield, if any.” There was “no credible intelligence to suggest that UBL or any other terrorist had acquired a nuclear device from the former Soviet Union”.

131. The Assessment stated that the forms of possible attack from those threats were:

“... not new in themselves. We assessed in 1990 that Iraq could use chemical and biological agents in covert attacks on western countries as well as in conflict. But the 11 September attacks highlight the risk that extremist groups might turn to these means of attack in order to maximise death and disruption. Unlike states – in most circumstances – such terrorists cannot be deterred by the prospect of retaliation.

“Terrorists have already shown they can cause mass casualties by conventional means ... The difficulties in making or using chemical, biological, radiological or nuclear weapons (CBRN), though by no means insurmountable, may make those options less attractive to them. But CW and especially BW agents have the potential to produce casualties in excess of those seen in New York. Hence any use, or threat of use ... would generate a degree of terror and panic out of proportion to the low probability of a successful major attack.”

132. Addressing who might have the capability and intent to threaten the UK, the Assessment stated that Islamist extremists had the “motivation to attack the West” and their means of operation made them “particularly difficult to identify and disrupt”. The US was “their main target”. Most Islamic extremists had not targeted the UK “to date”, but “the UK, France, Israel and ‘the West’ generally” were a “second rank in their list of priorities”.

133. The JIC judged that Hizballah, Hamas and Palestinian groups did not “currently intend to target UK interests”. That “could change if the situation in the Middle East deteriorates further”, but only Hizballah’s External Security Organisation had capability to “carry out significant attacks”.

134. Addressing the potential threat from Usama Bin Laden, the Assessment stated:

“In the context of UBL’s jihad, casualties and destruction could be an end in themselves as much as a means to an end.⁶⁸ He has no interest in negotiation and there is no indication that he can be deterred. Further major attacks by those who share his agenda cannot be ruled out, and may be more likely if UBL himself is killed and/or the US retaliates against Afghanistan. While his focus remains on the US and the Gulf, he has the capability to mount operations against the UK.”

135. The Assessment concluded:

“Further attacks in the near future are possible ... Nor should we conclude from the volume of intelligence on Islamic extremists’ aspirations that we necessarily face an escalating spiral of increasingly frequent attacks. Many will be disrupted ... Major attacks on anything like the scale seen in New York are likely to remain relatively infrequent. But the capacity to undertake them demonstrably exists.”

136. After 9/11, concerns in the UK about the risks of nuclear, biological, chemical and ballistic missile proliferation intensified.

137. In a speech addressing the Assembly on Terrorism on 1 October, Mr Kofi Annan, the UN Secretary-General, stated that, after the attacks of 9/11, “no one can dispute the nature of the terrorist threat, nor the need to meet it with a global response”.⁶⁹ He added that that would require:

“... Member States to live up to their responsibilities under international law. They must deal firmly with the reality of armed groups and other non-State actors who refuse to respect common principles of human dignity.

“It is hard to imagine how the tragedy of 11 September could have been worse. Yet, the truth is that a single attack involving a nuclear or biological weapon could have killed millions ... The greatest danger arises from a non-State group – or even an individual – acquiring and using a nuclear, biological, or chemical weapon. Such a weapon could be delivered without the need for any missile or any other sophisticated delivery system.”

⁶⁸ “UBL’s stated objective is to secure US withdrawal from the Middle East or, failing that, to provoke a reaction which would further demonise the US in the eyes of Muslims and destabilise moderate Arab states that he perceives as un-Islamic.”

⁶⁹ UN Press Release, 1 October 2001, *Secretary-General, Addressing Assembly on Terrorism, Calls for ‘Immediate Far-Reaching Changes’ in UN Response to Terror.*

138. Sir John Scarlett told the Inquiry that there had been “serious concern” in the autumn of 2001 about the availability of fissile material “especially from the former Soviet Union”, but he and Mr Miller both confirmed that there was no specific intelligence about potential supply to Iraq.⁷⁰

139. Sir David Manning, Mr Blair’s Foreign Policy Adviser and Head of the Cabinet Office Overseas and Defence Secretariat (OD Sec) from 2001 to August 2003, told the Inquiry that his American interlocutors were “very concerned about what was going on in North Korea”.⁷¹

140. Sir David also told the Inquiry that finds in Afghanistan had refocused attention on WMD and proliferation. There was pressure to deal with the Libyan programme and concerns about Iran and AQ Khan (in Pakistan).⁷²

141. The Butler Review described how, in early 2002:

“For the small group of policy-makers with access to the most sensitive JIC Assessments, there were increasing concerns about proliferation ... It [the JIC] was also reporting on the evidence found, as a result of military operations in Afghanistan, of Usama Bin Laden’s efforts to seek unconventional weapons. Finally senior policy-makers were also pre-occupied with the crisis between India and Pakistan and the nuclear risks which that posed.”⁷³

142. The Butler Review concluded that those elements “would have contributed to a strong sense of what one witness called a ‘creeping tide’ of proliferation and growth in the nuclear, biological, chemical and ballistic missile capabilities of countries of concern”.⁷⁴

Assessment of Iraq’s WMD capability after 9/11

November to December 2001

143. FCO advice to Mr Straw and No.10 on Iraq’s nuclear, chemical and biological warfare programmes in early December was, in some instances, couched in more definitive terms than the language used by the JIC and omitted the JIC caveats.

144. Mr Dowse told the Inquiry that, shortly after 9/11, Mr Jack Straw, the Foreign Secretary, asked about Iraq’s ability to use WMD if it was attacked and that the assessment provided by the FCO drew on the existing JIC papers.⁷⁵

⁷⁰ Private hearing, 5 May 2010, page 49.

⁷¹ Public hearing, 30 November 2009, page 4.

⁷² Private hearing, 24 June 2010, pages 6-7

⁷³ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 256.

⁷⁴ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 257.

⁷⁵ Public hearing, 25 November 2009, page 44.

145. Mr Straw was sent copies of the December 2000 and May 2001 JIC Assessments in mid-November.⁷⁶ He was told that the Key Judgements were “unchanged” and the JIC would be reviewing its judgements and the “threat of onward proliferation of WMD expertise and technology from Iraq to terrorist groups” later that month.

146. The FCO informed Mr Straw that the main conclusions to be drawn included:

- Iraq “probably” had the capability to strike Israel and other countries “with missiles tipped with chemical and biological warheads”.
- It was “highly unlikely” that Iraq possessed a nuclear weapon, but it had “the motive and technology to develop a radiological device”.
- UN sanctions had “prevented the reconstruction of Saddam’s conventional military machine”.

147. The FCO advice also stated:

- Recent intelligence indicated that research and development on nuclear weapons continued and that Iraq was seeking equipment for a uranium enrichment programme.
- Iraq’s CBW capabilities were the “greatest concern”.
- It was judged that Iraq “was able to conceal large quantities of chemical and biological stocks”.

148. The FCO also provided a copy of the “current press lines”, including:

- The UK believed the “Baghdad regime” was “still hiding weapons of mass destruction in a range of locations”.
- The “Baghdad regime” had “continued to pursue ballistic missile, nuclear, chemical and biological programmes in breach of its UN obligations”.
- Iraq had “admitted hiding chemical, biological weapons and missile parts in the desert ... caves and railway tunnels”.
- The UK believed Iraq still had “chemical and biological agents and the means to deliver them in a range of locations”.
- Iraq had admitted producing chemical and biological warfare agents, the effects of which were “horrendous”.
- The UK believed the “Baghdad regime” had “recently accelerated its weapons programmes”.

⁷⁶ [Minute FCO \[junior official\] to Dowse and PS \[FCO\], 13 November 2001, ‘Iraqi Capacity to Hit Back’.](#) [This mistakenly refers to an assessment in “November” 2000.](#)

149. In support of the last statement the FCO identified:

- continued progress of Iraq’s ballistic missile programme and repair of facilities damaged by Operation Desert Fox, and a belief that Iraq was planning to extend the range of its permitted missiles;
- concern about reports of increased nuclear procurement, a view that research and development on a nuclear programme had restarted, and a belief that if sanctions were lifted Iraq could develop a nuclear weapon within five years; and
- a belief that Iraq’s biological and chemical weapons programmes were continuing.

150. The JIC Assessment of 28 November judged that:

- **Practical co-operation between Iraq and Al Qaida was “unlikely”; and there was no “credible evidence of covert transfers of WMD-related technology and expertise to terrorist groups”.**
- **Iraq was “capable of constructing devices to disperse chemical or biological agent, or radiological material”, but there was “no reliable intelligence of any Iraqi intent”. If the regime was under serious and imminent threat of collapse, WMD terrorism was possible but, in other circumstances, the threat would be “slight”.**

151. At the request of the FCO, the JIC assessed Iraq’s support for terrorism on 28 November.⁷⁷ The Assessment is addressed in Section 3.1.

152. In relation to Iraq’s capabilities and the possibility of proliferation to terrorist groups, the JIC Key Judgements stated that Saddam Hussein “would consider”:

“WMD terrorism, if his regime was under serious and imminent threat of collapse. In other circumstances **the threat of WMD terrorism is slight**, because of the risk of US retaliation.”

153. The Assessment concluded that “Iraqi capability and willingness to conduct **WMD terrorism**” was “not known with any certainty”. The JIC judged that Iraq was “capable of constructing devices to disperse chemical or biological agent, or radiological material”, but it had “no reliable intelligence of any Iraqi intent. Nor did it have:

“... any credible evidence of covert transfers of WMD-related technology and expertise to terrorist groups, or of any Iraqi role in the anthrax attacks in the US. Iraq would have to consider the risk of US retaliation ... On balance, we judge the **threat of Iraqi WMD terrorism is slight**, unless the regime was under serious and imminent threat of collapse.”

⁷⁷ [JIC Assessment, 28 November 2001, ‘Iraq after September 11 – The Terrorist Threat’.](#)

154. Mr Miller sent “a short note on Iraq’s WMD and ballistic missile capability”, which drew “heavily” on the JIC Assessment of 10 May, to JIC members on 30 November 2001.⁷⁸

155. Mr Miller described the main points as:

- Iraq “probably has a capability to target a limited number of ballistic missiles against other countries in the Middle East and Gulf regions, particularly Israel”.
- It was “possible that such missiles could be armed with chemical or biological warheads, although other conventional options for these weapons, such as aircraft or artillery, are available”.
- While Iraq was “judged unlikely to be able to acquire any nuclear capability in the short term”, the “construction of a radiological dispersal device” was “technically possible”.

156. The UK Government has been unable to find a copy of the note Mr Miller provided.⁷⁹

157. The FCO perspective on Iraq’s WMD capabilities and intentions was set out in a letter from Mr Simon McDonald, Mr Straw’s Principal Private Secretary, to No.10 on 3 December in response to a request from Mr Blair for a note on options for dealing with Iraq (see Section 3.1).⁸⁰

158. The letter stated:

“There is real reason for concern about Iraq’s WMD programmes, principally CBW and long range missiles. There is evidence of continuing Iraqi attempts to procure nuclear-related materiel. Saddam’s history of aggression and use of CW sets Iraq apart from other WMD-armed states.”

159. In an Annex addressing Iraq’s response to its obligations, the FCO stated that Iraq was:

“(a) **concealing information about large quantities of chemical and biological munitions, agents and precursors.** UNSCOM inspectors were unable to account for [material related to chemical weapons] and very large quantities of growth media acquired, on Iraq’s own admission, for the production of biological weapons;

(b) **concealing up to 20 long-range Al Hussein missiles;**

(c) **actively pursuing chemical and biological weapons and ballistic missiles.** The missile-related facilities damaged by Operation Desert Fox in 1998 have been repaired, research continues and new facilities are being constructed. Other former

⁷⁸ [Minute Miller to Wright, 30 November 2001, ‘Iraqi WMD capability in the event of a US attack’.](#)

⁷⁹ Letter Cabinet Office [junior official] to Aldred, 22 July 2015, ‘Declassification – 3.3-MA’.

⁸⁰ [Letter McDonald to Tatham, 3 December 2001, ‘Iraq: Options’.](#)

chemical and biological weapons facilities have been restored: some CW and BW-relevant activity is under way;

(d) **seeking to rebuild a nuclear weapons programme.** Recent intercepted Iraqi procurement efforts have involved material relevant to production of fissile material;

...”

160. On 4 December, Mr Blair sent President Bush a paper setting out proposals for Phase 2 of the war against terrorism.

161. Mr Blair stated that Iraq was a threat because it had a WMD capability; was acquiring more; had shown its willingness to use it; could export that capability; and was in breach of UN Security Council resolutions.

162. Mr Blair sent President Bush a paper ‘The War against Terrorism: The Second Phase’ on 4 December (see Section 3.1).⁸¹

163. The paper comprised an overview of the possible approaches to potential terrorist threats in seven countries⁸² and a ‘Strategy for Confronting Islamic Extremism’ in moderate Muslim states.

164. In relation to Iraq, the key points included:

- Iraq was a threat because: “it has WMD capability; is acquiring more; has shown its willingness to use it; and can export that capability”. Iraq was in breach of UN Security Council resolutions 687 (1991), 715 (1991) and 1284 (1999) and Saddam Hussein supported certain Palestinian terrorist groups and used terror tactics against Iraqi dissidents.

The decision to produce a dossier covering Iraq, Iran, North Korea and Libya

165. To inform preparations for the meeting between Mr Blair and President Bush in early April 2002, No.10 commissioned a number of papers in February 2002.

166. That included a paper for public consumption setting out the facts on WMD in relation to the key capabilities of countries of concern.

167. In his annual State of the Union Address on 29 January 2002 President Bush described the regimes in North Korea and Iran as “sponsors of terrorism”. In relation to Iraq’s WMD he stated that Iraq had continued to:

“... flaunt its hostility towards America and to support terror ... The Iraqi regime has plotted to develop anthrax, and nerve gas, and nuclear weapons for over a decade.

⁸¹ [Paper Blair \[to Bush\], 4 December 2001, ‘The War against Terrorism: The Second Phase’.](#)

⁸² Indonesia, Iran, Iraq, Philippines, Somalia, Syria and Yemen.

This is a regime that has already used poison gas to murder thousands of its own citizens ... This is a regime that agreed to international inspections – then kicked out the inspectors. This is a regime that has something to hide from the civilised world.

“States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction these regimes pose a grave and growing danger.”⁸³

168. President Bush’s speech prompted a major public debate on both sides of the Atlantic about policy towards Iraq.

169. There were increasing indications that key figures in the US Administration were considering military action to achieve regime change in Iraq and an emphasis on the potential nexus for the fusion of WMD proliferation and terrorism.

170. On 13 February, Sir Christopher Meyer, British Ambassador to the US, advised that the hawks in Washington felt that they had won the argument about the need for military action; and that the US might want to issue an ultimatum on inspections but set the bar so high that Iraq would never comply.⁸⁴ The US could want UK endorsement for their vision by mid-March.

171. Mr William Ehrman, FCO Director International Security, reported that a meeting with Sir David Manning “and some others” had discussed Sir Christopher Meyer’s telegram “and the question of legal considerations related to military action against WMD proliferation”.⁸⁵ Mr Ehrman said he had outlined the legal difficulty in trying to argue that WMD development posed an “imminent threat”.

172. President Bush’s speech, Sir Christopher’s telegram and Mr Ehrman’s report of the discussion, and the development of UK thinking, are covered in more detail in Section 3.2.

173. Mr Tom McKane, Deputy Head of OD Sec from 1999 to 2002, told the Inquiry that a meeting in No.10 on 19 February (see Section 3.2) had commissioned “a large number of papers ... for the meeting between President Bush and Mr Blair at Crawford, Texas, in early April 2002”.⁸⁶

174. The request was recorded in Mr McKane’s minute of 19 February.⁸⁷ The papers included:

- “**Iraq** A paper analysing the options, the state of play on the UN resolutions, the legal base and the internal dimension – the state of the opposition groups etc.”
- “**WMD** A paper for public consumption setting out the facts on WMD ...”

⁸³ The White House, 29 January 2002, *The President’s State of the Union Address*.

⁸⁴ [Telegram 197 Washington to FCO London, 13 February 2002, ‘US/IRAQ: The Momentum Builds’](#).

⁸⁵ Minute Ehrman to Goulty, 13 February 2002, ‘US/Iraq’.

⁸⁶ Public hearing, 19 January 2011, page 34.

⁸⁷ Minute McKane to Manning, 19 February 2002, ‘Papers for the Prime Minister’.

175. Mr Miller commented that the paper on WMD was “intended to be more about capabilities than proliferation”.⁸⁸

176. Ms Jane Hamilton-Eddy, one of the Deputy Heads of the Assessments Staff, wrote to the members of the JIC Current Intelligence Group (CIG) on proliferation on 22 February, with a first draft of the WMD paper which concentrated on Iran, Iraq, North Korea and Libya.⁸⁹ The draft drew heavily on US published sources.

177. Ms Hamilton-Eddy wrote that the aim was to include “relevant UK intelligence which helps to underpin our assessment”. Recipients, “particularly in the agencies”, were asked to “determine what additional material might be available”.

178. An article appeared in *The Observer* on 24 February reporting that the Government was planning to publish detailed evidence of Iraq’s nuclear capabilities.⁹⁰

179. A “senior No.10 official” was reported to have said that the meeting between Mr Blair and President Bush in April would “finalise Phase Two of the war against terrorism”, and “Action against Iraq” would be “at the top of the agenda”. As with Usama Bin Laden and the war in Afghanistan, it would be necessary to maintain public and international support for military action against Saddam Hussein. That was a “public persuasion” issue which would be tackled in the same way as the unprecedented “indictment” against Usama Bin Laden published by No.10 in October 2001 (see Section 3.1).

180. *The Observer* article also suggested that the document would “reveal that Iraq was attempting to amass rudimentary nuclear capabilities” and was “also investigating a way to launch ‘dirty’ nuclear bombs – unsophisticated devices which would nevertheless wreak havoc if used”.

JIC Assessment, 27 February 2002: ‘Iraq: Saddam Under the Spotlight’

181. A JIC Assessment issued on 27 February 2002 stated that Iraq continued to pursue its WMD programmes: design work for missiles with ranges greater than the UN limit of 150km was under way and it could produce chemical warfare agents “within weeks” of a decision to do so.

182. The JIC also introduced a new judgement that if it had not already done so, Iraq could produce significant quantities of biological warfare agent within days.

⁸⁸ Manuscript comment Miller on Minute McKane to Manning, 19 February 2002, ‘Papers for the Prime Minister’.

⁸⁹ Letter Hamilton-Eddy to JIC (Proliferation CIG) Members, 22 February 2002, ‘WMD Programmes of Concern’.

⁹⁰ *The Observer*, 24 February 2002, *Blair and Bush to plot war on Iraq*.

183. The JIC commissioned an Assessment of “Saddam’s threat perceptions and internal position: whether he is secure, what opposition he faces and what he is doing to try and avoid the internal and international threats he faces”.⁹¹

184. In its discussion of the draft, the JIC decided that the final Assessment:

“... needed to say a bit more about Iraq’s aspirations and potential in terms of Weapons of Mass Destruction, not least because this was, and would remain, an important area for policy discussions with the US. The Pentagon’s views on how soon Iraq might develop a nuclear capability did not quite match the UK’s, and it would be useful for Ministers to know the JIC’s mind.”⁹²

185. The Assessment, issued on 27 February, is addressed in detail in Section 3.2.

186. In relation to Iraq’s WMD, a Key Judgement stated that Iraq continued:

“... to pursue its WMD programmes. Design work for missiles with ranges greater than the UN limit of 150km was under way. If it has not already done so, Iraq could produce significant quantities of biological warfare agent within days and chemical warfare agents within weeks of a decision to do so.”⁹³

187. In relation to Iraq’s WMD capabilities, the Assessment stated:

“... Iraq continues to pursue the development of weapons of mass destruction.

