

SECTION 4.3

IRAQ WMD ASSESSMENTS, OCTOBER 2002 TO MARCH 2003

Contents

Introduction and key findings	289
The UK assessment of Iraq's position, October to December 2002	290
Iraq's rebuttal of the UK dossier	291
JIC Assessment, 11 October 2002: 'Iraq: The Return of UN Inspectors'	293
The US National Intelligence Estimate	296
President Bush's speech in Cincinnati, 7 October 2002	297
Security Council open debate, 16 and 17 October 2002	298
JIC Current Intelligence Group Assessment, 28 October 2002: 'Global Chemical and Biological Weapons Survey'	299
Iraq's response to resolution 1441	301
JIC Assessment, 14 November 2002: 'Iraq: Regime Cohesion Under Pressure'	303
Intelligence update, 21 November 2002	304
Security Council, 25 November 2002	306
FCO advice, 29 November 2002	307
JIC Assessment, 6 December 2002: 'Iraq: Military Options'	307
Iraq's declaration of 7 December and the UK response	309
Doubts about the sourcing chain for SIS reports issued on 11 and 23 September 2002	312
JIC Assessment, 18 December 2002	314
Security Council, 19 December 2002	318
The absence of a "smoking gun"	320
UNMOVIC's activities	323
Mr Blair's interview on <i>BBC's Breakfast with Frost</i> , 26 January 2003	324
Security Council, 27 January 2003	329
JIC Assessment, 29 January 2003	333
Cabinet, 30 January 2003	337
'Iraq – Its Infrastructure of Concealment, Deception and Intimidation'	337
Secretary Powell's presentation to the Security Council, 5 February 2003	342
Meetings with Dr Blix and Dr ElBaradei, 6 February 2003	344

Mr Straw’s speech, 11 February 2003	347
The UK contribution to UNMOVIC’s investigations	348
The perspective of the inspectors	350
SIS advice of 17 and 20 February 2003	354
Briefings for Cabinet Members and Committee Chairs	355
Would Iraq use chemical and biological weapons?	359
Presentation of the UK position	361
The position in March	363
The IAEA position on Iraq’s nuclear programme	363
UK assessments of Iraq’s intentions	364
Security Council, 7 March 2003	365
Security Council open debate, 11 and 12 March 2003	369
No.10 advice to Mr Blair	370
Mr Cook’s resignation statement, 17 March 2003	371
Mr Scarlett’s advice, 17 March 2003	372
JIC Note, 19 March 2003: ‘Saddam: The Beginning of the End’	375
Security Council, 19 March 2003	378
Withdrawal of intelligence	379
SIS reporting of 11 and 23 September 2002	379
The Intelligence and Security Committee’s view	386
The Butler Review	386
Ministerial awareness that the reporting had been withdrawn	387
Withdrawal of two other streams of SIS reporting	392
JIC Assessment, 23 December 2004: ‘Iraqi WMD – A Review of JIC Judgements made in 2002’	401
JIC discussion, 9 February 2006	405
Reliability of intelligence	405
A lesson learned?	409
Conclusions	410

Introduction and key findings

1. This Section addresses the assessments between October 2002 and 19 March 2003 of Iraq's capabilities and intentions to:

- develop, produce and use chemical, biological and nuclear weapons and ballistic missiles; and
- conceal those programmes from the inspectors and obstruct their activities.

2. The Section also addresses the:

- advice based on intelligence provided to Ministers and others; and
- withdrawal of three important streams of SIS reporting in 2003 and 2004.

3. The roles of the Joint Intelligence Committee (JIC) and Secret Intelligence Service (SIS) are addressed in Section 2.

4. The assessment of Iraq's capabilities and intentions to develop, produce and use chemical, biological and nuclear weapons and ballistic missiles between 2000 and July 2002, including the initial preparation of a paper on Iraq for publication, is addressed in Section 4.1.

5. The subsequent JIC Assessments of 21 August and 9 September, the preparation of the dossier published on 24 September and Mr Blair's statement to the House of Commons on the same day, are addressed in Section 4.2.

6. The post-invasion search for evidence of weapons of mass destruction (WMD) in Iraq, the Government's response to the failure to find stockpiles of WMD in Iraq, demands for an independent judge-led inquiry into pre-conflict intelligence on Iraq's WMD and the decision to establish the Butler Review, and the Government's involvement with the preparation and publication of the series of reports produced by the Iraq Survey Group (ISG), are addressed in Section 4.4.