“Though we lack precise data, Iraq has probably reconstituted many of the elements struck during Operation Desert Fox in December 1998.

“Iraq’s ballistic missile programme has extensively tested missiles under the 150km UN limit and intelligence indicates that design work for systems with ranges over 1,000km is under way.

“Iraq is assessed to have hidden 10-20 Al Hussein missiles (range 650km) capable of hitting Israel.

“Iraq also continues with its chemical and biological warfare (CBW) programmes and, if it has not already done so, could produce significant quantities of BW agent within days and CW agents within weeks of a decision to do so. These can be delivered by a variety of means. Methods of ensuring survivability of CBW production facilities from attack are a high priority.

“Procurement activity suggests that Iraq is continuing with a nuclear weapons programme, although its current status is unclear.

⁹¹ [JIC Assessment, 27 February 2002, ‘Iraq: Saddam Under the Spotlight’.](#)

⁹² Minutes, 27 February 2002, JIC meeting.

⁹³ [JIC Assessment, 27 February 2002, ‘Iraq: Saddam Under the Spotlight’.](#)

“Before the [1991] Gulf War intervened, Iraqi plans were well advanced and we judge they were only three years away from possessing a nuclear weapon.

“Were sanctions lifted now, we judge it would take Iraq at least five years to produce a nuclear weapon and a further two to produce a warhead.

“The acquisition of fissile material or significant technical assistance from abroad could significantly shorten this timescale.

“Iraq still has some low grade radioactive material which it could utilise in a radiological dispersal device, but there is no recent intelligence indicating that Iraq is pursuing such a course.”

188. The JIC judged:

“... **even if inspectors were allowed to return, Iraq would embark on a renewed policy of frustration**, involving denial, deception, obstruction and delay. Iraq would be able to conceal from inspectors much of its CBW work and research on longer range missiles, though probably not its missile production facilities.”

189. The JIC concluded:

“... if Saddam believed he was unable to deter a US attack to oust his regime, we judge he would go down fighting and could adopt high risk options, such as ... using weapons of mass destruction against US forces or Israel.”

190. The shortening of the timescale that Iraq would require to produce significant quantities of BW agent from “weeks” in the JIC Assessment of May 2001 to “days” was significant.

191. The Butler Report stated that continuing reports on Iraqi mobile biological agent production facilities, which were received from a liaison service, had had a significant impact on the Assessment.⁹⁴ The Butler Review had been told that was “based on a more thorough understanding of the capabilities of the mobile production facilities, and on [the] refurbishment of an Iraqi facility” which had been involved in research and biological agent production before the Gulf Conflict.

192. Other evidence on this point, in the context of the Assessment of 15 March, is addressed later in this Section.

193. Mr Simon Webb, MOD Policy Director, advised Mr Geoff Hoon, the Defence Secretary, that Saddam Hussein was “the strategic centre of gravity” of Iraq’s WMD programmes.

⁹⁴ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 244-245.

194. Mr Webb also advised that Iraq’s nuclear programme could move forward more quickly if it obtained fissile material from abroad.

195. Mr Webb, offered advice on the UK approach in response to President Bush’s “axis of evil” speech to Mr Hoon on 27 February (see Section 6.1).⁹⁵

196. Mr Webb recommended that the UK should:

- acknowledge that the three countries identified by President Bush posed increasing risks to international stability; and
- persuade the US to explain why, releasing intelligence in a “road show”.

197. Mr Webb also proposed adding Libya to the list of countries of concern.

198. Mr Webb sent Mr Hoon summaries of material on WMD programmes which might be released to European allies and informed him that the JIC was “working further on a public version”.

199. In relation to Iraq, Mr Webb wrote:

“Iraq came close to developing nuclear weapons before the Gulf War, with medium range missiles. The containment policy since then halted her nuclear progress, eg by UN inspection regimes and bombing in 1998. But Saddam has kept trying: we do not currently assess him as having succeeded but the high level of technical capacity that Iraq has sustained means that they could move forward quickly, especially if Saddam could lay his hands on fissile material.”

200. Mr Webb added that some of the programmes could be explained:

“... in regional terms: Iran and Iraq in particular respond to each other’s fears. But once the capability exists, it will pose risks not just to each other but to the wider region.”

201. Mr Webb also identified the potential risks to deployed forces and UK bases such as Cyprus, as well as the more general interest in stemming the tide of proliferation by using non-military and military options.

202. In the context of using international diplomatic pressure to control the proliferation of WMD, Mr Webb described Saddam Hussein as “the strategic centre of gravity of Iraqi WMD programmes”. He added that “unless we tackle some of those cheating on their treaty obligations, the rest of the WMD regime will crumble”.

203. The information sent to Mr Hoon about Iraq’s ballistic missile and biological warfare programmes reflected the JIC Assessments.

⁹⁵ [Letter Webb to PS/Secretary of State \[MOD\], 27 February 2002, ‘Axis of Evil’.](#)

204. On Iraq’s nuclear weapon programmes, Mr Hoon was told:

- “• Until 1991 Iraq had a massive nuclear weapon project. If the Gulf War had not intervened, it might have produced a crude nuclear device by late 1993.
- It is assessed that Iraq has no capability to manufacture weapons-usable fissile material. However, some dual-use material may still be in the inventory.
- With the departure of the IAEA ... in December 1998, Iraq could have recommenced nuclear weapons activity as it retains skilled scientists and weapons design information.
- If sanctions were lifted or became ineffective Iraq could possibly develop its first nuclear weapon – a crude weapon for air-delivery – in 5-7 years; and a further 2-3 years to produce a warhead for missile delivery. These timelines could be shortened if it has procured fissile material from abroad.”

205. On Iraq’s chemical weapons programme, Mr Hoon was told:

- “We assess that Iraq probably retains a stockpile, which could easily amount to more than 100 tonnes of agent.”
- “Iraq has the capability to start the production of significant amounts of mustard agent immediately, and the production of nerve agent within weeks of a decision to do so.”

206. In a letter of 27 February, Mr Ehrman questioned what was meant by the description of Saddam Hussein as the centre of gravity of Iraq’s WMD programmes, asking whether it was “too sanguine to suggest, if that is the intention, that his removal would necessarily bring them to an end”.⁹⁶

207. Mr Ehrman expressed surprise at Mr Webb’s assertion that “the bombing in 1998 helped to halt Iraqi progress in developing nuclear weapons”, commenting that the FCO understanding was that that was “not among the claims we made at the time”.

208. The evidence in Section 1.1 on the dismantling of Iraq’s nuclear programme and the objectives of Operation Desert Fox supports Mr Ehrman’s point.

209. The UK’s understanding of the impact of Desert Fox is set out in the Box below.

Impact of Operation Desert Fox

The JIC assessed in May 2001 that Operation Desert Fox had:

- set back parts of the ballistic missile programme by up to a year;
- not attacked CW facilities;
- damaged the castor oil plant, but there was no known impact on BW capability;

⁹⁶ Letter Ehrman to Webb, 27 February 2002, ‘Axis of Evil’.

- damaged the aircraft shelters associated with the L-29 trainer, but no aircraft had been destroyed; and
- disrupted security organisations involved in Iraq's WMD, but those connected with concealment were unlikely to have been damaged.⁹⁷

The CIG Assessment of 15 March 2002 stated that a “few high profile sites” associated with Iraq's ballistic missile programme had been targeted in the operation.⁹⁸

The DIS advised in April 2002 that the “direct impact” of Operation Desert Fox on Iraq's CBW capabilities was “very limited, being confined to an attack on a single facility with BW potential, with no attacks at all on CW-related facilities”.⁹⁹

The DIS understood:

- “Desert Fox was not intended to eliminate Iraq's ability to regenerate its **biological, chemical or nuclear weapons** programmes and had minimal effect on this ability.”
- Even if the BW facility had been destroyed, “this would not greatly affect Iraq's capability to regenerate its BW programme”.
- The Ministry of Industry and Military Industrialisation building, which was presumed among other things to have been “the administrative centre for Iraq's WMD programmes”, had “sustained moderate damage”.
- The value of the operation “from a WMD perspective” had been the damage to “Iraq's means of delivery”. The DIS's internal assessment was that the “ballistic missile programme had been set back by a year, and that damage to some facilities could take up to another year to repair”.

Mr Webb told the Inquiry that, after Operation Desert Fox, it had been concluded it was “not effective” and the MOD was “not able to offer any assurance that you would have been able to deal with the WMD problem solely by air power”.¹⁰⁰

Subsequently Mr Webb stated that the operation had “a very useful effect on reducing the capacity of the Iraqi integrated air defence system” which was “posing a threat” to aircraft enforcing the No-Fly Zones.¹⁰¹

210. The Assessments Staff produced a revised draft of the dossier on 28 February.

211. Ms Hamilton-Eddy circulated a revised draft paper, ‘WMD Programmes of Concern’, on 28 February. She wrote that it:

“... seems to be coming along well. But there are a few areas where ... statements need to be backed up with evidence. Iraq continues to look a bit thin.”¹⁰²

⁹⁷ [JIC Assessment, 10 May 2001, ‘Iraqi WMD Programmes: Status and Vulnerability’.](#)

⁹⁸ [CIG Assessment, 15 March 2002, ‘The Status of Iraqi WMD Programmes’.](#)

⁹⁹ Letter Barker to Hamilton-Eddy, 8 April 2002, ‘Iraq: WMD’.

¹⁰⁰ Public hearing, 24 November 2009, page 76.

¹⁰¹ Public hearing, 24 November 2009, page 136.

¹⁰² Letter Hamilton-Eddy to [JIC Proliferation (CIG) members], 28 February 2002, ‘WMD Programmes of Concern’.

212. The draft stated that it was “difficult to assess how close” Iraq was to “restoring its WMD capability, since the withdrawal of UN inspectors”. The sanctions regime had “hindered” reconstitution efforts, “although we believe these continue unabated”.¹⁰³

213. The draft set out descriptions of Iraq’s ballistic missile, nuclear and CBW capabilities which provided the basis for subsequent drafts.

214. The version sent to No.10 on 6 March is described later in this Section.

215. On behalf of Mr Webb, Mr Paul Schulte, MOD Director, Proliferation and Arms Control Secretariat, set out a number of concerns about the approach adopted, including that:

- the countries discussed in the paper were too narrow;
- there was a risk it would undermine the principle of not commenting on intelligence; and
- it would lead to questions about the action being taken and criticism of inaction.¹⁰⁴

216. Mr Webb suggested that the paper should address “only nuclear and missile issues in detail” and limit the “concerns over CBW to a more general statement” given that “In many cases, the arguments ... are somewhat thin and unconvincing”.

217. The DIS provided detailed comments from the MOD on the draft paper.¹⁰⁵

218. Most of the comments offered by the DIS on Iraq were incorporated in the draft paper sent to No.10 on 6 March.

219. A DIS document produced on 5 March stated that there was no definitive intelligence on Iraq’s concepts for the use of WMD.

220. At the request of Air Marshal Joe French, Chief of Defence Intelligence, the DIS produced a paper on 5 March examining “US military” options for removing Saddam Hussein over the next 12 months.¹⁰⁶

221. The paper is addressed in Section 6.1.

222. Addressing the possibility of Iraq using WMD, the DIS wrote that it had “no definitive intelligence” on Iraq’s concepts for the use of WMD:

“Iraq did not employ WMD against coalition forces ... [in 1991], nor against the subsequent internal uprisings. We judge that Saddam wished to avoid

¹⁰³ Letter Hamilton-Eddy to [JIC Proliferation (CIG) members], 28 February 2002, ‘WMD Programmes of Concern’ attaching Paper Cabinet Office, [undated], ‘WMD Programmes of Concern’.

¹⁰⁴ Letter Schulte to Hamilton-Eddy, 4 March 2002, ‘WMD Programmes of Concern’.

¹⁰⁵ Letter ADI PS [MOD] to Assessments Staff [junior official], 4 March 2002, ‘DIS Comments on WMD Programmes of Concern (Unclassified Paper)’.

¹⁰⁶ [Paper DIS, 5 March 2002, ‘Politico Military Memorandum, Removing Saddam’.](#)

regime-threatening retaliation from the coalition. Hence the use of WMD will be linked to perception of regime survivability. Were the regime in danger of imminent collapse, Saddam might consider use of WMD against internal opposition, US forces or Israel.”

223. The paper was sent to Mr Hoon, the Chiefs of Staff, Sir Kevin Tebbit, MOD Permanent Under Secretary (PUS), Mr Webb, Lieutenant General Sir Anthony Pigott, Deputy Chief of the Defence Staff (Commitments), and a small number of other individuals. It was also sent to Mr Scarlett and the Assessments Staff, Mr Tom Dodd, OD Sec, Ms Amanda Tanfield, Head of the Iraq Section in the FCO Middle East Department, and SIS.

224. The paper was subsequently included in the pack of reading material on Iraq for Mr Blair, which was sent to No.10 by Mr Scarlett on 1 August (see Section 3.4).

Public statements by Mr Blair and Mr Straw

225. From late February 2002, Mr Blair and Mr Straw began publicly to argue that Iraq was a threat which had to be dealt with.

226. In a memorandum to the Foreign Affairs Committee (FAC) in June 2003, the FCO stated:

“In the early months of 2002, British Government statements underlined the singular threat posed by Iraq’s behaviour.”¹⁰⁷

227. Before the Commonwealth Heads of Government Meeting in Australia, Mr Blair gave an interview to the *Australian Broadcasting Corporation* on 28 February in which he stated that he agreed with President Bush “very strongly that weapons of mass destruction represent a real threat to world stability”; and that: “Those who are engaged in spreading weapons of mass destruction are engaged in an evil trade and it is important that we make sure that we have taken action in respect of it.”¹⁰⁸

228. Mr Blair also stated that: “The accumulation of weapons of mass destruction by Iraq poses a threat, not just to the region but to the wider world.” President Bush was “absolutely right to raise it”.

229. On 3 March, Mr Blair was reported to have told *Channel Nine* in Australia that:

“We know they [Iraq] are trying to accumulate ... weapons of mass destruction, we know he’s prepared to use them. So this is a real issue but how we deal with it, that’s a matter we must discuss.”¹⁰⁹

¹⁰⁷ Memorandum FCO to Foreign Affairs Committee, 19 June 2003, ‘Further memorandum from the Foreign and Commonwealth Office – Building a case against Iraq’.

¹⁰⁸ *BBC News*, 28 February 2002, *Blair hints at Iraq action*.

¹⁰⁹ *BBC News*, 3 March 2002, *Blair gives Iraq new warning*.

230. Mr Blair was also reported to have argued that the lessons of 9/11 meant that such threats must be tackled; and that “if we don’t act we will find out too late the potential for destruction”.

231. In an article published on 5 March, Mr Straw stated that if Saddam Hussein refused to co-operate with weapons inspection, he would have to live with the consequences.

232. Mr Straw provided an article, published in *The Times* on 5 March, stating that:

“The stalemate between the United Nations and Iraq cannot go on for ever. For more than a decade, Britain and the United States have led the UN’s efforts to protect Iraq’s neighbours from aggression and protect the world from Iraq’s weapons of mass destruction.

“Iraq persistently flouts the authority of the UN Security Council and international law ...

“The threat from Iraq is not receding. Unique among the world tyrants, Saddam has both the ruthlessness and capability to employ weapons of mass destruction.”¹¹⁰

233. In relation to WMD the article stated that, since 1991:

- “... evidence has been building up that the threat from Iraq’s weapons programmes is growing once more”.
- “Many of the facilities damaged in 1998 ... in Operation Desert Fox had been repaired.”
- Iraq had “persisted with its chemical and biological weapons programmes” and was “developing ballistic missiles capable of delivering such weapons to targets beyond the 150km limit imposed by the UN”.
- There was “evidence of increased efforts to procure nuclear-related material and technology, and that nuclear research and development work [has] begun again”.
- Without the controls which had been imposed, “Saddam would have had a nuclear bomb by now”.
- Saddam Hussein had “both the ruthlessness and capability to employ weapons of mass destruction”.
- The regime had “admitted hiding” WMD.
- Iraq had admitted manufacturing chemical weapons and biological agents: “The destructive potential of these weapons beggars the imagination.”

¹¹⁰ *The Times*, 5 March 2002, *Saddam must allow weapons inspectors into Iraq or suffer the consequences*.

- The UN weapons inspectors, who had been “denied access to Iraq” could not “account for large quantities of materials used to make these deadly substances”.
- “The international community’s most pressing demand” was that Iraq should allow UN officials to inspect its weapons programmes.

234. The article concluded:

“We cannot allow Saddam to hold a gun to the heads of his own people, his neighbours and the world for ever. Intense diplomatic efforts will continue, and I hope they will achieve our aim of removing the threat which Iraq’s weapons of mass destruction pose to humanity. But if he refuses to open his weapons programmes to proper international inspection, he will have to live with the consequences.

“No decisions have been taken, but let no one – especially Saddam – doubt our resolve.”

235. In his reply to a debate in Westminster Hall on 6 March, Mr Ben Bradshaw, the Parliamentary Under Secretary for Foreign and Commonwealth Affairs, stated that the main concern was Iraq’s “determination to build weapons of mass destruction and the threat it poses, not just to its neighbours, but to the rest of the world”.¹¹¹

236. A briefing paper prepared at Mr Straw’s request was sent to members of the Parliamentary Labour Party and to the members of Cabinet. That described Iraq as a threat to the international community and its WMD programmes as “massive”.

237. The paper stated that if Iraq’s programmes remained unchecked, Iraq could develop a crude nuclear device in about five years.

238. A briefing paper on Iraq, prepared at Mr Straw’s request by his Special Adviser, Dr Michael Williams, was issued to the Parliamentary Labour Party (PLP).¹¹²

239. The paper provided more detail on the arguments for addressing the Iraqi regime as “a demonstrable threat to the stability of the region” which Mr Straw had set out in his article in *The Times*, including the key elements of the strategy of containment, Iraq’s failure to comply with most of the 27 obligations imposed in UN resolutions and criticism of Iraq’s “notorious” human rights record.¹¹³

240. In relation to WMD, the paper stated:

- The Iraqi regime was threat “as a result of its continued development of weapons of mass destruction”.

¹¹¹ House of Commons, *Official Report*, 6 March 2002, column 87WH.

¹¹² Statement, Lord Williams of Baglan, 9 January 2011, page 5.

¹¹³ Paper for the Parliamentary Labour Party, 5 March 2002, ‘Iraq Briefing’.

- Saddam Hussein’s use of chemical weapons against Iraq’s people and neighbours made him “unique among modern dictators”.
- Saddam Hussein remained “determined to retain and rebuild his Weapons of Mass Destruction (WMD) and threaten the region”.
- Iraq had “admitted hiding chemical, biological weapons and missile parts in the desert and in railway tunnels”.
- “We believe Iraq is still hiding WMD in a range of locations.”
- UN inspectors had been unable to account for significant quantities of precursor chemicals for use in the production of chemical weapons.
- “We fear Iraq is taking advantage of the absence of UN weapons inspectors to rebuild its WMD.”
- If Iraq’s weapons programmes remained “unchecked”, Iraq “could redevelop offensive chemical and biological capabilities within a very short period of time and develop a crude nuclear device in about five years. Without the controls they would have developed a nuclear weapon by now.”

241. Posing the question “Are you preparing for military action against Iraq?”, the paper stated:

“We cannot ignore the threat Iraq poses to the international community through its massive programme of development of weapons of mass destruction.”

242. Mr Straw’s Private Office signed a letter to members of Cabinet on 6 March, suggesting that they might find the PLP briefing paper on Iraq “useful background”.¹¹⁴

243. In response to press reporting about Iraq’s potential to develop a crude nuclear device in about five years if its programmes remained “unchecked”, Mr Dowse wrote to Dr Williams on 13 March, pointing out that the reference in the PLP briefing paper statement differed from the FCO’s “usual line” on Iraq’s nuclear weapons.¹¹⁵ That was that the development of a nuclear weapon would be possible only if UN sanctions were lifted. Mr Dowse added:

“... we believe that at present ... the Iraqi nuclear weapons programme is not ‘unchecked’ (CBW programmes are another matter) ...”

244. Mr Dowse wrote that the difference was “small, but significant” and it raised an issue in relation to the “draft public dossier on ‘WMD programmes of concern’, which the Cabinet Office was producing”. Mr Dowse added:

“We clearly will now have to review the text, to avoid exposing differences with your paper.”

¹¹⁴ [Letter Sedwill to Rycroft, 6 March 2002, ‘Iraq: Cabinet Discussion’.](#)

¹¹⁵ Minute Dowse to Williams [Michael], 13 March 2002, ‘Iraqi WMD – Public Lines’.

245. Mr Dowse concluded by underlining the importance of “very close co-ordination at a time when so much public briefing material is in preparation on WMD – and Iraqi – issues”.

246. On 6 March, Mr Blair published an article setting out why Iraq was still a threat to the UK.

247. An article by Mr Blair, ‘Why Saddam is still a threat to Britain’, was published in the *Daily Express* on 6 March.¹¹⁶

248. Mr Blair wrote that “we now have to face the fact that there are irresponsible states which either have, or are actively seeking, biological, chemical and nuclear weapons”, and that was a threat which President Bush had “rightly highlighted” in his State of the Union speech on 29 January.

249. In relation to the threat posed by Iraq, Mr Blair wrote:

- We “know ... from his own history that Saddam Hussein ... has mass destruction weapons and will use them ...”
- The UN had “demanded” in 1991 “that its representatives should be allowed into Iraq to dismantle his weapons of mass destruction and ensure he did not replace them” because Saddam Hussein had “used chemical weapons repeatedly against Iranian soldiers”, and had used them “against his own citizens when he attacked Kurds in northern Iraq”.
- The UN weapons inspectors had “discovered and destroyed thousands of chemical and biological weapons, including thousands of litres of anthrax and 48 missiles” before they had been “kicked out”.
- The inspectors were “convinced” that Saddam Hussein had “hidden other deadly arsenals and the plants to manufacture more” but could not track them down because of “almost daily obstruction”.
- It was important to “remain vigilant” about the threat posed by Saddam Hussein. If he was not restrained, “a volatile situation in the region could easily become a world crisis”.
- The fact that Saddam Hussein had been contained “for so long” did not mean the threat had gone away, he was “continuing his chemical and biological weapons programmes and ... the long-range missiles to deliver them”.

250. Mr Blair concluded:

“How we act is a matter for discussion ... [I]t is in the interest of all to face up to these threats with determination and resolve ...”

¹¹⁶ *Daily Express*, 6 March 2002, *Why Saddam is still a threat to Britain*, www.ukpressonline.co.uk.

DRAFT 'WMD PROGRAMMES OF CONCERN' PAPER, 6 MARCH 2002

251. Mr Scarlett told Sir David Manning that the draft paper for publication on WMD programmes of concern had taken a maximalist line, but said little that had not already been published by the US.

252. Mr Scarlett sent a draft paper setting out the facts “for public use” on WMD programmes of concern in Iraq, Iran, North Korea and Libya, which had been commissioned on 19 February, to Sir David Manning on 6 March.¹¹⁷

253. Mr Scarlett wrote that there were:

“reservations on several points:

- acknowledging that specific judgements draw on intelligence;
- including material that we know only from intelligence sources;
- going further than before in our accusations ...”

254. Mr Scarlett added:

“We can discuss these issues (and indeed whether the paper should only focus on Iraq) at your meeting tomorrow ... while the draft does take a maximalist line, it goes little further on most points than the material already published by the Americans (to whom we are showing this version in parallel).

“Getting the presentational tone right will clearly be key. We will need to consider at what stage to consult Alastair Campbell [Mr Blair’s Director of Communications and Strategy]. Alastair is aware that the draft paper is being shown to you today and stands ready to advise ...”

255. The Introduction to the draft paper stated:

- “Several countries have WMD programmes and missile systems to deliver nuclear, chemical or biological warheads. They are working to develop more accurate and longer range missiles that will allow them to threaten more than just their immediate neighbours.”
- “Several countries that promised not to acquire nuclear weapons are trying to build them; North Korea has probably already succeeded.”
- “There are similar problems over chemical weapons ... Saddam Hussein used chemical weapons ... as recently as the late 1980s.”
- “Some countries also have or wish to acquire, biological weapons, some of which have the potential to cause casualties on the same scale as nuclear weapons.”

¹¹⁷ [Minute Scarlett to Manning, 6 March 2002, ‘WMD Programmes of Concern – Unclassified’ attaching Paper, ‘WMD Programmes of Concern’.](#)

- “We know too that Usama Bin Laden’s Al Qaida has for several years tried to get nuclear, chemical and biological agents. They had some success, and may even have obtained some chemical, biological and radiological materials, before being seriously disrupted by coalition action in Afghanistan. They will keep on trying.”
- “These facts are alarming. This paper sets out what the Government knows about them, consistent with the protection of sensitive sources of information.”

256. In relation to nuclear proliferation, the draft paper drew attention to the “increasingly worrying evidence that several countries that have signed the NPT” were:

“... nonetheless seeking to breach the Treaty and acquire nuclear weapons. Such actions are illegal and destabilising. The governments concerned are themselves volatile and unpredictable. If these countries succeed in bypassing their international obligations and acquire nuclear weapons, the world will become immeasurably more dangerous.”

257. The Summary of Iraq’s capabilities stated:

- Iraq has a chemical and biological weapons capability.
- Iraq is seeking a nuclear weapons capability.
- Iraq is developing longer range ballistic missiles capable of delivering these weapons of mass destruction throughout the Middle East and Gulf Region.”

258. In the section on Iraq, the draft paper stated:

“Successful enforcement of the sanctions regimes and the UN arms embargo have hindered Iraq’s reconstitution efforts, although WMD programmes continue. Since the withdrawal of inspectors in 1998, monitoring of Iraqi attempts to restore a WMD capability has become more difficult.”

259. The draft paper stated that Iraq had “Retained more than a dozen prohibited Al Hussein (650km) missiles” and was “Working on designs for longer range missiles”. It highlighted Iraq’s achievements pre-1991, the use of ballistic missiles during the Iran-Iraq War and the 1991 Gulf Conflict, and, drawing on intelligence, Iraq’s more recent activities.

260. In relation to Iraq’s nuclear ambitions, the draft paper stated: “Iraq has a nuclear weapons programme, but it is unable to produce fissile material while sanction[s] remain in place.” The UK assessed that, in 1991, Iraq was “only three years away from possessing a nuclear weapon”, and:

“Iraq still wants a nuclear weapons capability and is working to achieve it. Much of their former expertise has been retained and there is intelligence that specialists have been recalled to work on a nuclear weapons programme. But Iraq needs certain key components and materials for the production of fissile material, which would be necessary before a nuclear bomb could be developed. Iraq is covertly

attempting to acquire nuclear related technology and materials, such as specialised aluminium, which is prohibited under the terms of international non-proliferation agreements because of its potential application to gas centrifuges used to enrich uranium.”

261. As long as sanctions hindered the import of “crucial goods”, Iraq “would find it difficult to produce a nuclear weapon”. It was assessed that “Iraq would need five years to produce a weapon” if all sanctions were lifted, and progress would be “much quicker if Iraq was able to buy suitable fissile material”.

262. In relation to chemical and biological weapons, the draft paper stated: “Iraq has a capability to produce CBW weapons at short notice.” It set out Iraq’s activities pre-1991, including its use of chemical weapons against Iran and Kurds in Northern Iraq; its history of denying its chemical and biological programmes; and the estimates of material produced which the UN weapons inspectors had been unable to account for.

263. The draft paper added that the UK assessed that Iraq had:

“... a covert chemical and biological weapons programme. All the necessary expertise has been retained. Iraq appears to be installing or repairing dual use equipment at suspect facilities, which could be used for chemical or biological weapon production ... Iraq is assessed to be self-sufficient in terms of producing biological weapons.”

264. The draft paper also stated that Iraq had developed “Strategies that enable key parts of the chemical and biological weapons programme to survive a military strike”; and that it was:

“... modifying L-29 light aircraft and seeking UAV [Unmanned Aerial Vehicle] technology, which would be suited for delivery of chemical and biological weapons.”

265. The draft paper was also sent to Sir Richard Wilson, Cabinet Secretary, the heads of the intelligence Agencies, Mr Peter Ricketts, FCO Political Director, AM French, Mr Webb, Mr McKane and Mr Miller.

266. Mr Miller sent the draft to the US Embassy in London asking for comments, including if it raised “any sensitivities from an intelligence perspective”, and any additional input that “might strengthen the public case”, by early the following week.¹¹⁸

267. At the JIC meeting on 6 March, Sir David Manning said it would be “very helpful if an updated assessment on Iraq’s WMD capabilities could be provided by the end of the following week”, to form part of the package of briefing being prepared for Mr Blair’s visit to the US.¹¹⁹

¹¹⁸ Letter Miller to US Embassy, 6 March 2002, ‘WMD: Public Handling’.

¹¹⁹ Minutes, 6 March 2002, JIC meeting.

268. Mr Scarlett invited the Assessments Staff to prepare a CIG Assessment.

269. The Assessment, issued on 15 March, is addressed later in this Section.

270. The UK Government has been unable to find any record of Sir David Manning's meeting on 7 March, at which the draft Cabinet Office 'Iraq: Options Paper' was also discussed.¹²⁰

CABINET, 7 MARCH 2002

271. Cabinet was told on 7 March that Iraq's WMD programmes posed a threat to peace.

272. Cabinet's discussion of the wider policy on Iraq is addressed in Section 3.2.

273. In relation to WMD, Mr Straw told Cabinet that "it was important to remind his colleagues of the background" of Iraq's failure to meet the obligations imposed by the Security Council, and that Saddam Hussein's:

"... regime continued to pose a threat to peace through its development of weapons of mass destruction (WMD) and the means to deliver them. UN weapons inspectors had been forced to leave Iraq in 1998 because they were close to exposing the full extent of Saddam's programmes."¹²¹

274. Mr Straw concluded:

"No decision had been taken on launching further military action ... but, it was important to ensure that the British public and international opinion understood the true nature of the threat posed by the regime and the need to respond effectively."

275. Cabinet Ministers raised a number of points in the subsequent discussion, including that "it was important to distinguish between the campaign against international terrorism and efforts to address the threat ... posed by the Iraqi regime's continuing development of WMD".

276. In his conclusion, Mr Blair stated:

"... the Iraqi regime was in clear breach of its obligations ... Its WMD programmes posed a threat to peace ..."

CABINET OFFICE, 'IRAQ: OPTIONS PAPER', 8 MARCH 2002

277. The Cabinet Office co-ordinated background paper on Iraq, commissioned on 19 February, was sent to Mr Blair on 8 March.

¹²⁰ Letter Cabinet Office [junior official] to Iraq Inquiry, 22 July 2015, [untitled].

¹²¹ [Cabinet Conclusions, 7 March 2002.](#)

278. Iraq's WMD capabilities were briefly summarised in line with the JIC Assessment of 27 February, including that Saddam Hussein would continue with his WMD programmes.

279. The Cabinet Office 'Iraq: Options Paper', commissioned by Sir David Manning and co-ordinated by OD Sec, was sent to Mr Blair by Sir David on 8 March, as part of the collection of "background briefs that you asked for" for the meeting with President Bush.¹²² The paper is addressed in detail in Section 3.2.

280. In relation to WMD, the paper advised that containment had:

- effectively frozen Iraq's nuclear programme;
- prevented Iraq from rebuilding its conventional arsenal to pre-Gulf Conflict levels;
- severely restricted Iraq's ballistic missile programmes; and
- hindered Iraq's biological and chemical weapons programmes.¹²³

281. The intelligence was "poor"; and there was no greater threat now that Saddam would use WMD than there had been in recent years.

282. The 'Options Paper' proposed consideration of a staged approach to establish international support for military action, advising that for the five Permanent Members (P5) and the majority of the UN Security Council to take the view that Iraq was in breach of the cease-fire provisions of resolution 687 (1991):

- “• they would need to be convinced that Iraq was in breach of its obligations regarding WMD, and ballistic missiles. Such proof would need to be incontrovertible and of large-scale activity. Current intelligence is insufficiently robust to meet this criterion ...; or
- ... Iraq refused to admit UN inspectors after a clear ultimatum by the Security Council; or
- the UN inspectors were re-admitted to Iraq and found sufficient evidence of WMD activity or were again expelled trying to do so.”

283. Mr Straw stated that the WMD paper had to show that Iraq posed an exceptional threat, and did not yet do so.

284. The Cabinet Office 'Options Paper' and the WMD paper were sent to Mr Straw on 8 March.¹²⁴ In relation to the draft paper on WMD, Mr Straw commented that it was:

“Good, but should not Iraq be first and also have more text? The paper has to show why there is an exceptional threat from Iraq. It does not quite do this yet.”

¹²² Minute Manning to Prime Minister, 8 March 2002, 'Briefing for the US'.

¹²³ [Paper Cabinet Office, 8 March 2002, 'Iraq: Options Paper'](#).

¹²⁴ [Minute McDonald to Ricketts, 11 March 2002, 'Iraq'](#).

JIC Current Intelligence Group Assessment, 15 March 2002

285. A Current Intelligence Group (CIG) Assessment of the status of Iraq's WMD programmes was produced to inform Mr Blair's discussions with President Bush. It stated that Iraq continued to pursue a policy of acquiring WMD and their delivery means.

286. A CIG Assessment, 'The Status of Iraqi WMD Programmes', was "approved on behalf of the Committee [JIC]" by Mr Miller on 15 March 2002.¹²⁵

287. The Assessment stated that it had been commissioned by the FCO "to aid policy discussions on Iraq", but the minutes of the JIC of 6 March suggest it was produced in response to a request from Sir David Manning specifically to inform Mr Blair's discussions with President Bush.¹²⁶

288. The Key Judgements in the Assessment were:

- Iraq **retains up to 20 Al Hussein ballistic missiles** ... The location and condition of these is unknown, but there is sufficient engineering expertise to make them operational.
- Iraq has begun development of **medium range ballistic missiles over 1,000km** ... but will **not be able to produce such a missile before 2007** provided that sanctions remain effective.
- Iraq is **pursuing a nuclear weapons programme**. But it will not be able to **indigenously produce a nuclear weapon while sanctions remain** in place, unless suitable fissile material is purchased from abroad.
- Iraq **may retain some stocks of chemical agents**. Following a decision to do so, Iraq could produce:
 - significant quantities of **mustard within weeks**;
 - significant quantities of **sarin and VX within months**, and in the case of VX may already have done so.
- Iraq currently **has available**, either from pre-Gulf War stocks or more recent production, a number of biological agents. Iraq could produce more of these **biological agents** within days.
- A decision to begin CBW production would probably go undetected.
- Iraq can deliver CBW weapons by a variety of means including ballistic missiles. **Iraq's CBW production capability is designed to survive** a military attack and UN inspectors."

¹²⁵ [CIG Assessment, 15 March 2002, 'The Status of Iraqi WMD Programmes'](#).

¹²⁶ Minutes, 6 March 2002, JIC meeting.

289. In the main text, but not in the Key Judgements, the Assessment warned that the intelligence on Iraq's WMD and ballistic missile programmes was "**sporadic and patchy**". It added, however, that Iraq was:

"... well practised in the art of deception, such as concealment and exaggeration. A complete picture of the various programmes is therefore difficult. But it is clear that Iraq continues to pursue a policy of acquiring WMD and their delivery means. Intelligence indicates that planning to reconstitute some of its programmes began in 1995. WMD programmes were then given a further boost with the withdrawal of UNSCOM inspectors."

290. The detailed assessment of Iraq's capabilities is set out in the Box below.

CIG Assessment, 15 March 2002: 'Status of Iraqi WMD Programmes'

Ballistic missiles

- "Iraq has rebuilt much of the military production infrastructures associated with the missile programme and the few high profile sites targeted in Operation Desert Fox in 1998."
- "New infrastructure is being built with a particular focus on improving the support to the solid propellant missile programme."
- The **Al Samoud** missile had been "extensively flight-tested" and intelligence indicated that Iraq had "produced at least 50 ... including those test fired". Preparations were under way "to deploy some of these to military units".
- "Iraq has reportedly succeeded in developing a number of 200km variants of Al Samoud although it is unclear if these are for operational use or research and development for longer range systems."
- "A small number of transporter-erector-launchers (TELs) have been seen, although others may exist."
- Both the Al Samoud and the Al Hussein "could deliver basic chemical and biological warheads". There were "a limited number of launchers available" for the missiles. "Identification and destruction by US aircraft of these missiles" was "unlikely in the first few days of an attack".
- The "solid-propellant **Ababil-100** has also been tested and has reached ranges up to 150 km. We judge that this system is likely to become operational as an SRBM [short-range ballistic missile] within 2 years. It might enter service earlier as an artillery rocket. Intelligence indicates that Iraq has plans to extend the range ... to 250km."
- Iraq was "seeking to develop new, **larger liquid and solid propellant missiles**, contrary to UN limits".
- "Recent intelligence" indicated "personnel associated with the Al Samoud programme" had "now been tasked to concentrate on designing liquid propellant systems with ranges of 2,000-3,000km".

- “New intelligence” indicated “the main focus may be on the development of a SCUD derivative, which we judge has an intended range of around 1,200km”. “Work on an engine for this system began in 1998, involving personnel who had been reviewing the details of previous Al Hussein production since 1995, although by the end of the year 2000 they were still experiencing technical problems. Additional personnel were probably assigned to other parts of the programme during 2000. A large static test stand capable of testing liquid propellant engines bigger than the SCUD engine has been under construction since mid-2000, probably in support of this programme. Work on larger motor cases for longer-range solid propellant systems has been noted over the last 2-3 years.”
- “**UN sanctions and the work of the inspectors**” had “caused significant problems for Iraq’s missile industry in acquiring components and production technology, in particular, for improving guidance and control systems and therefore missile accuracy”.
- Iraq was “actively seeking to procure material for its missile programme”. Imports entered the country “mainly via Syria and the UAE, with some also coming through Jordan and Turkey”; “In the last six months, Iraq’s foreign procurement front companies have become bolder in approaching Western firms, [...]”