7. The development of UK strategy and options during this period, including Mr Blair's and Mr Straw's statements to Parliament on 18 March 2003, is addressed in Sections 3.5 to 3.8.

8. The military planning for a campaign in which chemical and biological weapons could be used, and the arrangements to provide protection for UK Forces, is addressed in Sections 6.1 to 6.3.

Key findings

- The core construct 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, underpinned the UK

Government's position that Iraq was a threat that had to be dealt with and it needed to disarm or be disarmed.

- That remained the case up to and beyond the decision to invade Iraq in March 2003.
- The judgements about Iraq's capabilities and intentions relied too heavily on Iraq's past behaviour being a reliable indicator of its current and future actions.
- There was no consideration of whether, faced with the prospect of a US-led invasion, Saddam Hussein had taken a different position.
- The Joint Intelligence Committee (JIC) made the judgements in the UK Government September dossier part of the test for Iraq.
- Iraq's statements that it had no weapons or programmes were dismissed as further evidence of a strategy of denial.
- The extent to which the JIC's judgements depended on inference and interpretation of Iraq's previous attitudes and behaviour was not recognised.
- At no stage was the hypothesis that Iraq might no longer have chemical, biological or nuclear weapons or programmes identified and examined by either the JIC or the policy community.
- A formal reassessment of the JIC's judgements should have taken place after the report to the Security Council on 14 February 2003, by Dr Hans Blix, Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), or, at the very latest, after his report of 7 March.
- Intelligence and assessments made by the JIC about Iraq's capabilities and intent continued to be used to prepare briefing material to support Government statements in a way which conveyed certainty without acknowledging the limitations of the intelligence.
- The independence and impartiality of the JIC remains of the utmost importance.
- The Secret Intelligence Service (SIS) had a responsibility to ensure that key recipients of its reporting were informed in a timely way when doubts arose about key sources and when, subsequently, intelligence was withdrawn.

The UK assessment of Iraq's position, October to December 2002

9. As the previous Sections of this Report show, there was an ingrained belief within the UK Government 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.

10. The UK position reflected the widely shared view that when the UN inspectors left Iraq in December 1998, Iraq had not fully accounted for major gaps and inconsistencies in its declarations and had provided no credible proof that Iraq had destroyed its weapons stockpiles and production infrastructure as it claimed.

11. In addition, the description of Iraq's capabilities and intent in the UK Government dossier, *Iraq's Weapons of Mass Destruction. The Assessment of the British*

Government, published on 24 September, became part of the baseline against which the UK Government measured Iraq's statements and future actions and the success of weapons inspections.

Iraq's rebuttal of the UK dossier

12. The Iraqi Ministry of Foreign Affairs published a "detailed rebuttal" on 2 October, which described the UK dossier as "a series of lies and empty propaganda" which was "totally inconsistent" with the facts and reports made by the UN Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA).¹

13. The rebuttal emphasised Iraq's "intensive efforts" and co-operation between 1991 and 1998 in implementing resolution 687 (1991) and other UN Security Council resolutions. It also stated that Iraq had not imported any prohibited material.

14. Addressing the dossier's "claims about alleged activities after 1998", the Iraqi rebuttal stated:

- The "assumptions" about a nuclear programme were "groundless". Iraq's imports and facilities were subject to strict monitoring, including through the IAEA safeguards regime.
- The allegation that Iraq had tried to acquire uranium "from South Africa" was "a bogus lie".
- There were "no toxic chemical agents, precursors or chemical weapons"; and "no capabilities to produce chemical or biological agents".
- VX agent production required "an advanced technology" which was "not available in Iraq". It had not obtained "any large scale or significant production of VX agent" from equipment destroyed in 1997.
- The al-Muthanna site had been destroyed and was abandoned.
- The chlorine and phenol site at Fallujah 2 had produced chlorine for water purification and chlorine was no longer subject to monitoring.
- The Ibn-Sina site produced material for civil industries and its equipment had been tagged by UNSCOM.
- The al-Qaqa state company had no plant to produce phosgene and its equipment was tagged and monitored.
- Iraq was "completely clear of all biological weapons and agents" and did "not keep any quantity of these agents". The "botulinum protein" and "anthrax slurry" previously produced had a "short shelf life".
- The reaction to the allegation that mobile facilities were producing biological agent was "astonishment".