Chemical warfare

- The CIG continued “to judge that Iraq has an **offensive chemical warfare (CW) programme**, although there is very little intelligence relating to it”.
- From the evidence available, the CIG believed that Iraq retained “some production equipment, and some small stocks of ... agent precursors, and may have hidden small quantities of agents and weapons”.
- “**Anomalies in Iraqi declarations to UNSCOM**” suggested that “stocks could be much larger”.
- Intelligence on production facilities was “scarce”; and “the reconstructed former precursor ... facility near Habbaniyah” was “insufficient to support large-scale CW agent production. Other industrial chemical facilities could be used ... but we have no intelligence to suggest they are currently being used in that role.”
- Intelligence had “indicated an Iraqi interest in transportable production facilities for chemical weapons, but these could produce only small amounts of agent” and the CIG judged it “more likely that the mobile units are for filling munitions”.
- Iraq could produce “**Significant quantities of mustard within weeks**, using hidden stocks of precursors and with support from Iraq’s chemical industry”, and “**Significant quantities of nerve agents within months**, mainly sarin and VX”.
- Production of significant quantities of nerve agent would be “heavily dependent on hidden stocks of precursors, the size of which are unknown”. “There had been one uncorroborated report that Iraq had filled some artillery rocket munitions with VX in the period 1996-1998, and another that a team of chemists was formed in 1998 to produce 5 tons of VX. The source had been told that this had been completed by the end of 1998.”
- Iraq could also produce “incapacitants”.

Biological warfare

Work on a **biological warfare (BW) programme** had “continued throughout the period of UNSCOM inspections” and intelligence indicated “that this programme continues. Key figures from the pre-Gulf War programme are reported to be involved.” Research and development was “assessed to continue under cover of a number of legitimate institutes and possibly in a number of covert facilities”.

The CIG judged Iraq “could produce significant quantities of BW agents within days of a decision to do so”.

There was:

“... no intelligence on any BW agent production facilities, but one source indicates that Iraq may have developed **mobile production facilities**. A liaison source reports that:

- the transportable production programme began in 1995;
- 6 road-based facilities on trailers, and one rail based facility ... were constructed and by March 1999; three were operational;
- the facilities were capable of making five different (unspecified/unknown) biological agents. Between November 1998 and March 1999 20-30 tons of BW agent was produced.”

The CIG commented:

“Though not corroborated, we judge the reporting is technically credible. Imagery has yet to provide firm collateral but has identified a number of sites that could be associated with this programme. The mobile production facilities have yet to be identified.”

The CIG did not “know which types of agent are produced by these facilities” but judged that “Iraq currently has available either from pre Gulf War stocks or more recent production, anthrax spores, botulinum toxin, aflatoxin and possibly plague”.

- The “castor oil extraction plant at the former Habbaniyah chemical weapons site may provide the base for producing ricin”, although there was “no evidence that Iraq is currently doing so”.
- “Reporting that Iraq has also conducted research on smallpox and other toxins cannot be corroborated.”
- The JIC judged that Iraq was “self-sufficient in the production of biological weapons”.

Delivery means

- Intelligence indicated that Iraq had “command, control and logistical arrangements in place” for the use of chemical weapons.
- Iraq had a “variety of **delivery means** available for both chemical and biological weapons, some of which” were “very basic”.
- “Because of the shortage of some platforms, such as aircraft and helicopters, we judge that Iraq would not be able to conduct a sustained CBW campaign ... even if Iraq could produce enough CBW agents to do so. But a single major attack or a number of small attacks would be feasible.”

Nuclear weapons programme

- The CIG judged that Iraq “**does not possess a nuclear weapons capability**”, and that: “Its programme was effectively dismantled by the IAEA”.
- Although there was “very little intelligence”, the CIG continued to judge that Iraq was “pursuing a nuclear weapons programme” which was assessed to be:
“... based on gas centrifuge **uranium enrichment** ... the route Iraq was following for producing fissile material prior to the Gulf War. Recent intelligence indicates that nuclear scientists were recalled to work on a nuclear programme in the autumn of 1998, but we do not know if large-scale development work has yet recommenced. Procurement of dual use items over the last few years could be used in a uranium enrichment programme. There have been determined efforts to purchase high strength aluminium alloy ...”
- A shipment stopped in Jordan was inspected by the IAEA, “who accepted, that with some modifications ... would be suitable for use in centrifuges”. But there was “no definitive intelligence that the aluminium was destined for a nuclear programme”.

The CIG continued to judge that:

- “while sanctions remain effective, Iraq cannot indigenously develop and produce nuclear weapons”;
- “**if sanctions were removed or became ineffective, it would take at least five years to produce a nuclear weapon.** This timescale would shorten if fissile material was acquired from abroad.”

Iraq “was capable of producing an **improvised nuclear device**, but it lacks suitable fissile material. Iraq has in the past explored the use of **radiological dispersal devices**, but the design we have seen was not a credible weapon. There is no intelligence that Iraq is interested in such devices.”

Dispersal of key equipment

- Iraq had “temporarily dispersed key equipment from its missile production facilities” following 11 September 2001, and was “likely to do so again” if it believed an attack was “imminent”.
- Recent intelligence indicated that Qusay Hussein “has directed the Military Industrialisation Commission to ensure that all sensitive weapons and chemical technology was well hidden in case of further UN inspections, and that ‘destruction committees’ have also been formed at suspect CW facilities”.
- Dispersal made “the targeting of production equipment very difficult, but it also prevents any surge in production”.

291. The view that Iraq had used the period since the departure of the weapons inspectors in December 1998 to seek to enhance its capabilities and was pursuing a programme of concealment and deception was firmly embedded in UK thinking by March 2002.

292. There was also an impression that Iraq had a clear strategic intent to pursue its prohibited programmes.

293. The Butler Report concluded that, for Iraq, readers of JIC Assessments would:

“... have had an impression of:

- a. The continuing clear strategic intent on the part of the Iraqi regime to pursue its nuclear, biological, chemical and ballistic missile programmes.
- b. Continuing efforts by the Iraqi regime to sustain and where possible develop its indigenous capabilities, including through procurement of necessary material.
- c. The development, drawing on those capabilities, of Iraq’s ‘break out’ potential in the chemical, biological and ballistic missile fields, coupled with the proven ability to weaponise onto some delivery systems chemical and biological agent.”¹²⁷

294. The Inquiry concurs with that conclusion.

295. Mr Dowse told the Inquiry:

“If sanctions were to go ... our assessment was that Saddam would very quickly aim to rebuild his WMD programmes and then would pose a threat to his neighbours and international peace.”¹²⁸

296. Asked about the impact of international conventions, Mr Dowse added:

“... the view was that Iraq would be likely to ignore them. It had a long history of cheating, attempting to hide, attempting to evade those controls. So I would say we had very little doubt that Saddam would try to rebuild his programmes.”

297. Mr Hoon told the Inquiry that, having got the capability, Iraq was capable of using it.¹²⁹ Asked whether Iraq’s nuclear programme had been frozen, Mr Hoon responded:

“His [Saddam Hussein’s] nuclear programme had been frozen because of the absence of fissile material, but I think there was sense that his efforts to develop larger and longer-range missiles was part of an ambition to deliver a nuclear weapon, if he could secure the fissile material.”

298. Sir William Ehrman stated that, in relation to chemical and biological capabilities, there were concerns about Iraq, “particularly through the spring and summer of 2002”, although much of the intelligence on which that was based was subsequently withdrawn.¹³⁰ Iraq’s previous actions in using chemical weapons and its breaches of UN Security Council resolutions also made it a unique case.

¹²⁷ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 255.

¹²⁸ Public hearing, 25 November 2009, pages 15-16.

¹²⁹ Public hearing, 19 January 2010, page 27.

¹³⁰ Public hearing, 25 November 2009, page 10.

299. Sir William subsequently stated that, by August 2002, concerns about the Libyan nuclear programme and the Iranian and North Korean nuclear and missile programmes were top priorities in respect of the UK's counter-proliferation strategy; but so was Iraq:

“... because its WMD may be the exception to the rule that such programmes are usually driven by defensive needs and, more importantly, are most likely to be deployed against UK forces and those of our allies.”¹³¹

300. Sir Richard Dearlove, Chief of SIS from August 1999 to May 2004, told the Inquiry that, in spring 2002, Libya's WMD programme was viewed as a more serious problem than Iraq.¹³²

301. Sir John Scarlett told the Inquiry that the stronger judgement in the 15 March 2002 CIG Assessment about Iraq's capability to produce biological agents “reflected a better understanding of the mobile facilities ... and the refurbishment of a former production facility”.¹³³

302. Sir John Scarlett confirmed that there had been a change in the assessment between May 2001 and March 2002, as the influence of the reporting on mobile laboratories had “built up”.¹³⁴

303. Mr Miller told the Inquiry that there was a “slight strengthening in March [2002] of the judgement that BW production was likely to be continuing”.¹³⁵ That was based on a “slight accumulation of evidence” from reporting from a new source on a possible laboratory and previous reporting in May 2001 from an SIS source on “anthrax production in the early 1990s”, taken together with a “more thorough review of the reporting on mobile laboratories”.

304. Sir John Scarlett added that “it was judged by the experts to be technically credible and indicated significant production in 1998 and 1999” and it had been “set against separate reporting, not from the same source, on procurement of large amounts of growth media, which at that stage was influential in the assessment”.¹³⁶ That was the reason for the judgement that production of biological agent could begin within days, rather than the previous assessment of weeks.

¹³¹ Private hearing, 14 June 2010, pages 2-3.

¹³² Private hearing, 16 June 2010, page 27.

¹³³ Public hearing, 8 December 2009, pages 37-38.

¹³⁴ Private hearing, 5 May 2010, page 17.

¹³⁵ Private hearing, 5 May 2010, page 16.

¹³⁶ Private hearing, 5 May 2010, page 18.

305. The Butler Report also drew attention to uncertainties underlying the judgements in the Assessment on Iraq's:

- attempts to procure aluminium tubes;
- possession of plague; and
- chemical weapons programme.

306. The Butler Report stated that the Assessment had been “careful in its description” of the purpose of Iraq’s attempts to procure aluminium tubes.¹³⁷

307. The Butler Report explained that the seizure of aluminium tubes in Jordan in 2001 had not deterred Iraq from its efforts, and “By November 2001, there was intelligence that their requirement had increased to 100,000 tubes”. It had, however, been “clear from an early date” that, “on the basis of the specifications of the tubes” sought by Iraq, “they would have required substantial re-engineering to make them suitable for gas centrifuge use, including reducing them in length, and machining metal off the inside and outside”. That was “paradoxical” given the “very fine tolerances” specified by Iraq.

308. An alternative explanation for the purpose of the tubes had been available “from the outset”.¹³⁸ Intelligence reporting in summer 2001 mentioned their potential use as rocket motor casings. One report recorded that Iraq had been seeking tubes of the same precise specification from Switzerland “probably for the Iraqi Air Force”. Other reports “suggested possible conventional military uses”.

309. Commenting on the inclusion of references to Iraq possibly possessing plague, the Butler Report stated that they seemed to have been included in the list of Iraq’s biological agents “mainly on the basis of reporting from a much earlier period”.¹³⁹ The judgement that Iraq could “possibly” produce plague within days “was stronger than was justified by more recent intelligence”. A report issued in 1999 had “noted that the informant was unaware of any Iraqi work on plague”. Comments on that report had “concluded prudently: ‘We do not currently have any evidence that plague forms part of the Iraq BW programme.’”

310. The Butler Report added that “although little new intelligence was received, and most of that was historical or unconvincing, plague continued to be mentioned in JIC Assessments up to March 2003”. It concluded that those Assessments “reflected historic evidence, and intelligence of dubious reliability, reinforced by suspicion of Iraq, rather than up-to-date evidence”.¹⁴⁰

¹³⁷ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 535-537.

¹³⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 540.

¹³⁹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 554.

¹⁴⁰ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 564-565.

311. The Butler Report also stated that the Assessment fairly reflected the intelligence on Iraq's chemical weapons programme, and that the word "may" had been used to reflect previous intelligence reports on the production and weaponisation of chemical agent.¹⁴¹ But it added, "we believe the position is best described by a DIS commentary at the time", which stated:

"Since 1998, there have been numerous claims that Iraq has continued to weaponise agent, but much of the reporting has come from dubious sources and that worth closer examination has lacked collateral and remains unsubstantiated."

312. Mr Miller told the Inquiry that there was little new intelligence on the chemical warfare programme, "but one of the reports on ballistic missiles had carried at least the implication that the person reporting believed that there was filling of missile warheads with chemical agents".¹⁴²

313. Sir John Scarlett told the Inquiry that the May 2001 Assessment on chemical agents had been "slightly stronger" than that of March 2002.¹⁴³

314. Mr Miller added that imagery had shown that plants which had been destroyed had been "recreated", "in some cases ... with apparently surprising levels of security".¹⁴⁴ But the reasons for the "less firm" assessment in March 2002 were "no longer completely clear". His view was that:

"... it reflected the judgement of the particular group of experts who had been convened on each occasion to look at the evidence. They reached slightly different conclusions on the weight to attach to it."

315. Sir John Scarlett also drew attention to the assessment of Iraq's ability to conceal and disperse its weaponry and that there was:

"... intelligence to show ... that thinking was being given to that and orders had gone out accordingly and there had been a temporary dispersal of what was called 'sensitive equipment' after 9/11."¹⁴⁵

316. Sir John added: "It was a firm underlying judgement that Iraq was pushing where it could, but there was little detailed intelligence on nuclear and chemical programmes." That had been "set against the underlying judgements [in earlier Assessments] on command and control and logistical support, weaponisation". But it did not answer the questions of what chemical or biological agents Iraq currently possessed or was producing.¹⁴⁶

¹⁴¹ *Review of Intelligence on Weapons of Mass Destruction* ["The Butler Report"], 14 July 2004, HC 898, paragraph 276.

¹⁴² Private hearing, 5 May 2010, page 8.

¹⁴³ Private hearing, 5 May 2010, pages 9-10.

¹⁴⁴ Private hearing, 5 May 2010, page 10.

¹⁴⁵ Public hearing, 8 December 2009, page 38.

¹⁴⁶ Public hearing, 8 December 2009, pages 38-39.

Draft 'WMD Programmes of Concern' paper, 15 March 2002

317. The revised draft of the paper for publication on WMD programmes of concern sent to No.10 on 15 March incorporated new material strengthening the sections on Iraq's capabilities, including highlighting some unique features in relation to Iraq's violation of Security Council resolutions and Saddam Hussein's use of CW agents against his own people.

318. The draft included a diagram illustrating the impact of a nuclear warhead with a 20 kiloton yield exploding over London, despite the fact that Iraq did not have such a capability and there was no indication that Iraq would target the UK.

319. In response to a request from Sir David Manning to look hard at the facts on Iraq, which would come in for tough scrutiny, particularly about the missile programmes, Mr Miller advised on 11 March that:

- "... there is not much new intelligence in the paper. It is open to the question: so what has changed?"
- Mr Campbell had had "a first run through the draft" that morning, and thought it was on "the right lines" but "suggested a number of areas where more details could be included".
- Mr Campbell had "also commissioned an unclassified paper on the world trade in WMD".¹⁴⁷

320. Mr Scarlett sent what was described as a "final draft" of the paper on WMD programmes of concern to senior officials in the FCO, the MOD and the intelligence agencies, on 13 March.¹⁴⁸

321. Mr Scarlett wrote that the draft further reflected the views of No.10 on an earlier version, and that it was "broadly content with the thrust of the paper".

322. Mr Scarlett drew attention to the fact that there were "still some reservations on a number of key points", including going further than before in statements on Iran and Libya's nuclear programmes.

323. Mr Scarlett sought final comments before a meeting the following day "to resolve any outstanding issues".

324. The key changes to the draft paper submitted on 6 March were:

- The Introduction, Background and Aim were largely unchanged although a sentence was added to the last stating that the paper focused "on four countries, which we judge pose a potential threat to our interests".

¹⁴⁷ [Minute Miller to Manning, 11 March 2002, 'WMD: Public Paper'.](#)

¹⁴⁸ [Minute Scarlett to C and others, 13 March 2002, 'WMD Programmes of Concern – Public Version'.](#)

- The Summary of Iraq's capabilities had been revised to focus first on Iraq's ballistic missiles, including the addition of a statement that Iraq retained "some prohibited missile systems".
- A statement that Al Qaida would "continue with its efforts to acquire WMD and will use them if successful" was added to the Summary.

325. In the detailed section on Iraq, the key changes were:

- References to relevant UN resolutions and statements that Iraq was in breach of those resolutions and the NPT were added and emphasised throughout the text.
- Addition of text stating that the sanctions regime had "impeded" Iraq's efforts to reconstitute its capabilities, but had "not halted them. Much of Iraq's missile infrastructure has been rebuilt; the nuclear weapons programme is been [sic] reconstituted; and Iraq continues to have the capability to produce chemical and biological weapons, and may already have done so."
- The section on ballistic missiles was strengthened by the addition of further details, including:
 - Iraq had chemical and biological warheads available in 1991, but did not use them.
 - Recent evidence suggested that Iraq had succeeded in "reverse" engineering SCUD missile engines, which meant it could build new missiles.
 - Some Al Hussein missiles "could be available for use", and although they were "not very accurate" they were "still an effective system which could be used with a conventional, chemical or biological warhead".
 - Reporting had recently confirmed that Iraq's priority was "to develop longer-range missile systems, which we judge are likely to have ranges over 1,000km".
 - Removal of the reference to Iraq working on missile systems "with ranges up to 2,000km".
- The nuclear section was strengthened by the addition of text on:
 - Iraq's aim before the Gulf Conflict to produce a weapon with a 20 kiloton yield, "ultimately" for delivery in a ballistic missile warhead.
 - Details of the impact of such a weapon if it was used over London.
 - Intelligence in the last year which "indicated" that specialists were recalled to work on the nuclear programme "in the autumn of 1998".
 - Iraq exploration of the use of radiological dispersal devices before the Gulf Conflict, but there was "no evidence that they have maintained this interest".
- Detailed drafting changes to the text on chemical and biological weapons, including that Iraq's modification of the L-29 trainer was judged to be "designed for the delivery of chemical and biological agents".

326. Comments described as the “advice of DIS desk officers rather than the official DIS position”, were sent to the Assessments Staff in advance of Mr Scarlett’s meeting, including that:

- Iraq had not admitted “large-scale” production of VX agent until 1995; and
- there was insufficient intelligence to support a statement that the modification of the L-29 (jet trainer aircraft) was designed to disperse chemical and biological agents.¹⁴⁹

327. A record of Mr Scarlett’s meeting produced by a DIS participant stated that Mr Straw’s comment, that he had been “left with the conclusion that there is nothing exceptional regarding Iraq”, was “seen as a fair assessment”.¹⁵⁰ That was “to be considered further”. The drafting comments on Iraq offered in the email from AM French’s office had been accepted.

328. The DIS document which appears to have provided the basis for the DIS comments sent to the Assessments Staff on 14 March, contained one additional point on Iraq questioning the categorical statement in the Summary section of the draft that Iraq had a chemical and biological weapons capability.¹⁵¹ The author stated that that was historically correct, but:

“... we are currently unsure as to Iraq[’s] absolute capability. We feel there may be difficulty supporting this in the public domain. We should prefer a bullet point similar to ... Iran.”

329. The relevant statement on Iran was that:

“Iran has a chemical weapons programme and is capable of producing a wide range of chemical weapons. Iran is also capable of producing biological agents.”

330. The UK Government has been unable to locate a CO record of Mr Scarlett’s meeting.¹⁵²

331. A revised draft of the WMD paper, which had been agreed with the intelligence agencies in the UK and included some comments from the US, was sent to Sir David Manning by Mr Scarlett on 15 March.¹⁵³

¹⁴⁹ Email AMA/CDI to [junior official], 14 March 2002, ‘FW: WMD Programmes Draft’.

¹⁵⁰ Minute DDI CPAC to PS/CDI and others, 14 March 2002, ‘WMD Programmes of Concern – Public Version’.

¹⁵¹ Document [unattributed], [undated], ‘DIS comments on WMD Programmes of Concern’.

¹⁵² Letter Cabinet Office [junior official] to Aldred, 16 September 2015, ‘Iraq Inquiry Request for Documents’.

¹⁵³ [Minute Scarlett to Manning, 15 March 2002, ‘WMD Programmes of Concern’.](#)

332. Addressing points raised by policy departments, including in relation to Iraq, Mr Scarlett wrote that:

- In the context of Mr Straw's comment that an earlier draft did not demonstrate why Iraq posed a greater threat than other countries of concern, the new draft highlighted "some unique features" in relation to Iraq's violation of Security Council resolutions and Saddam Hussein's use of CW agents against his own people.
- Sir David might wish to consider whether the paper could achieve more impact if it "only covered Iraq": "This would have the benefit of obscuring the fact that in terms of WMD, Iraq is not that exceptional. But it would diminish the impact of the paper in terms of the wider problem of WMD proliferation."
- There was a "potential for some awkwardness" because the briefing document circulated to the PLP in early March stated that Iraq could have nuclear weapons in five years if its programmes remained unchecked.

333. Mr Scarlett also drew attention to the implications of making public for the first time the UK's assessments of Iran and Libya's nuclear and chemical programmes, and the omission of Syria because it was "not expected to develop capabilities threatening to western interests (no long-range missiles)" and it was "not clear" if it was "pursuing a nuclear programme".

334. Mr Scarlett suggested that Sir David might want to consider a wider discussion of the issues raised, and advised that it would be important to set the paper "in a wider policy context" and prepare defensive press material before it was released.

335. Mr Scarlett also mentioned a separate paper, on the world trade in WMD commissioned by Mr Campbell, which "might be more effective as an appendix" to the paper on WMD programmes of concern. That could be considered when a more developed text was available.

336. There is no evidence that Sir David sought a wider discussion.

337. Changes to the draft included:

- A revision to the Aim to state that the paper focused "on four countries, whose activities are assessed to pose a direct threat to our interests".
- Saddam Hussein's "demonstrated readiness to deploy extensively WMD in the form of chemical weapons both against his neighbours and his own population" before the Gulf Conflict.
- Reference to Iraq's failure to comply with UN Security Council resolutions.
- The statement that recent evidence indicated Iraq had succeeded in reverse engineering SCUD missiles was amended to "may have succeeded".
- Addition of a reference to the IAEA having dismantled Iraq's nuclear weapons infrastructure, and the removal of a reference to a judgement that Iraq still

wanted a nuclear weapons capability while retaining the judgement that it was working to achieve one.

- Removal of the reference to Iraq's past exploration into the use of radiological dispersal devices.
- The statement "We judge that Iraq has a covert chemical and biological weapons programme ..." was changed to: "We assess that ..."

338. An FCO note summarising the history of attempts to get weapons inspectors back into Iraq, sent to No.10 on 15 March, in response to a request from Mr Blair, is addressed in Section 3.2.¹⁵⁴

Decision to produce a dossier focused on Iraq

Proposal for a media strategy to prepare opinion for possible military action

339. The FCO News Department prepared a draft media strategy suggesting that momentum could be built by feeding the media information on WMD and ensuring that, if military action became necessary, it would be clear that other means had been exhausted and it was Saddam Hussein who was at fault.

340. It is not clear what prompted this advice or how authoritatively it represented the FCO position at the time. But it does provide an indication of the thinking in the FCO News Department about the prospect of military action. It was sent to Ministers and senior officials in the FCO, and to Mr Campbell in No.10.

341. As part of the wider policy debate on Iraq, which is addressed in Section 3.2, Mr Blair and Mr Straw were, by mid-March, both addressing the need for an effective message about the specific threat posed by Iraq to underpin the wider strategy.

342. Mr John Williams, Head of the FCO News Department, sent Mr Straw's Private Office advice on a media strategy on 11 March, stating:

"The process of preparing media and public opinion for possible action on Iraq is under way ...

"The Prime Minister's interviews in Australia and the Foreign Secretary's piece in *The Times* have established a solid base from which to work. The media has taken the point and is eager for detail. There is high interest in evidence being compiled for the dossier with [sic] the UK will share with the US.

"We should exploit this interest by feeding newspapers and broadcasters with information on WMD, diversion of imports for military use, and human rights abuse:

¹⁵⁴ Letter McDonald to Manning, 15 March 2002, 'Iraq' attaching Note, 'Iraq: Weapons Inspectors'.

all of it presented as evidence from the Government's forthcoming dossier. By doing so, we can build momentum."¹⁵⁵

343. Mr Williams identified the need to "encourage support from sympathetic newspapers and carry the argument to those likely to criticise our policy". Journalists who were "too easily inclined to discount the threat Saddam poses" should be "forced by the weight of facts" to justify their position. The exercise:

"... should be part of a big effort to convey more clearly than we have before a sense that we are proposing a peaceful means of dealing with the problem through the UN, while Saddam is deliberately making a peaceful solution impossible. We have to stop his propagandists portraying him as the victim, rather than the villain. If action becomes necessary, it must be clear to all but a minority in [the] media and public opinion that we have exhausted all other means, and that Saddam is at fault."

344. Mr Williams also suggested the need to co-ordinate information and activity between London and Washington and consideration of using the Communications and Information Centre (CIC).

345. Mr Williams provided a more detailed media strategy, "agreed with Middle East Command [in the FCO] and No.10 Press Office", which had been prepared by one of his staff and was "designed to co-ordinate and pace our efforts for maximum impact".

346. The objectives of the strategy were identified as:

- convincing people of "the real threat to their safety and security" from Iraq's WMD programmes;
- demonstrating that Iraq was "in breach of its international obligations to co-operate with the UN";
- preparing "public opinion in Britain and abroad ... for possible military action"; and
- rebutting allegations about the UK's policy, "e.g. that it is to toe the line or keep the Muslim world weak".

347. The strategy set out suggested key messages and a list of potential pitfalls, including balancing the need to prepare against the risk of "raising expectations that military action is a foregone conclusion before a final decision has been taken".

348. A list of potential media activities included:

- working with "No.10 and others on a dossier of releasable evidence about Saddam's weapons programmes"; and
- following "a decision in principle to take military action" establishing an FCO-led, CIC-style unit to "generate material" for use by the FCO and No.10.

¹⁵⁵ [Minute Williams \[John\] to PS/Secretary of State \[FCO\], 11 March 2002, 'Iraq Media Strategy'](#).

349. Mr Williams told the Inquiry that he could “recall feeling it necessary” to produce the note, “though not what internal or external event prompted this”, and that “clearly there was a heightened activity in Whitehall at the time”.¹⁵⁶

350. The proposals were discussed in a meeting held by Mr Straw on 18 March. That is addressed later in this Section.

351. Mr Blair concluded on 17 March that the papers he had been given on Iraq did not constitute a properly worked out strategy and that he would need to provide the US with a far more intelligent and detailed analysis of a game plan if the UK was to influence its decisions.

352. That included a need to “re-order our story and message” to address the limited support for a policy of regime change.

353. In a minute to Mr Jonathan Powell, his Chief of Staff, on 17 March, Mr Blair noted the absence of a “proper worked-out strategy” on Iraq, and the need to provide the US “with a far more intelligent and detailed analysis of a game plan”.¹⁵⁷

354. Mr Blair wrote:

“The persuasion job on this seems very tough. My own side are worried. Public opinion is fragile. International opinion – as I found at the EU – is pretty sceptical.

“Yet from a centre-left perspective, the case should be obvious ...”

355. Mr Blair acknowledged that “the immediate WMD problems don’t seem obviously worse than 3 years ago”. He concluded: “So we have to re-order our story and message. Increasingly I think [these] should be about the nature of the regime.”

356. Asked to explain the thinking in his minute, Mr Blair told the Inquiry that, in relation to WMD, the:

“... question was about the changed assessment of the risk and the difficulty of making the case that Saddam Hussein posed a threat.”¹⁵⁸

Decisions to focus the dossier on Iraq but to postpone publication

357. Mr Straw concluded that the draft paper on WMD programmes of concern should be replaced by one solely on Iraq. A more general paper on other countries might be issued later.

358. Officials in No.10 agreed.

¹⁵⁶ Statement, December 2010, page 2.

¹⁵⁷ [Minute Prime Minister to Powell, 17 March 2002, ‘Iraq’.](#)

¹⁵⁸ Public hearing, 21 January 2011, pages 43-45.

359. Mr Straw held a meeting to discuss Iraq on 18 March, addressing preparations for Mr Blair’s visit to the US, the current discussions between Iraq and the UN and public and Parliamentary handling.¹⁵⁹ The last item comprised:

- Media strategy ... and the next steps in the run-up to Crawford.
- Handling of paper for public use on WMD programmes of concern.
- Ensuring co-ordination.”

360. After the meeting, Mr Straw’s Private Secretary recorded in relation to the public presentation of WMD:

“[T]he JIC paper for publication should be solely about Iraq. The Foreign Secretary has discussed this with Alastair Campbell, who agreed. The Foreign Secretary suggests the paper resemble Michael Williams’ paper for the PLP, with the meat of the JIC material inserted, so that it covers the range of concerns about Iraq but also draws explicitly on intelligence material. He is content, thereafter, for a more general paper on WMD, including other countries programmes, to be issued.”¹⁶⁰

361. Mr Straw would write to Mr Blair “to flag up the main issues for Crawford, including a media strategy beforehand”.

362. Mr Straw would be:

“... willing to brief the Diplomatic Correspondents and the Muslim media on Iraq, perhaps launching the JIC paper. Overall, we should continue to highlight the WMD threat, increase the profile of the UN angle and play down the prospect for military action.”

363. Mr Straw agreed that the FCO News Department/CIC should be reinforced with expertise on Iraq.

364. Mr Straw’s request for advice on a media strategy and the legal issues is addressed in Section 3.2.

365. Mr Campbell wrote to Mr Scarlett, Mr Powell, Sir David Manning and others on 19 March, stating that he had discussed the draft with Mr Straw and others and:

“The general view, including Jack’s, is that with such a focus on the public debate on Iraq at the moment, we may be trying to do too much by looking at Iran and North Korea too.”¹⁶¹

366. Mr Campbell added that Mr Straw was making a speech to the Foreign Policy Centre on 25 March and “was wondering” whether an “Iraq only version” of the

¹⁵⁹ Minute Patey to PS [FCO], 15 March 2002, ‘Secretary of State’s Meeting – Iraq: Monday 18 March’.

¹⁶⁰ [Minute Sedwill to Patey, 18 March 2002, ‘Iraq’.](#)

¹⁶¹ [Minute Campbell to Scarlett and others, 19 March 2002, \[untitled\].](#)

document could be published. Mr Straw was also thinking of making a statement to Parliament.

367. Mr Campbell asked: “Do you and copy recipients agree with this approach? Is it doable?”

368. The JIC was informed on 20 March that an unclassified paper on Iraq’s weapons of mass destruction was “due to be made public on 25 March, following detailed discussion with interested parties”.¹⁶²

369. The minutes of the JIC meeting record that:

“In a short discussion, the main point made was that the production of this document followed in the wake of similar exercises during the Kosovo conflict and after the events of 11 September. On each occasion there had been a need to use secret intelligence for public consumption, in this current case because of policy imperatives, but each case needed to be taken on its merits. In some circumstances it would be difficult to meet the political need for material to use in public.”

370. Concern was expressed about the potential to undermine the Government’s policy of not commenting on intelligence matters, which might merit further discussion “at some stage”.

371. Sir David Manning sought Mr Blair’s views on the publication of the document, which gave details of Saddam Hussein’s WMD programmes “drawn from intelligence, providing as much detail as we can safely reveal”, on 20 March.¹⁶³ Mr Campbell, Mr Powell, Mr Scarlett and he had discussed the handling of the paper and concluded that it should be issued “soon”. A speech or statement by Mr Straw on 25 March, which described “a regime which terrorises its own people and is determined to acquire WMD to terrorise its neighbours ... would be the cue for placing” the paper “in the Library of the House, and for subsequent briefing of the media”.

372. Sir David concluded:

“We discussed whether we should delay until after you have been to Crawford. On balance we concluded it would serve our purpose better to release the material now to avoid charges that this was an exercise that we had undertaken at Bush’s prompting.

“Are you content for us to go ahead on this basis?”

373. In a manuscript postscript, Sir David added that the proposal had been discussed with Mr Straw, who was happy but preferred a speech in the House to a statement.

¹⁶² Minutes, 20 March 2002, JIC meeting.

¹⁶³ [Minute Manning to Prime Minister, 20 March 2002, ‘Iraq’](#).

374. There is no indication in the No.10 papers sent to the Inquiry of a response from Mr Blair.

375. Sir David Manning wrote on 2 April: “Not to issue at present.”¹⁶⁴

376. A revised draft paper on Iraqi WMD programmes was produced on 20 March, explicitly stating that Iraq was in breach of UN Security Council resolutions and giving more prominence to its strategies for concealment.

377. Mr Miller sent the draft paper, which was “very much as you have seen it before”, to the US Embassy asking for “final comments”.¹⁶⁵

378. Mr Miller also wrote to Sir Richard Dearlove, Sir Francis Richards (Director of the Government Communications Headquarters (GCHQ)) and AM French with a similar request.¹⁶⁶

379. The Introduction of the draft paper had been revised to place the UK’s concerns in the context of the failure of a few countries to sign the NPT, the CWC and BTWC or a decision, if they had signed, “to break them”.¹⁶⁷

380. The Introduction focused on Iraq’s failure to comply with the NPT, its previous use of chemical weapons, and its failure to comply with relevant UN resolutions adopted since the 1991 Gulf Conflict. It also stated:

“The International Community has repeatedly sought to disrupt Iraq’s efforts to acquire WMD. On each occasion Saddam has sought to rebuild his capabilities. His efforts are making progress. The Government monitors these efforts very closely. This paper sets out what the Government is able to say about them.”

381. The Introduction remained unchanged in all subsequent versions of the document produced before September.

382. Other changes in the draft paper included:

- An acknowledgement that Iraq’s nuclear weapons infrastructure had been dismantled by the IAEA, but the addition of a judgement that Iraq was “still working to achieve a nuclear weapons capability”. That was in breach of its NPT and IAEA obligations, and resolution 687 (1991).
- A reference to Iraq’s obligation under resolution 707 (1991) to “cease all nuclear activities of any kind other than the civil use of isotopes”.

¹⁶⁴ Manuscript comment Manning, 2 April 2002, on [Minute Manning to Prime Minister, 20 March 2002, ‘Iraq’](#).

¹⁶⁵ Letter Miller to US Embassy, London, 20 March 2002, ‘Iraqi WMD Programmes’.

¹⁶⁶ [Letter Miller to C and others, 20 March 2002, ‘Iraqi WMD Programmes’](#).

¹⁶⁷ [Letter Miller to C and others, 20 March 2002, ‘Iraqi WMD Programmes’](#) attaching Paper Assessments Staff, [undated], ‘Iraqi WMD Programmes’.

- A statement that extending short-range missile systems beyond 150km and retention of Al Hussein missiles would be a breach of resolution 687.
- The addition, to the assessment that Iraq had a covert chemical and biological weapons programme, of a statement that Iraq was in breach of resolution 687.
- The addition of a judgement that Iraq had the capability to produce cyclosporin.
- A box setting out the effects of anthrax, botulinum toxin and aflatoxin.
- A statement that: “Strategies to conceal and protect key parts of the chemical and biological weapons programmes from a military attack or a UN inspection have been developed.” These included “use of transportable laboratories; use of covert facilities; dispersal of equipment when a threat is perceived”.
- A statement that: “Some of these techniques [concealment and protection] also apply to the nuclear and missile programmes. In particular we know that the Iraqi leadership has recently ordered the dispersal of its most sensitive WMD equipment and material.”

383. Commenting on the draft of what he described as the “WMD Proliferators’ Dossier”, Mr Sebastian Wood, Counsellor for External Affairs at the British Embassy Washington, suggested there was a need to “try to present the paper in its wider context alongside other evidence of our commitment to a wide range of non/counter-proliferation tools”.¹⁶⁸

384. In response to receiving a copy of the draft text on Iraq only, Mr Wood wrote to Mr Ricketts:

“Firstly, if the primary aim of this exercise is to build public understanding of and support for decisive action to prevent Saddam’s further acquisition of WMD, we think that whatever is published should spotlight the nexus between State sponsors of terrorism and WMD, and the associated risk that State-developed WMD technology is made available to terrorists who would not hesitate to use it: the [US] Administration have repeatedly stated that this is their number one concern, and focusing the dossier on this risk would bring out more vividly the threat to the UK. Neither does that at the moment.”¹⁶⁹

385. Mr Wood questioned the urgency in producing the document and recommended that US policy officials, including Dr Condoleezza Rice, President Bush’s National Security Advisor, should be given a chance to comment on the tactics and timing of publication: “We would not want them to think we are bouncing them on such a politically sensitive issue.”

386. Mr Straw was advised on 22 March that the evidence would not convince public opinion that there was an imminent threat from Iraq.

¹⁶⁸ [Fax Wood to Miller, 20 March 2002, ‘WMD Proliferators’ Dossier’ attaching Minute O’Neill to Wood, 20 March 2002, ‘WMD Proliferators’ Dossier’.](#)

¹⁶⁹ Fax Wood to Miller, 20 March 2002, ‘WMD Proliferators’ Dossier’ attaching Email Wood to Ricketts, 20 March 2002, ‘Re: US/UK: WMD paper’.

387. Publication of the document was postponed. The Cabinet Office was given the responsibility of co-ordinating preparation of a public “dossier; Mr Campbell was to “retain the lead” on its form and the timing of publication.

388. Mr Miller sent “the latest version of the paper for public consumption setting out the facts on Iraq’s weapons of mass destruction” to Sir David Manning on 21 March.¹⁷⁰ He added: “The intelligence agencies here have had a final look at it.” The document also incorporated earlier comments from the US.

389. Mr Miller reported to Mr Scarlett that Mr Ricketts had “held a meeting of all concerned” on 21 March and that, after the meeting, No.10 had “decided to delay publication till a decent interval after Crawford”.¹⁷¹

390. Mr Miller added: “There are nonetheless some points for us to consider”, including:

- “Peter’s meeting was very concerned that our first paragraph on CBW ... was general figures, not the specific numbers used recently and for some time) by the FCS [the Foreign and Commonwealth Secretary]. I explained that the US had asked for the change, not recognising the old figures, and that the DIS had in any case recently amended their estimates. Peter planned to draw this to Mr Straw’s attention. His Private Office ... thought the paper should be delayed until the figures were amended and issued in a PQ [Parliamentary Question]. We need to press the DIS to ensure they stand by their new figures ...”
- Sir David Manning would not show the paper to Dr Rice until Mr Blair had approved it.

391. The announcement of the revised estimates produced by the DIS is addressed later in this Section.

392. In a personal minute to Mr Straw on 22 March, Mr Ricketts wrote that there were “two real problems” in supporting US objectives “which need discussing”.¹⁷² The first was the threat from Iraq:

“The truth is what has changed is not the pace of Saddam’s WMD programmes, but our tolerance of them post-11 September. This is not something we need to be defensive about, but attempts to claim otherwise publicly will increase scepticism about our case. I am relieved that you decided to postpone publication of the unclassified document. My meeting yesterday showed there is more work to do to ensure that the figures are accurate, and consistent with those of the US. But even the best survey of Iraq’s WMD programmes will not show much advance in recent years on the nuclear, missile or CW/BW fronts: the programmes are extremely worrying but have not, as far as we know, been stepped up.”

¹⁷⁰ Minute Miller to Manning, 21 March 2002, ‘Iraqi WMD Programmes – Public Version’.