¹ [Minute Miller to Manning, 4 October 2002, 'The Dossier: Iraq's Response' attaching Email FCO \[junior official\] to Hamill, 3 October 2002, 'Iraq's reply on Blair's Report' and Paper \[CIC\], \[undated\], 'Iraq – Still Playing Games'.](#)

- Claims that Iraq had “reconstructed and renewed the sites ... previously used in producing biological agents” were “groundless and false”.
- Iraq did “not possess any missile with a range greater than 150km”.
- The new engine test station was for “horizontal testing” of “Al Samoud” engines and “could not be used for larger engines”.
- RPVs [remotely piloted vehicles] were for aerial reconnaissance.
- Facilities at the al-Mamoun plant had been destroyed and it could not be used for solid fuel missiles.

15. A review of the rebuttal by the Assessments Staff stated that it did not undermine the UK dossier and in a number of key areas failed to provide a credible response.

16. Mr Julian Miller, Chief of the Assessments Staff, told Sir David Manning, Mr Blair’s Foreign Policy Adviser and Head of the Cabinet Office Overseas and Defence Secretariat (OD Sec), that a review of the rebuttal conducted by the Assessments Staff, the intelligence agencies and the FCO dismissed the rebuttal as: “In broad terms ... very weak; long on rhetoric and short on detail.”²

17. Mr Miller added that the document presented “a somewhat rosy picture” of Iraq’s relationship with UNSCOM. He characterised Iraq’s refutation of the UK “claim that its WMD programmes have continued post 1998” as an “attitude of denial”.

18. Mr Miller stated that there was “nothing in the detail of the Iraqi reply” that undermined the dossier and that:

“In a number of key areas they have failed to provide any credible response. For example they:

- claim that accusations that they are seeking uranium from South Africa is a ‘bogus lie’. But the dossier did not mention South Africa ...
- claim the al-Rafah [engine] test stand is for horizontal rather than vertical engine testing Al Samoud missile ...
- merely state that accusations of mobile biological agent production facilities are ‘astonishing’.”

19. Under a heading ‘Iraq: Still Playing Games’, press lines prepared by the Communications and Information Centre (CIC) focused on:

- Iraq’s pre-1998 co-operation with UNSCOM and its failures to:
 - provide full and comprehensive disclosures;

² [Minute Miller to Manning, 4 October 2002, ‘The Dossier: Iraq’s Response’ attaching Email FCO \[junior official\] to Hamill, 3 October 2002, ‘Iraq’s reply on Blair’s Report’ and Paper \[CIC\], \[undated\], ‘Iraq – Still Playing Games’.](#)

- allow the inspectors immediate, unconditional and unrestricted access to relevant sites, documents and persons; and
- the material for which UNSCOM had been unable to account.

20. The press lines did not acknowledge or address Iraq's explicit denials of possession of prohibited weapons, materials and programmes.

21. Mr Miller concluded: "I do not think we need to offer a fuller reply to any of Iraq's claims."

22. There was no consideration of the risks which Iraq would have faced by issuing a detailed rebuttal which inspections might show to be untrue.

JIC Assessment, 11 October 2002: 'Iraq: The Return of UN Inspectors'

23. The JIC assessed on 11 October that Saddam Hussein was determined to retain Iraq's proscribed weapons programme and that he was confident he could prevent the UN inspectors, operating under existing UN resolutions, from finding any evidence before military options started to close in spring 2003.

24. Without specific intelligence, the inspectors would not know where to look.

25. As military pressure increased, Iraq's concealment policy could be undermined by the requirement to prepare hidden "chemical and biological missile systems for military deployment".

26. At the request of OD Sec, the JIC assessed Iraq's attitude and approach to dealing with the return of UN weapons inspectors.³ It also assessed Iraq's concealment policy.

27. The minutes of the JIC discussion of the draft Assessment on 9 October recorded that:

- Iraq was "very confident" about its concealment policy and "had put a lot of effort into ensuring that inspectors would not find anything".
- "UNMOVIC [UN Monitoring, Verification and Inspection Commission] still had no information about suspect sites and without specific intelligence, it would be impossible for them to know where to start looking."
- "A tougher, penetrative [inspections] regime backed by a good intelligence flow from inside Iraq, would therefore be absolutely central to success".
- "... [A]s military pressure increased, the point would come when concealment would make it impossible" for Iraq to "prepare for weaponisation".⁴

³ [JIC Assessment, 11 October 2002, 'Iraq: The Return of UN Inspectors'](#).

⁴ Minutes, 9 October 2002, JIC meeting.