¹⁷¹ [Note \(handwritten\) Miller to Scarlett, 21 March 2002, ‘Iraq: WMD’.](#)

¹⁷² [Minute Ricketts to Secretary of State \[FCO\], 22 March 2002, ‘Iraq: Advice for the Prime Minister’.](#)

393. Mr Ricketts added:

“US scrambling to establish a link between Iraq and Al Qaida is so far frankly unconvincing. To get public and Parliamentary support for military operations we have to be convincing that:

- the threat is so serious/imminent that it is worth sending our troops to die for;
- it is qualitatively different from the threat posed by other proliferators who are closer to achieving nuclear capability (including Iran).

“We can make the case on qualitative difference (only Iraq has attacked a neighbour, used CW and fired missiles against Israel). But the overall strategy needs to include re-doubled efforts to tackle other proliferators ... in other ways ... But we are still left with a problem of bringing public opinion to accept the imminence of a threat from Iraq. This is something the Prime Minister and President need to have a frank discussion about.”

394. Mr Ricketts’ advice on the second problem, the end state of military operations, is addressed in Section 3.2.

395. In a separate minute to Mr William Patey, FCO Director Middle East, and others on 22 March, Mr Ricketts wrote:

“We now have a bit more time to prepare the public dossier of material on Iraq. We need to use it to ensure that the material is accurate and meets the presentational needs of Ministers.”¹⁷³

396. Mr Ricketts added that he had asked No.10 to consider asking the Cabinet Office to take forward work on the dossier through an inter-departmental group. That would need to:

“... ensure that the US policy community gets enough time to consider our draft paper and comment on it. Ideally, David Manning would send it to Condi Rice soon as work in progress ... We will need to keep the Embassy in Washington and UKMIS New York in the loop.”

397. Mr Ricketts envisaged that the dossier would also be sent to key European allies in advance of publication.

398. A manuscript note on Mr Ricketts’ minute from Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, recorded that Sir David Manning had agreed an inter-departmental group chaired by Mr McKane “could usefully meet after Easter on the

¹⁷³ [Minute Ricketts to Patey, 22 March 2002, ‘Iraq: Preparing Material for Public Release’.](#)

substance of public dossier”; Mr Campbell “should retain the lead role on the timing/form of its release.”¹⁷⁴

399. In his statement for the Inquiry, Mr McKane wrote:

“There was a concentration on ensuring that we produced a document which would make an impact. I therefore had to include as much fresh material as possible. But throughout the process we were clear that the material had to be factually accurate and as comprehensive as possible. We drew from a range of sources, both open and classified, including intelligence material. I relied on the Cabinet Office Assessments Staff and other representatives of the intelligence community to advise on the accuracy of the material which they were providing and the benefits and risks of using intelligence material in a public document.”¹⁷⁵

400. Mr McKane told the Inquiry that there was a debate in Whitehall about whether Iraq represented a greater threat than the other countries, and that “the distinguishing feature of Iraq was that ... they had actually used these weapons”.¹⁷⁶ He added that he was aware of differences of view about whether it was sensible to publish the document at that stage.

401. Following a discussion with Mr Tony Cragg, Deputy Chief of Defence Intelligence, about a proposed amendment to the paper, a junior official in the DIS recorded that he had been told on 26 March by a junior official in the Assessments Staff that the latest plan was for the paper to be issued after a “decent interval” following Mr Blair’s meeting with President Bush.¹⁷⁷ The Assessments Staff official was not sure when that meeting would take place.

402. *The Guardian* reported on 1 April that the UK Government had “indefinitely delayed publishing a dossier revealing damning evidence against Saddam Hussein”, which had been “trailed by” Mr Campbell.¹⁷⁸ It would “now be published when ‘it is believed to be appropriate’”. The article suggested that No.10 feared publication would add to “fevered speculation of an imminent strike”, and that “Labour MPs considered the outlines of the evidence to be unconvincing”.

403. *The Guardian* also reported that there had been:

“... intense discussions within the intelligence community about what should be published and how much speculation it should contain.

¹⁷⁴ Manuscript comment Rycroft to McKane, 25 March 2002, on [Minute Ricketts to Patey, 22 March 2002, ‘Iraq: Preparing Material for Public Release’](#).

¹⁷⁵ Statement, 8 December 2010, page 4.

¹⁷⁶ Public hearing, 19 January 2011, page 72.

¹⁷⁷ Email AD(GI) WMDP to DI GI PA, 26 March 2002, ‘Public Paper on Iraq’.

¹⁷⁸ *The Guardian*, 1 April 2002, *Blair delays Iraq dossier release*.

“In the end it was agreed that the dossier should be ‘factual’ ... MI6 was also concerned that it should not contain any information that could threaten its intelligence sources ...

“However, many of the new allegations ... are based on assumption and speculation ... evidence about Baghdad’s development of biological weapons ... is largely based on what was discovered by UN weapons inspectors back in 1998.

“Even the CIA [Central Intelligence Agency] admits that intelligence gathered after that date ... is far from reliable.”

Mr Hoon’s and Mr Straw’s advice for Mr Blair, March 2002

404. Mr Hoon and Mr Straw both wrote to Mr Blair before the meeting with President Bush at Crawford, Texas on 5 to 6 April 2002.

405. In relation to Iraq’s WMD:

- **Mr Hoon emphasised the importance of a wider counter-proliferation strategy in the Middle East, stating that, in objective terms, Iran might be a bigger problem for the UK than Iraq.**
- **Mr Hoon also stated that a number of issues would need to be addressed before forces were committed to military action, including the need for a comprehensive public handling strategy convincingly to explain why such drastic action against Iraq’s WMD was needed now.**

406. The preparations for Mr Blair’s meeting with President Bush in early April 2002, including minutes to Mr Blair from Mr Hoon on 22 March and Mr Straw on 25 March which raised a range of issues, are addressed in detail in Section 3.2.

407. In relation to the threat posed by Iraq’s WMD, Mr Hoon wrote:

“The key strategic problem is the spread of WMD – of which Saddam is only one unpleasant dimension. A more active counter-proliferation strategy is required for the region as a whole (for example any Iraqi government will seek WMD if Iran is getting them so our strategy must cover both) ...

“... In objective terms, Iran may be the greater problem for the UK ... Ironically, we have Saddam Hussein bound into an established control mechanism. There is some substance in the US view that he as an individual is at the root of the WMD risk in Iraq. But any Iraqi government is likely to try and achieve a balance of forces with Iran ...”¹⁷⁹

¹⁷⁹ [Minute Hoon to Prime Minister, 22 March 2002, ‘Iraq’.](#)

408. Mr Hoon also proposed that Mr Blair might raise with President Bush “the need for a comprehensive public handling strategy, so that we can explain convincingly why we need to take such drastic action against Iraq’s WMD now”.

409. Mr Straw pointed out that the evidence did not explain why the threat from Iraq would justify military action.

410. On 25 March, Mr Straw sent a personal minute to Mr Blair on the way ahead on Iraq.

411. In relation to the draft document for publication, Mr Straw wrote that making the case that “Saddam and the Iraq regime are bad” was “easy”, but there were four areas where there was “a long way to go to convince” the PLP, including about “the scale of the threat from Iraq and why this has got worse recently” and “what distinguishes the Iraqi threat from that of eg Iran and North Korea so as to justify military action”.¹⁸⁰

412. Mr Straw advised that the Iraqi regime posed “a most serious threat to its neighbours, and therefore to international security” but, from “the documents so far presented it has been hard to glean whether the threat from Iraq is so significantly different” as to justify military action. There was:

“... no credible evidence to link Iraq with UBL and Al Qaida ...

“... Objectively, the threat from Iraq has not worsened as a result of 11 September. What has, however, changed is the tolerance of the international community ...”

413. Addressing the difference between Iraq, Iran and North Korea, Mr Straw wrote:

“By linking these countries together in his ‘axis of evil’ speech, President Bush implied an identity between them not only in terms of their threat, but also in terms of the action necessary to deal with the threat. A lot of work will now need to be done to delink the three, and to show why military action against Iraq is so much more justified than against Iran and North Korea. The heart of this case – that Iraq poses a unique and present danger – rests on the fact that it:

- invaded a neighbour;
- has used WMD, and would use them again;
- is in breach of nine UNSCRs.”

MOD consideration of Iraq’s ability to acquire a nuclear capability

414. Work in the MOD in late March to address the difference between US and UK estimates of the time Iraq would need to acquire a nuclear weapon exposed the extent of the difficulties Iraq would face.

¹⁸⁰ [Minute Straw to Prime Minister, 25 March 2002, ‘Crawford/Iraq’.](#)

415. Following discussions in Washington, Mr Webb discussed the time Iraq would need to acquire a nuclear weapon with Admiral Sir Michael Boyce, Chief of the Defence Staff (CDS), and AM French on 20 March.¹⁸¹

416. A DIS paper, “What does Iraq need to do to get the bomb quickly?” was produced later that day.¹⁸²

417. Referring to the Assessment of 15 March, the DIS stated:

“Although there is very little intelligence, the JIC judges that Iraq is still pursuing a nuclear weapons programme. Intelligence indicates that scientists were recalled to work on a nuclear weapons programme in the autumn of 1998, but it is not known if large scale development work has yet recommenced. Procurement of dual use items over the last few years could be used in a uranium enrichment programme. But we have no definitive intelligence that such items are intended for a nuclear programme.”

418. Addressing the question “What does Iraq have now?”, the DIS stated that the Atomic Weapons Establishment (AWE) had concluded that Iraq had “made significant progress in designing a nuclear device” before 1991:

“Many aspects of a simple design had been studied, although the high explosives needed to detonate the device had not been fully developed. More sophisticated concepts were being considered to produce a smaller and lighter device, capable of missile delivery, but it is unlikely that much progress has been made ... Iraq will have retained **documents, drawings and expertise.**

“... Iraq still needed to complete aspects of its design and, in particular, to validate the high explosives system. It is unlikely that much of this would have been done before IAEA inspectors left in December 1998 for fear of detection. However, if all the key scientists had been recalled ... they could have reconstituted the programme and **further developed warhead designs** since then. This would not necessarily have been detected by intelligence.

“Iraq also has some possible **platforms to deliver** a suitable nuclear device. Its Russian made jet aircraft ... could probably be adapted [to] carry a simple nuclear bomb ... Any former SCUD missiles that could be assembled could take a more sophisticated device. However, the remaining ... Al Hussein missiles would not be suitable.”

¹⁸¹ [Minute CDI to Policy Director, 21 March 2002, ‘Iraq – Nuclear Weapons’.](#)

¹⁸² [Minute DIS \[junior official\] to DI ST, 20 March 2002, ‘What does Iraq need to do to get the bomb quickly?’](#)

419. Addressing the question “What would Iraq need?”, the DIS stated:

“Iraq does not have the **fissile material** to make a weapon. To rebuild its uranium enrichment programme would take years and require extensive foreign procurement, which would not be possible with effective sanctions in place. To make a weapon quickly, Iraq would need Highly Enriched Uranium (HEU) from the ‘black market’ (eg stolen from Russia). It would be credible but very difficult for Iraq to do this. We have no good evidence of Iraq ever acquiring any such material.

“Iraq cannot make the crucial **neutron initiator** for the device. Iraq needs a nuclear reactor to make a key material in the original unfinished design: it has not had a[n] operable reactor since 1991. Iraq would need to develop or buy a completely new initiator system [from abroad]. Even if it acquired [a] system ... Iraq would have to develop the theory and practicalities of how to use such a component. Iraq could only do this quickly with outside expertise.

“Iraq’s goal has been to produce a missile warhead. If it had the necessary components and fissile material, Iraq could complete its former simple warhead design for **air delivery** within a year. However a **missile warhead** would require a more sophisticated design concept which would take at least two years longer. These timescales could only be shortened with outside assistance.”

420. Addressing Iraq’s ability to produce an improvised nuclear device (IND), the DIS stated that: “If Iraq could acquire reactor-grade plutonium on the ‘black market’ it could assemble a crude nuclear weapon.” That would be “large and unreliable” and have to be delivered by “unconventional means (eg a lorry)”. There was, however, “no evidence” that Iraq had sought such material.

421. The DIS concluded:

- “(a) Iraq does not have any nuclear weapons.
- (b) Iraq has much of the design technology for a simple nuclear weapon.
- (c) It cannot make the fissile material or a neutron initiator for a weapon.
- (d) To make a nuclear weapon quickly, Iraq would have to acquire fissile material and a weaponised neutron initiator system, together with foreign expert assistance.
- (e) If Iraq could acquire sufficient low-grade plutonium from power reactor fuel it could make a crude IND, but would need to use risky unconventional delivery means.”

422. AM French commented that the views Mr Webb had heard in the Pentagon were “not held unanimously in Washington”, and the DIS analysis was supported by their “US counterparts”:

“If you take a ‘best case’ scientific and technical approach to this issue, rather than using intelligence, then we judge that Iraq could probably complete its former simple warhead design for air delivery within about a year.”¹⁸³

423. On 22 March, Mr Webb asked Dr Paul Roper, Director Strategic Technology, for:

“... a second opinion, in particular on how quickly and under what circumstances Iraq might acquire a deployable nuclear capability. There is a range of opinions on this, even within the US Administration.”¹⁸⁴

424. Mr Webb asked for a response by 8 April.

425. Dr Roper responded that he agreed with the advice in the DIS paper, which was “a ‘best guess’ broad based scientific judgement” in circumstances where hard intelligence was “a little thin on the ground”. He added that it was “very important to distinguish” between those two cases.¹⁸⁵

426. Dr Roper wrote that it was:

“... hard to believe that Iraq had covertly established a domestic source [of fissile material] given the relatively large signatures of the necessary facilities and it would almost certainly take a few years from start up to acquire enough material.”

427. Dr Roper’s view was that the likelihood of Iraq acquiring fissile material from abroad was “low”, but that was “purely an intelligence matter” not a scientific judgement.

428. Dr Roper set out other components that would be required for a nuclear weapon or device, concluding that even if “against all the odds” Iraq acquired those components from a third party: “The nuclear component would have to be fabricated and integrated with the explosives system and the firing electronics and incorporated in a bomb case.” That would “take some time and the one year ‘guesstimate’ is reasonable”.

429. Dr Roper pointed out that work could be carried out in advance of the acquisition of fissile material. In that case “it might take only a few weeks to complete assembly” once fissile material was obtained. Whether such activity would be detected was an “intelligence judgement”.

¹⁸³ [Minute CDI to Policy Director, 21 March 2002, ‘Iraq – Nuclear Weapons’.](#)

¹⁸⁴ [Minute PS/Policy Director to D Strat Tech, 22 March 2002, ‘Iraq – Nuclear Weapons’.](#)

¹⁸⁵ [Minute Roper to Policy Director, 27 March 2002, ‘Iraq – Nuclear Weapons’.](#)

430. Dr Roper concluded:

“A more advanced design suitable for deployment on a missile would almost certainly involve more development work and explosive trials. I have no feel for timescale but 2-3 years is a good guess. Again most of this work can be done in advance of acquiring the fissile material.”

431. Mr Webb told the Inquiry that there was a “pretty sharp contrast” between the US and UK assessments of the time required by Iraq to obtain a nuclear weapon.¹⁸⁶ Mr Doug Feith, US Under Secretary of Defense for Policy, had told him that the US view was: “We think they can get to a nuclear device within a few months.” That had prompted him to ask the DIS for advice.

432. Mr Webb added that, in relation to essential components for a nuclear device, he was aware that the AQ Khan network had placed Pakistani nuclear technology into the hands of a number of states:

“I knew that AQ Khan had been providing designs to North Korea, to Libya. I suppose I would probably have assumed that if he could do a design, why wouldn't he be prepared to hand over a [key nuclear component] if he had one?”¹⁸⁷

433. Mr Webb told the Inquiry that his focus “was all about timescales”. In the light of the advice that one year would be required to produce “a real nuclear weapon, as distinct from a dirty bomb, and two to three years for a nuclear missile”, he had informed Mr Feith, “I think you are overdoing this, but at a year-ish we are in the same sort of zone”.

434. In his discussions with President Bush, Mr Blair identified the need for a public relations strategy which highlighted the risks posed by Iraq's WMD programme.

435. Mr Blair's meetings with President Bush at Crawford, Texas on 5 to 6 April, and his speech at College Station on 7 April arguing for an internationalist approach to dealing with Iraq, and the dangers of not doing so, are addressed in Section 3.2.

436. In the discussions with President Bush about a strategy of taking the issue of Iraq back to the UN, Mr Blair identified the need for a public relations strategy that highlighted both the risks of Saddam Hussein's WMD programme and his “appalling” human rights record, and the importance of managing European public opinion and helping to construct an international coalition.¹⁸⁸

437. Mr Blair said he would emphasise that Saddam Hussein was being given an opportunity to co-operate. If “as he expected” Saddam failed to do so, it would be “very

¹⁸⁶ Private hearing, 23 June 2010, pages 51-52.

¹⁸⁷ Private hearing, 23 June 2010, page 54.

¹⁸⁸ Letter Manning to McDonald, 8 April 2002, 'Prime Minister's Visit to the United States: 5-7 April'.

much harder to resist the logic that we must take action to deal with an evil regime that threatened us with its WMD programme”.

438. Mr Blair also considered that the US and UK would still face the question of why they had decided to act now; “what had changed?”

439. In the joint press conference on 6 April, Mr Blair stated that the threat of WMD was real and had to be dealt with.

440. Mr Blair said he and President Bush had agreed that “the issue of weapons of mass destruction cannot be ducked, it is a threat, it is a danger to our world and we must heed that threat and act to prevent it being realised”.¹⁸⁹

441. Subsequently Mr Blair stated:

“There is a reason why United Nations resolutions were passed ... calling upon him [Saddam Hussein] to stop developing weapons of mass destruction ... and that is we know he has been developing the weapons.

“We know that those weapons constitute a threat ...”

442. As part of his advice to Mr Blair on a statement to Parliament about the discussions with President Bush, Mr Straw wrote that Mr Blair could say that the document on Iraq would be produced “shortly”.¹⁹⁰ In Mr Straw’s view the UK could “certainly get something out pretty quickly”.

443. In his statement to the House of Commons on 10 April, Mr Blair said only that Saddam Hussein was “developing weapons of mass destruction”, was “a threat to his own people and the region”, and that if he was “allowed to develop these weapons” that would be a threat to the UK.¹⁹¹

444. In his response to a question from Mr Tam Dalyell (Labour), Mr Blair said there was “no doubt” that Saddam Hussein was:

“... still trying to acquire nuclear capability and ballistic missile capability. Furthermore, although we do not know what has happened, we suspect that the piles of chemical and biological weapons remain.”¹⁹²

445. Asked by Mr Llew Smith (Labour) on 16 April why he had not published the dossier on the status of Iraq’s weapons programmes, Mr Blair replied:

“We have already placed some evidence concerning Iraq’s programmes in the Library of the House. When the time is right, we shall release further material, including the threat posed by the development of weapons of mass destruction.

¹⁸⁹ The White House, 6 April 2002, *President Bush, Prime Minister Blair Hold Press Conference*.

¹⁹⁰ [Minute Straw to Prime Minister, 9 April 2002, ‘Your Commons Statement’](#).

¹⁹¹ House of Commons, *Official Report*, 10 April 2002, columns 22-24.

¹⁹² House of Commons, *Official Report*, 10 April 2002, columns 31-32.

The Government believes it important that we should divulge as much information to the public as we can without prejudicing sensitive sources, including intelligence reporting. It has been the practice of successive governments not to comment on intelligence matters.”¹⁹³

446. In an interview with Mr David Frost on *BBC Television’s Breakfast with Frost* on 21 April, primarily about the Budget, Mr Blair was asked about the imminence of military action against Iraq (see Section 3.3).¹⁹⁴

447. In response to a suggestion that the dossier on Iraq had been stopped because it was out of date because there hadn’t been any decent intelligence for two or three years or because it was insufficient to convince critics within the Labour Party, Mr Blair replied:

“... it wasn’t pulled ... we will publish it at the appropriate time and when that’s going to be I simply don’t know ... The evidence of Saddam Hussein on weapons of mass destruction is vast.

“... [W]hat we also know from our experience of September 11 that it’s sensible to try to deal with these threats before they become fully operational rather than after.”

Development of the Iraq dossier, April to July 2002

Revision of the estimates of unaccounted for Iraqi material

448. Revised estimates of material which UNSCOM had been unable to account for when it left Iraq in December 1998 were published on 2 May.

449. Mr Straw was advised that the figures were an extrapolation based on UNSCOM data, but it was “inherently difficult to arrive at precise figures”.

450. Mr Ricketts asked Mr Dowse on 22 March to “take forward work with the Assessments Staff” on the new figures provided by the DIS for “Iraqi stocks of CW precursors and munitions” which should, “if possible”, be the same as those being used by the US.¹⁹⁵ Ministers would then need to be advised:

“... how best to get them into the public domain before any comprehensive paper is published: probably by inspired PQ as soon as Parliament re-assembles, making clear that these are revised estimates.”

451. Mr Dowse wrote to Mr Miller on 25 March “to sort out how we manage the DIS’ new calculations of unaccounted-for Iraqi CW precursors and munitions”.¹⁹⁶

¹⁹³ House of Commons, *Official Report*, 16 April 2002, columns 861-862W.

¹⁹⁴ *BBC News*, 21 April 2002, *BBC Breakfast with Frost Interview: Prime Minister Tony Blair*.

¹⁹⁵ [Minute Ricketts to Patey, 22 March 2002, ‘Iraq: Preparing Material for Public Release’](#).

¹⁹⁶ Letter Dowse to Miller, 25 March 2002, ‘Iraq: Material for Public Release’.

452. Mr Dowse added:

“Clearly, the first step is to resolve with the DIS just how robust are their new figures. If they carry no more confidence than the previous ones, which we have been using in public for several years, I see no reason to change our lines ...

“Thereafter, if it appears we do have to change our public line, I wonder if we might finesse the presentational difficulty by changing the terms? Instead of talking about tonnes of precursor chemicals (which don’t mean much to the man in the street anyway), could we focus on munitions and refer to ‘precursor chemicals sufficient to produce x thousand SCUD warheads/aerial bombs/122mm rockets filled with mustard gas/the deadly nerve agents tabun/sarin/VX’? Presumably we know from UNSCOM what types of munitions the Iraqis had prepared or were working on at the time of the Gulf War.”

453. Mr Dowse concluded:

“I realise that this would not in the end hoodwink a real expert, who would be able to reverse the calculation and work out that our assessment precursor quantities had fallen. But the task would not be straightforward, and would be impossible for a layman. And the result would, I think, have more impact on the target audience for [an] unclassified paper.”

454. Mr Scarlett sent Sir David Manning a revised draft of the paper on WMD on 4 April.¹⁹⁷ That “differed slightly” from the version provided the previous week, because figures for CW material for which UN inspectors had been unable to account had been included. Those were being “double-checked”.

455. The draft made clear that the UK could not be sure whether the material the inspectors could not account for had been destroyed or remained at the disposal of the Iraqi Government.

456. Before the first meeting of the inter-departmental group to discuss the paper on Iraq’s WMD prepared by the Assessments Staff, Mr McKane wrote to colleagues stating:

“The only outstanding question in relation to the WMD paper of which I am aware is a discrepancy between certain numbers quoted by Ministers in Parliament and the latest assessment generated in the preparation of the paper for publication. The issue, as I understand it, is whether it is preferable to correct the previous answers to Parliament by means of an inspired PQ or to disguise the discrepancy in the new WMD document.”¹⁹⁸

¹⁹⁷ [Minute Scarlett to Manning, 4 April 2002, ‘Iraqi WMD Programmes: Proposed Public Paper’.](#)

¹⁹⁸ [Letter McKane to Tanfield, 9 April 2002, ‘Iraq’.](#)

457. Mr McKane's meeting on 12 April agreed that:

"... in terms of public presentation, it would be desirable to stick with the chemical weapons numbers used by Ministers in Parliament. If the numbers of tonnes of declared precursor chemicals was in fact seriously out of line with latest DIS assessments and US assessments, then we would recommend use of the new numbers. Jane Hamilton-Eddy agreed to write following receipt of further input from Sebastian Wood in Washington. Thereafter [junior official] would submit advice to the Foreign Secretary in the course of next week. The numbers in the paper can then be finalised ..."¹⁹⁹

458. The FCO review of the revised DIS estimates for Iraqi holdings of precursor chemicals and special munitions which were "unaccounted for" was sent to Mr Straw on 23 April.²⁰⁰

459. Mr Straw was told that the DIS had been asked to ensure that the figures previously used in public were defensible, given that they were "based on a series of Iraqi declarations (some of which have altered over time) extrapolated from data in UNSCOM official records" and it was "inherently difficult to arrive at precise figures (a point exemplified by the fact that there is no inter-Agency agreement in Washington on a definitive set of numbers)". The DIS had "therefore produced revised estimates which it judges would be readily defensible in public".

460. The revised estimates were that:

"UNSCOM inspectors were unable to account for:

- up to 3,000 tonnes (previously 4,000) of precursor chemicals, 'approximately 300 (previously 610) tonnes of which ... were unique to the production of VX nerve agent';
- up to 360 tonnes of bulk CW agent including 1.5 tonnes of VX (new figures);
- and over 30,000 (previously 31,000) special munitions for delivery of chemical and biological agents;
- large quantities of growth media acquired for use in the production of biological weapons – enough to produce over three times the amount of anthrax Iraq admits to having manufactured."

461. Mr Straw was advised to announce the revised figures to Parliament, and incorporate them into the "JIC public lines document" on Iraqi capabilities, which the Cabinet Office would be submitting to Mr Blair "by the end of the month".

462. An alternative to such an announcement would be "to move away from precise figures and use more general terms ... on the grounds that precise figures are inherently

¹⁹⁹ [Letter McKane to Tanfield, 12 April 2002, 'Iraq'](#).

²⁰⁰ [Minute FCO \[junior official\] to Dowse and PS \[FCO\], 23 April 2002, 'Iraqi WMD: Public Dossier'](#).

unreliable”. The “major downside to this approach” was that the media would “seize on the more vague formulation to suggest that the Government has misled the public for the past three years in talking up the Iraqi WMD threat”.

463. To defend the new figures, the FCO suggested the answer should state:

“These figures represent our latest assessment. This assessment is subject to continual review ... The changes we have made do not alter our view on the scale of the Iraqi WMD threat. Indeed, they reinforce our judgement that Iraq’s chemical and biological capabilities are substantial and a very real danger to the region and the wider world. We shall be releasing further material about this threat in due course.”

464. In a manuscript comment on the submission to Mr Straw, Mr Dowse confirmed he had agreed the minute which would “clear the way for release of the ‘WMD dossier’ – but whether and when to do that awaits a separate decision”.²⁰¹

465. Mr McKane’s meeting on 26 April was informed that the FCO had sought Mr Straw’s views on an inspired PQ to “bring our public statements on chemical weapons numbers into line with the latest DIS estimates”.²⁰²

466. Mr Straw agreed the recommended approach but asked that the answer should explicitly draw attention to the fact that the figures had been revised, and that he was correcting the estimates in an answer he had given during oral questions on 12 March.²⁰³

467. Mr Straw also asked that press notice should be issued immediately after the answer, “so that no-one can accuse us of concealing this”.

468. The revised estimates were published in a Written Answer from Mr Straw on 2 May.²⁰⁴

The Iraq dossier

469. In April the Iraq dossier was expanded to include material on human rights and a history of weapons inspections.

470. Mr McKane told the Inquiry, “In April it was decided that we should work on a group of papers”, not “simply a document about weapons of mass destruction”.²⁰⁵ These were worked on until June “when it was decided to put them on ice”.

471. In response to a request from Mr Blair for a paper on Saddam Hussein’s record of human rights abuses, which might be published alongside the WMD paper, Mr McKane had sent Mr Rycroft the material which had been prepared by the FCO for use by

²⁰¹ Manuscript comment Dowse on [Minute FCO \[junior official\] to Dowse and PS \[FCO\], 23 April 2002, ‘Iraqi WMD: Public Dossier’](#).

²⁰² [Letter Dodd to Gray, 26 April 2002, ‘Iraq’](#).

²⁰³ [Minute Sedwill to FCO \[junior official\], 30 April 2002, ‘Iraqi WMD: Public Dossier’](#).

²⁰⁴ House of Commons, *Official Report*, 2 May 2002, columns 929-930W.

²⁰⁵ Public hearing, 19 January 2011, page 74.

Mr Straw.²⁰⁶ Mr McKane added that he had asked for material produced around the time of Operation Desert Fox “in case” Mr Blair decided “a more comprehensive treatment of Saddam’s human rights record going back to the 1980s” was needed.

472. Mr McKane also asked the FCO to “produce an expanded version of the paper on Iraqi Human Rights abuses to cover Saddam’s record from his accession in 1979, stating that the intention was “to produce a clear picture of Saddam’s record of human rights abuses throughout his career”.²⁰⁷

473. In relation to the draft paper on Iraqi Regime Crimes and Human Rights Abuses, which also drew on intelligence, the FCO would revise the paper, “including boxes to highlight particularly vivid and detailed pieces which illustrated the nature of the regime”.²⁰⁸

474. Junior officials in the FCO questioned whether the draft WMD paper would be sufficient to underpin an argument that WMD posed such a threat that action should be taken to deliver Iraq’s disarmament and offered suggestions to improve its impact.

475. Mr Mark Matthews, a junior official in the FCO News Department, was critical of the style of the draft WMD paper and:

“... the repeated efforts of the authors to emphasise what they do not know as well as what they know. In some cases this is necessary for the sake of accuracy. In others it is unnecessary and unhelpful.”²⁰⁹

476. After offering detailed comments, Mr Matthews added:

“It is important that, where unnecessary and unhelpful, these expressions of the authors’ uncertainty are removed. Otherwise we risk undermining further a paper which already looks a little thinner than earlier versions of evidence of Iraqi wrongdoing.”

477. Mr Matthews also provided a “revised version of the general briefing paper”, including a draft Introduction by the Foreign Secretary. The document shows that the briefing paper would set out the wider context of policy on Iraq and would be issued by the FCO. The detailed papers on Iraq’s WMD and Saddam’s human rights abuses being prepared under the auspices of the inter-departmental group would be published as Annexes to that paper.

²⁰⁶ [Minute McKane to Rycroft, 27 March 2002, ‘Saddam’s Record of Human Rights Abuses’.](#)

²⁰⁷ [Letter McKane to Tanfield, 9 April 2002, ‘Iraq’.](#)

²⁰⁸ [Letter McKane to Tanfield, 12 April 2002, ‘Iraq’.](#)

²⁰⁹ [Email Matthews to Tanfield, 15 April 2002, ‘Iraq Dossier’ attaching Paper FCO, \[undated\]. ‘British Government Briefing Paper on Iraq’.](#)

478. The points in the draft Introduction included:

- Iraq continued to claim that it had “no chemical, biological or nuclear weapons. We are therefore taking the important step of publishing further information from Government intelligence reports about Iraq’s weapons. This shows there is no doubt that Iraq has dangerous chemical, biological and nuclear weapons programmes.”
- The concern was “heightened” by Saddam Hussein’s previous use of “these horrific weapons”. That made him, and the threat he posed, “unique”.
- Saddam Hussein would “use these weapons again in pursuit of his aim of regional domination and against the West if he thinks he can get away with it”.
- “Doing nothing about this threat” was “not an option”.
- That was why the Government was “devoting immense diplomatic energy to pressing Iraq to comply with UN resolutions to destroy its weapons”, including giving “UN weapons inspectors full and unfettered access”.
- The Government was “serious about wanting to resolve this issue through compliance with UN resolutions ...”

479. The key points identified in the FCO briefing paper included statements that:

- The Iraqi regime was “a demonstrable threat to the stability of the region as a result of its continued development of weapons of mass destruction”.
- The onus of complying with UN resolutions was on Saddam Hussein: “If Iraq poses no threat, why does he continue to refuse access to UN inspectors?”

480. Sending the email and FCO briefing paper to Mr McKane, Dr Tanfield wrote:

“I would like you to see this now because I am not convinced that NPD [Non-Proliferation Department] is giving DIS/AS [Assessments Staff] a sufficiently hard time even after all the problems we have already had. May be necessary to bang heads together at next meeting!”²¹⁰

481. An Assessment of regional attitudes towards Iraq and an evaluation of “the regional reactions so far to the prospects of a US-led attack on Iraq”, produced at the request of the JIC, was issued on 19 April (see Section 3.3).²¹¹

482. The Assessment did not examine Iraq’s WMD capabilities but, in a concluding paragraph entitled “**Making the case**”, it stated:

“For governments expected to support a US-led attack, the justification and evidence will be crucial in managing their public presentation. Given that we judge Iraq had no responsibility for, or foreknowledge of, the 11 September terrorist attacks, Iraq’s neighbours are likely to demand stronger proof of Iraq’s development

²¹⁰ [Email Tanfield to McKane, 15 April 2002, ‘Iraq Dossier’.](#)

²¹¹ [JIC Assessment, 19 April 2002, ‘Iraq: Regional Attitudes’.](#)

of WMD (even though many of them are ambivalent on the issue); using Saddam's brutal and repressive regime alone in justification would not attract much support ..."

483. Following a meeting chaired by Mr Campbell, it was agreed that the Iraq dossier should include a history of weapons inspections and an explanation of the sanctions regime.

484. Reflecting the decision recorded in Mr Rycroft's manuscript note of 25 March, that he would "retain the lead role on the timing/form of the release" of the document on Iraq, Mr Campbell held a meeting on 23 April.

485. The meeting agreed that the Government:

"should aim to release ...:

- the dossier on WMD: JIC will continue their work;
- a readable history of weapons inspections: FCO will compile;
- an explanatory note on sanctions to get across the message that our fight is not with the Iraqi people: FCO will prepare;
- a note detailing the Iraqi regime's human rights abuses: FCO will look again at the material it has prepared for release with the WMD dossier."²¹²

486. The documents should be released "as a prelude to a further push on getting the UN weapons inspectors back into Iraq". That could be done through a statement by Mr Straw linked to the UN Security Council's agreement to the Goods Review List (GRL) (see Section 3.3). An alternative might be publication when the GRL entered into force at the end of May.

487. Mr Straw considered that publication of the dossier on WMD should be separate from action in the UN on the revised Goods Review List.

488. Mr Ben Bradshaw, FCO Parliamentary Under Secretary of State, told the FAC on 23 April:

"We will put more evidence in the public domain and we will publish in whatever form we think is most effective ... When we feel the time is right."²¹³

489. The FCO official who attended Mr Campbell's meeting advised Mr Straw that it would be better to separate the publication of the Iraq dossier and the discussion of the GRL/Oil-for-Food (OFF) resolution in the UN for a number of reasons; and proposed a number of briefing exercises instead.²¹⁴

²¹² [Minute Puce to Campbell, 23 April 2002, 'Iraq'](#).

²¹³ Seventh Report from Foreign Affairs Committee, Session 2001-2002, *Foreign Policy Aspects of the War against Terrorism*, HC 384, Qs 293-294.

²¹⁴ [Minute FCO \[junior official\] to Gray, Chaplin and PS \[FCO\], 24 April 2002, 'Iraq: Adoption of the Goods Review List and Media Handling'](#).

490. Mr Charles Gray, Head of Middle East Department, and Mr Edward Chaplin, Director Middle East and North Africa, agreed.

491. A letter from Mr Straw's Private Office to Mr Campbell on 25 April recorded Mr Straw's understanding that Mr Campbell's meeting had:

“... agreed that the launch of the Iraq dossier must not convey a misleading impression of imminent military action, and therefore decided that new material should be added to cover the record of inspections, humanitarian issues and the GRL.”²¹⁵

492. The letter set out the FCO preference for separating publication of the dossier from activity on a GRL, including that:

- “The WMD dossier would eclipse the humanitarian message of the GRL/OFF resolution.”
- The “Arab world” was “particularly unreceptive at present”.
- The “best bet” might be for publication to coincide “with a renewed effort to get weapons inspections readmitted”.
- The release of the dossier should be co-ordinated with the US and briefing “governments, notably in the Arab world, in greater detail than is possible in a public document”.

493. Mr McKane continued to co-ordinate work to refine the Iraq paper.

494. Mr McKane held a further meeting to discuss progress on the draft public documents on Iraq on 26 April.²¹⁶

495. The meeting was informed that the WMD paper was “ready, although as a living document” it would need “a few days notice to prepare before issue”. The FCO would finish the paper on weapons inspections by 2 May and it was finishing the paper on human rights abuses. The documents would “need to be cleared with Washington”.

496. The FCO and CIC were preparing “Q and A” material and Mr McKane would “check with No.10 on the desirable extent of ministerial involvement in launching the package”.

497. Mr McKane sent the draft papers ‘Iraqi WMD Programmes’ and ‘Iraqi Regime Crimes and Human Rights Abuses’ to Sir David Manning on 26 April, reporting that:

- The “WMD paper is in a finished condition, though John Scarlett continues to keep it under review”.

²¹⁵ [Letter Sedwill to Campbell, 25 April 2002, ‘Iraq: Adoption of the Goods Review List’.](#)

²¹⁶ [Letter Dodd to Gray, 26 April 2002, ‘Iraq’.](#)

- “The Humanitarian Abuses paper needs some further work, principally to insert boxes and photographs ...”²¹⁷

498. Mr McKane stated that the papers would need to be shown to the US Administration “at some point”, and asked for Sir David’s views on the timing for that. He also asked for Mr Blair’s views on whether they “should be launched under the name of the Foreign Secretary or a group of Ministers, who might include the Prime Minister, the Defence Secretary and the International Development Secretary (or any combination)” before DFID was consulted.

499. There were only three material changes to the previous draft:

- References to UNSCOM being unable to account for all imported missiles and that Iraq could have built more missiles using components it had retained and hidden were added as “evidence” to the summary of Iraq’s ballistic missile capability.
- The Human Rights Watch estimate of casualties from Saddam Hussein’s attack on Kurds in Northern Iraq in 1988 was added to the text.
- The revised estimates of chemical agent and precursor chemicals produced by the DIS replaced broad brush figures.

500. A further Cabinet Office meeting was held on 21 May, to discuss progress on the draft FCO documents on weapons inspections and human rights abuses, which were to be finalised for discussion, with the WMD paper, on 29 May.²¹⁸ Officials were generally content with the drafts, subject to a number of detailed, mainly presentational, amendments.