28. The JIC Assessment, 'Iraq: The Return of UN Inspectors', was issued on 11 October.⁵

29. The JIC's Key Judgements were:

- “• Saddam is determined to retain Iraq's proscribed weapons programmes. He is confident that he can prevent UNMOVIC, operating on the basis of existing UNSCRs [United Nations Security Council resolutions], from finding any evidence before military options start to close off in spring 2003.
- Concealment and dispersal of sensitive items are the main elements of Iraq's strategy for dealing with UNMOVIC. The inspectors are hampered by poor preparedness and a lack of intelligence, so far, to guide them.
- Saddam will probably accept a new UN resolution. If inspections are conducted under a tougher regime, and if specific intelligence on WMD locations is forthcoming in response to clear US determination to topple Saddam, UNMOVIC might find evidence of Iraq's WMD programmes.
- In the short-term, we do not expect a repeat of the blatant Iraqi policy of intimidation and obstruction that UNSCOM encountered. Widespread Iraqi obstruction would be seen as too obvious a challenge to the authority of the UN. But if inspectors come close to uncovering evidence of WMD, Iraq will employ a wide range of tactics to delay their work.
- Iraq will use all diplomatic efforts, backed by its economic leverage on its neighbours, to undermine political support for a continuation of the inspections and sanctions.”

30. The Assessment is addressed in detail in Section 3.5. The key points in relation to Iraq's possession of WMD and its intent to conceal its capabilities and deceive the inspectors were:

- Intelligence indicated that Saddam Hussein was “determined to retain Iraq's weapons of mass destruction”, which he considered “to be a key part of Iraq's regional political and military power”. He was “adamant that UN weapons inspectors should not be allowed to find and destroy the WMD capability that Iraq has been able to develop further in the four years since UNSCOM left in 1998”.
- Iraq was “confident” that it could “ensure the inspectors, acting under the terms of existing UNSCRs”, would “not be able to find anything when they return and that Iraq will retain its proscribed weapons programmes”.
- “A body of intelligence” indicated that “concealment and dispersal of sensitive items” were “the main planks of Iraq's strategy to deal with the return of weapons inspectors”. Saddam Hussein had “reportedly taken into account the

⁵ [JIC Assessment, 11 October 2002, 'Iraq: The Return of UN Inspectors'](#).

experience gained during the UNSCOM inspections” and believed he could “exploit weaknesses in the inspections regime” in resolution 1284 (1999).

- Qusay Hussein (Saddam Hussein’s son) had “instructed that the production of sensitive materials be moved to other secret locations. We have little intelligence on these locations ...”
- Iraq’s concealment efforts were “widespread”. Iraq had “had time to prepare”; and stocks of chemical and biological weapons would be “considerably smaller than after the Gulf War”.
- Intelligence showed that “steps were being taken to prevent weapons inspectors from finding any prohibited weapons, sensitive papers and documents, including by hiding them in residential buildings, schools and private homes. Duplicate and non-essential papers had been destroyed and the remaining archives had been split up and hidden in the homes of trusted officials. In the absence of specific intelligence, the prospects of successfully finding illicit material at such sites is very limited ...”
- Iraq was “exploiting dual-use sites and mobile production facilities” and reporting indicated that it was “confident that any inspection of dual-use facilities” would be “unsuccessful”: the equipment could be used for legitimate purposes “and any incriminating raw material or prohibited product would be removed before any inspection”.
- Iraq had “developed transportable biological production facilities with the intention of not only making it harder to target them but also difficult to find them. Iraq may also have dispersed stocks of chemical and biological weapons away from suspect sites to avoid detection. Intelligence indicates that Iraq has explored unorthodox options for delivering chemical and biological weapons which means the weapons inspectors will have difficulty knowing what to look for.”
- Iraq was “confident in its concealment plans”. “The fact that Saddam is prepared, temporarily, to allow sensitive equipment out of his ‘immediate’ control, indicates the importance he attaches to retaining chemical and biological weapons and ballistic missiles.”

31. Commenting on Iraq’s repeated statements that it had “nothing to declare and no documents to reveal”, the Assessment stated:

“... the longer inspectors remain in Iraq the greater the likely impact on Iraq’s development programmes. UNMOVIC are more likely to come up with evidence of proscribed activity at Iraq’s missile facilities than those associated with the chemical, biological and nuclear programmes. We judge that production could continue at a much reduced level whilst inspectors were in-country. As the military pressure against Iraq increases, its concealment policy could be undermined by the Iraqi requirement to prepare its hidden stocks of chemical and biological missile systems for military deployment.”