501. Mr Patrick Lamb, a member of the FCO Non-Proliferation Department, sent the Cabinet Office “a copy of the latest version of the Inspections Paper” on 27 May.²¹⁹

502. Mr McKane sent the three draft papers, which he described as “virtually in final form, although the CIC is still making presentational changes”, to the MOD, the FCO and the Department for Trade and Industry (DTI) on 30 May.²²⁰

503. Mr McKane added that he envisaged submitting the drafts to No.10 in the second half of June.

²¹⁷ [Minute McKane to Manning, 26 April 2002, ‘Iraq’.](#)

²¹⁸ [Minute Dodd to Lamb, 22 May 2002, ‘Iraq’.](#)

²¹⁹ [Letter Lamb to Dodd, 27 May 2002, ‘Iraq Inspections Paper’.](#)

²²⁰ [Letter McKane to Bowen, 30 May 2002, ‘Iraq: Public Documents’ attaching Papers, \[undated\], ‘Iraqi WMD Programmes’; ‘Iraqi Regime Crimes and Human Rights Abuses’; ‘UN Weapons Inspections in Iraq’.](#)

504. The paper on Iraq’s WMD programmes was very little changed from the version of 26 April. The key changes were:

- The insertion of a reference to a judgement that Iraq’s nuclear programme “is based on gas centrifuge uranium enrichment, which was the route Iraq was following for producing fissile material before the Gulf War”, as context for text on Iraq’s attempts to acquire technology and material with nuclear applications, including specialised aluminium.
- The addition of the words “in their chemical and biological weapons programmes” to a statement that Iraq was using transportable laboratories for concealment.
- Adding to the conclusion that Iraq had a chemical weapons capability, the words “and has used it. It also has a biological weapons capability.”

505. The paper on UN inspections and the key changes between the initial draft and the version of 20 June are described in the Box, ‘Weapons Inspections in Iraq’, later in this Section.

506. A “consolidated draft” of the papers on Iraq, produced by the CIC on 3 June, was circulated by the Cabinet Office on 6 June.²²¹

507. The CIC had produced a revised draft of a Foreword for the document. That identified Saddam Hussein as personally responsible for Iraq’s WMD programmes and defying the Security Council resolutions. It amended the previous text, which stated that the papers showed “there was no doubt that Iraq has chemical, biological and nuclear programmes”, to a statement that they showed “Saddam Hussein has dangerous chemical, biological weapons and is nearing completion of nuclear weapons”.

508. The draft Foreword also changed the statement about the UK’s diplomatic efforts to resolve the issue through compliance with UN resolutions to one which stated:

“The world is urging Saddam Hussein to comply ... giving UN weapons inspectors ... access to Iraq – **any time, any place, any where**.”

“No decision has been taken to launch military action. It is up to Saddam Hussein to show the world that he is serious about fulfilling Iraq’s ... obligations.”

509. The CIC had reformatted and reordered the text of the Summary and draft paper ‘Iraqi WMD Programmes’, including addressing Iraq’s nuclear capabilities first, before its chemical and biological weapons and ballistic missiles. The substance was, however, largely unchanged.

510. The CIC added summaries for the papers on the ‘History of UN Weapons Inspections’ and the ‘Iraqi Regime’s Crimes and Human Rights Abuses’. There were a

²²¹ Minute Dodd to [unattributed], 6 June 2002, ‘British Government Bri[e]fing Paper on Iraq’ attaching Paper FCO, 3 June 2002, ‘British Government Briefing Paper on Iraq’.

number of minor changes to the former, the most important of which was to correct a statement that Iraq had, in 1991, been “within 1-2 years” of acquiring a nuclear weapon. Consistent with the paper on Iraqi WMD programmes, that was replaced by the words “within less than three years”.

511. A detailed list of occasions on which UN inspectors had been harassed or denied access to sites was removed.

512. Mr McKane told the Inquiry that the role of the CIC was “to sharpen up the product ... to make the language clearer, to make it language that would be more readily understood by the public”.²²²

513. Mr Miller reported to Mr McKane on 7 June that there was “no serious difference of analysis or interpretation” between the US and UK on WMD.²²³ He also reported that work had been commissioned on a US paper for publication on Iraqi WMD.

514. The paper on Iraq produced for the Chiefs of Staff “Strategic Think Tank” on 18 June, stated:

“Although Iraq’s nuclear capability (essentially a ‘dirty’ bomb) cannot be dismissed, the main threat, at the moment, is from CB weapons.”²²⁴

515. In a minute to Mr Miller on 17 June, a junior official in the Assessments Staff confirmed that the CIC had attempted “to reformat the Iraqi WMD section of the Government briefing paper to match other sections”, but “Apart from removing the word ‘evidence’ from the summary, they have not altered the text”.²²⁵

516. The draft Iraq dossier was sent to Sir David Manning on 21 June, with advice that Ministerial guidance would be needed on the content of the paper and the timing of publication.

517. Following a meeting on 19 June, Mr McKane sent the latest versions of the three “Iraq public documents” and a draft Foreword to Sir David Manning, stating that Ministerial guidance was needed on:

- **“Whether Ministers are content with the texts ...”**
- **“Whether to invite the International Development Secretary to sign the Foreword alongside the Foreign and Defence Secretaries.”**
- **“Timing of publication.”**
- **“Whether to treat three Iraqi public documents as a package or separate out the Iraq WMD paper.”**

²²² Public hearing, 19 January 2011, page 76.

²²³ Minute Miller to McKane, 7 June 2002, ‘Iraq WMD: Public Documents’.

²²⁴ [Minute MA1/DCDS\(C\) to PSO/CDS and others, 13 June 2002, ‘Supporting Paper for COS Strategic Think Tank on Iraq – 18 Jun’ attaching Paper.](#)

²²⁵ Minute Assessments Staff [junior official] to Miller, 17 June 2002, ‘Releasable Dossiers on WMD’.

- **“Whether in the meantime to publish the wider WMD Programme[s] of Concern paper.”²²⁶**

518. Mr McKane wrote that the drafts took account of comments from the CIA but had not been passed to other parts of the US Government. He also pointed out that the drafts had not, at that stage, been “shared with DFID”.

519. The inter-departmental group advised:

“... that the drafts should now be held in readiness for an appropriate moment to issue them. Choosing that moment requires careful judgement. The publication of the documents will be regarded by some as an indication that the Government has moved closer to decisions on military action. On the other hand, as part of the carefully co-ordinated exercise, they could serve to increase the pressure on Saddam Hussein.”

520. Mr McKane reported that Mr Scarlett’s “strong preference” was to:

“... keep the WMD paper separate in order to preserve its status as a considered assessment of what the intelligence says about Iraq’s existing WMD capabilities – in contrast with the other two papers which are based on a mixture of historical material, intelligence and reportage. Most of my group felt that this point was out-weighted by the advantages of presenting the three papers as a single package, in particular because of the close relationship between the WMD and the Weapons Inspection papers.”

521. Mr McKane also provided a copy of the separate draft paper addressing wider WMD programmes of concern, stating that:

“The Foreign Office, in particular, have advised that this paper should not be published at the same time as the Iraq dossier, because of awkward comparisons which might be drawn between the threat posed by other countries of concern and that posed by Iraq. More generally, the FCO have concerns about the quality of the ‘evidence’ ...”

522. Mr McKane concluded:

“Despite the case for shining a spotlight on all states of WMD concern, the balance of the arguments points towards delaying, at least until we are clearer about the way forward on Iraq.”

523. The draft papers sent to Sir David Manning were largely identical to those produced by the CIC on 3 June. The key changes to the WMD paper were:

²²⁶ [Minute McKane to Manning, 21 June 2002, ‘Iraq: Public Documents’.](#)

- The text on nuclear weapons in the draft Foreword was amended to state the papers showed only that Saddam Hussein was “still seeking to acquire nuclear weapons”.
- References to Iraq’s ability to produce ricin and its effect were added to the section on biological agents in the paper on Iraq’s WMD programmes.

524. The key points in the paper on UN inspections, which drew on published and intelligence sources, including reports by UN personnel and non-Government sources, are set out in the Box below.

‘UN Weapons Inspections in Iraq’

The draft FCO paper on weapons inspections stated:

“The history of UN weapons inspections in Iraq has been characterised by persistent Iraqi efforts to frustrate, deceive and intimidate inspectors. Despite the conduct of the Iraqi authorities towards them, both UNSCOM and the IAEA ... have valuable records of achievement ...

“By the end of 1998 there nevertheless remained significant uncertainties about the disposition of Iraq’s prohibited WMD programmes. A series of confrontations and the systematic refusal by Iraq to co-operate, left UNSCOM unable to perform its mandate and the inspectors withdrew ...”

Since December 1998, Iraq had:

“... refused absolutely to comply with its UN ... obligations and allow access to weapons inspectors. We judge that Iraq has used the intervening ... period to rebuild significant aspects of its chemical, biological, nuclear and ballistic missile programmes.”

That was “a direct challenge to the authority of the UN”. In addition, Iraq’s actions breached its commitments under:

- the Biological and Toxin Weapons Convention – which bans the development, production, stockpiling, acquisition or retention of biological weapons; and
- the Nuclear Non-Proliferation Treaty – which prohibits Iraq from manufacturing or otherwise acquiring nuclear weapons.”

The paper described the setting up of two inspection teams in accordance with the provisions of resolution 687 (1991) and set out an account of Iraq’s concealment of its activities together with a list of “infamous examples” of Iraq’s harassment of the inspectors.

The 20 June version of the paper acknowledged that special access to Presidential sites had been negotiated in 1998. A statement in the initial draft that the sites housed units “which had in the past been associated with concealing Iraq’s WMD programme” was replaced by a statement that they were “an integral part of Iraqi counter-measures expressly designed to hide weapons material”.

The initial reference to Iraq having “admitted... a large, effective, system for hiding proscribed material” was replaced by a reference to Iraq’s acknowledgement that it had set up a unit in April 1991 to “conceal vital aspects of its proscribed programmes”.

The paper set out in considerable detail Iraq's "blatant" obstruction of UN inspectors in relation to its biological weapons programme. Iraq did not acknowledge that biological agents had been produced "on an industrial scale" until July 1995. It also "admitted producing in excess of 200 biological weapons with a reserve of agent to fill considerably more". Subsequent disclosures in relation to the programme were "technically inadequate" and Iraq had refused to elaborate on the details.

The paper also set out the inspectors' achievements in dismantling and destroying Iraq's proscribed weapons systems, but "a series of significant unresolved disarmament issues remained".

The paper stated the UK believed "that Iraq has pressed ahead with its WMD programmes" since 1998; and that the heads of UNSCOM and the IAEA had "declared that in the absence of inspections", it was "impossible to verify Iraq's compliance with its ... obligations".

The paper concluded:

"In the interests of regional and global security, the international community cannot allow this stand off to continue indefinitely."

525. In a report published on 20 June, the FAC recommended that the UK Government should follow the precedent it had set in relation to Afghanistan, in October 2001, and:

"... publish the fullest possible documentation on the need for further military action, before any 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."²²⁷

526. In mid-July, No.10 officials decided that publication should be put on hold for the time being.

527. During questions on Iraq from the Liaison Committee on 16 July (see Section 3.3), Mr Blair replied that "as far as he was aware there was no evidence linking Saddam Hussein to the actual attack on 11 September"; and that there were "various rough linkages" to Al Qaida; but the issue (on Iraq) was "weapons of mass destruction. It is not what happened on 11 September or the Al Qaida terrorist network."²²⁸

528. Asked what had changed since President Bush took office, Mr Blair replied:

"... First ... it is clear that Saddam Hussein is still trying to develop weapons of mass destruction. Secondly ... weapons inspectors where he is still refusing to

²²⁷ Seventh Report from Foreign Affairs Committee, Session 2001-2002, *Foreign Policy Aspects of the War against Terrorism*, HC 384, paragraph 233.

²²⁸ Minutes, Liaison Committee (House of Commons), 16 July 2002, [Evidence Session], Qs 97-98.

abide by the UN resolutions ... as more negotiations go on and he fails to comply and you know that he is developing these weapons of mass destruction, then over a period of time you are entitled to draw the conclusion that this threat is growing not diminishing ... there is a threat ... The options are open but we do have to deal with it ...”²²⁹

529. Mr Blair also told Mr Anderson that there would be documentation setting out the nature of the WMD threat and that:

“The only reason we have not published some of this documentation before is that you have got to choose your time ... otherwise you send something rocketing up the agenda when it is not necessarily there. Certainly if we do move into a new phase, yes, of course, we will publish.”²³⁰

530. Sir David Manning discussed Mr McKane’s minute of 21 June with him and Mr Powell and Mr Campbell on 16 July.²³¹ They agreed:

“... now was not the time to publish any of the three Iraq public documents or the wider WMD programmes of concern paper. We should, however, be ready to move quickly in the light of changing circumstances.”

531. It was also agreed that the draft would not be shown to the US until closer to the date of publication and that:

“We should keep an open mind on whether to publish the Iraq WMD paper separately from the other two Iraqi papers. We should aim for a Foreword signed by either the Foreign and Defence Secretaries, or possibly the Prime Minister.”

532. Mr McKane told the Inquiry that he had “had an exchange with Sir David Manning in which we agreed that we should keep it ready ... to dust it off and use it at short notice, if necessary”.²³²

533. In his diaries Mr Campbell wrote that Mr Blair had:

“... raised the temperature another gear by making clear publicly we intended to do something and also saying that Saddam had to be dealt with. We agreed not to go for it yet, because it would look like we were going to war if we did, TB having made it pretty clear that it would be the start of another phase.”²³³

²²⁹ Minutes, Liaison Committee (House of Commons), 16 July 2002, [Evidence Session], Qs 99-100.

²³⁰ Minutes, Liaison Committee (House of Commons), 16 July 2002, [Evidence Session], Qs 87-88.

²³¹ [Minute Manning to McKane, 16 July 2002, ‘Iraq: Public Documents’](#).

²³² Public hearing, 19 January 2011, page 77.

²³³ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

534. In his press conference on 25 July, Mr Blair was asked a number of questions about the policy on Iraq (see Section 3.3).²³⁴ Asked why the promised dossier laying out the evidence against Saddam Hussein had not appeared, Mr Blair stated that it would be published when he judged it to be the right moment.

Conclusions

535. The ingrained belief that Saddam Hussein's regime retained chemical and biological warfare capabilities, was determined to preserve and if possible enhance its capabilities, including at some point in the future a nuclear capability, and was pursuing an active policy of deception and concealment, had underpinned UK policy towards Iraq since the Gulf Conflict ended in 1991.

536. While the detail of individual JIC Assessments on Iraq varied, this core construct remained in place.

537. Security Council resolutions adopted since 1991, demanded Iraq's disarmament and the re-admission of inspectors, and imposed sanctions in the absence of Iraqi compliance with those – and other – obligations. Agreement to those resolutions indicated that doubts about whether Iraq had disarmed were widely shared.

538. In parallel, by 2000, the wider risk of proliferation was regarded as a major threat. There was heightened concern about:

- the danger of proliferation, particularly that countries of concern might obtain nuclear weapons and ballistic missiles; and
- the potential risk that terrorist groups which were willing to use them might gain access to chemical and biological agents and, possibly, nuclear material, and the means to deliver them.

539. These concerns were reinforced after 9/11.

540. The view conveyed in JIC Assessments between December 2000 and March 2002 was that, despite the considerable achievements of UNSCOM and the IAEA between 1991 and December 1998, including dismantling Iraq's nuclear programme, the inspectors had been unable to account for some of the ballistic missiles and chemical and biological weapons and material produced by Iraq; and that it had:

- not totally destroyed all its stockpile of chemical and biological weapons;
- retained up to 360 tonnes of chemical agents and precursor chemicals and growth media which would allow it to produce more chemical and biological agents;

²³⁴ The National Archives, *Prime Minister's Press Conference, 25 July 2002*.

- hidden a small number of long-range Al Hussein ballistic missiles; and
- retained the knowledge, documentation and personnel which would allow it to reconstitute its chemical, biological, nuclear and ballistic missile programmes.

541. The JIC also judged that, since the departure of the weapons inspectors, Iraq:

- was actively pursuing programmes to extend the range of its existing short-range ballistic missiles beyond the permitted range of 150km;
- had begun development of a ballistic missile with a range greater than 1,000km;
- was capable of resuming undetected production of “significant quantities” of chemical and biological agents, and in the case of VX might have already done so; and
- was pursuing activities that could be linked to a nuclear programme.

542. Iraq’s chemical, biological and ballistic missile programmes were seen as a threat to international peace and security in the Middle East region, but Iraq was viewed as a less serious proliferation threat than other key countries of concern – Iran, Libya and North Korea – which had current nuclear programmes. Iraq’s nuclear facilities had been dismantled by the weapons inspectors. The JIC judged that Iraq would be unable to obtain a nuclear weapon while sanctions remained effective.

543. The JIC continued to judge that co-operation between Iraq and Al Qaida was “unlikely”, and that there was no “credible evidence of Iraqi transfers of WMD-related technology and expertise to terrorist groups”.

544. In mid-February 2002, in preparation for Mr Blair’s planned meeting with President Bush in early April 2002, No.10 commissioned the preparation of a paper to inform the public about the dangers of nuclear proliferation and WMD more generally in four key countries of concern, North Korea, Iran, Libya and Iraq.

545. When the preparation of this document became public knowledge, it was perceived to be intended to underpin a decision on military action against Iraq. The content and timing became a sensitive issue.

546. Reflecting the UK position that action was needed to disarm Iraq, Mr Blair and Mr Straw began, from late February 2002, publicly to argue that Iraq was a threat which had to be dealt with; that Iraq needed to disarm or be disarmed in accordance with the obligations imposed by the UN; and that it was important to agree to the return of UN inspectors to Iraq.

547. The focus on Iraq was not the result of a step change in Iraq’s capabilities or intentions.

548. When he saw the draft paper on WMD countries of concern on 8 March, Mr Straw commented:

“Good, but should not Iraq be first and also have more text? The paper has to show why there is an exceptional threat from Iraq. It does not quite do this yet.”²³⁵

549. On 18 March, Mr Straw decided that a paper on Iraq should be issued before one addressing other countries of concern.

550. On 22 March, Mr Straw was advised that the evidence would not convince public opinion that there was an imminent threat from Iraq.

551. Publication was postponed. No.10 decided that the Cabinet Office Overseas and Defence Secretariat should co-ordinate the production of a “public dossier” on Iraq, and that Mr Alastair Campbell, Mr Blair’s Director of Communications and Strategy, should “retain the lead role on the timing/form of its release”.

552. The statements prepared for, and used by, the UK Government in public, from late 2001 onwards, about Iraq’s proscribed activities and the potential threat they posed were understandably written in more direct and less nuanced language than the JIC Assessments on which they drew.

553. The question is whether, in doing so, they conveyed more certainty and knowledge than was justified, or created tests it would be impossible for Iraq to meet. That is of particular concern in relation to the evidence in this Section on two key issues.

554. First, the estimates of the weapons and material related to Iraq’s chemical and biological warfare programmes for which UNSCOM had been unable to account were based on extrapolations from UNSCOM records. Officials explicitly advised that it was “inherently difficult to arrive at precise figures”. In addition, it was acknowledged that neither UNSCOM nor the UK could be certain about either exactly what had existed or what Iraq had already destroyed.

555. The revised estimates announced by Mr Straw on 2 May were increasingly presented in Government statements as the benchmark against which Iraq should be judged.

556. Second, the expert MOD examination of issues in late March 2002 exposed the difficulties Iraq would have to overcome before it could acquire a nuclear weapon. That included the difficulty of acquiring suitable fissile material from the “black market”.

²³⁵ [Minute McDonald to Ricketts, 11 March 2002, ‘Iraq’.](#)

557. In addition, the tendency to refer in public statements only to Iraq’s “weapons of mass destruction” without addressing their nature (the type of warhead and whether they were battlefield or strategic weapons systems) or how they might be used (as a last resort against invading military forces or as a weapon of terror to threaten civilian populations in other countries) was likely to have created the impression that Iraq posed a greater threat than the detailed JIC Assessments would have supported.

558. The way in which information was presented in the dossier on Iraq published on 24 September 2002 is addressed in Section 4.2.