The US National Intelligence Estimate

32. On 1 October, the Central Intelligence Agency (CIA) produced its National Intelligence Estimate (NIE) on 'Iraq's Continuing Programs for Weapons of Mass Destruction'.⁶

33. An unclassified document based on the NIE, published on 4 October, included the following judgements:

- "Iraq has continued its weapons of mass destruction (WMD) programs in defiance of UN resolutions and restrictions. Baghdad has chemical and biological weapons as well as missiles with ranges in excess of UN restrictions; if left unchecked, it probably will have a nuclear weapon during this decade."
- "Baghdad hides large portions of Iraq's WMD efforts ..."
- "Since inspections ended in 1998, Iraq has maintained its chemical weapons effort, energized its missile program, and invested more heavily in biological weapons; most analysts assess Iraq is reconstituting its nuclear weapons program."
- "How quickly Iraq will obtain its first nuclear weapon depends on when it acquires sufficient weapons-grade fissile material."
- "Baghdad has begun renewed production of chemical warfare agents, probably including mustard, sarin, cyclosarin, and VX." Iraq's capability was "probably more limited now" than it was in 1991, although VX production and agent storage life had probably "been improved". Iraq probably possessed "CW [chemical warfare] bulk fill" for ballistic missile warheads "including for a limited number of covertly stored, extended range Scuds".
- "All key aspects – R&D, production, and weaponization – of Iraq's offensive BW [biological warfare] program are active and most elements are larger and more advanced than they were before the Gulf war."
- "Iraq maintains a small missile force and several development programs, including for a UAV [unmanned aerial vehicle] that most analysts believe probably is intended to deliver biological warfare agents."⁷

34. The discussion of Iraq's biological warfare programme included reference to "a large-scale, redundant, and concealed BW agent production capability, which includes mobile facilities; these facilities can evade detection, are highly survivable, and can exceed the production rates Iraq had prior to the Gulf war".

35. The discussion on the Iraqi nuclear programme referred to "Iraq's aggressive attempts to obtain proscribed high-strength aluminium tubes" and stated that all "intelligence experts agree that Iraq is seeking nuclear weapons and that these tubes

⁶ CIA, 1 October 2002, 'National Intelligence Estimate, Iraq's Continuing Programs for Weapons of Mass Destruction'.

⁷ CIA, 4 October 2002, *Iraq's Weapons of Mass Destruction Programs*.

could be used in a centrifuge enrichment program”, although it acknowledged that some did not believe that this was their intended use.

36. In July 2004, the Senate Select Committee on Intelligence produced a *Report ... on the U.S. Intelligence Community’s Prewar Intelligence Assessments on Iraq*.⁸ The conclusions of the Committee drew attention to the uncertainties behind the judgements in the NIE (see Section 4.4).

37. In their letter to President Bush on 31 March 2005, the members of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, established by President Bush on 6 February 2004, drew attention to the failure to make clear just how much of the analysis was based on assumptions, rather than good evidence.⁹

38. Writing in 2012, Mr Colin Powell, US Secretary of State, described the NIE evidence as “mostly circumstantial and inferential”, but “persuasive”.¹⁰

PRESIDENT BUSH’S SPEECH IN CINCINNATI, 7 OCTOBER 2002

39. In advance of the votes in Congress to authorise the use of force if it proved necessary to enforce Security Council demands, President Bush used a speech in Cincinnati on 7 October to set out in detail the case for urgent action to disarm Iraq.¹¹ President Bush stated that Iraq “possesses and produces chemical and biological weapons” and “the evidence indicates that Iraq is reconstituting its nuclear weapons program”.

40. Other points made by President Bush included:

- There were concerns that Iraq was “exploring ways of using UAVs for missions targeting the United States”.
- Iraq and Al Qaida (AQ) had “high level contacts that go back a decade”.
- Some AQ leaders who had fled Afghanistan were in Iraq, including “one very senior ... leader” who had “been associated with planning for chemical and biological attacks”.
- “[C]onfronting the threat posed by Iraq” was “crucial to winning the war against terror”. Saddam Hussein was “harboring terrorists and the instruments of terror, the instruments of mass death and destruction”. He could not be trusted and the risk that he would “use them, or provide them to a terror network” was “simply too great”.

⁸ Select Committee on Intelligence, 9 July 2004, *Report of the Select Committee on Intelligence on the U.S. Intelligence Community’s Prewar Intelligence Assessments on Iraq*.

⁹ The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, 31 March 2005, *Report to the President of the United States*.

¹⁰ Powell, C with Koltz T. *It Worked for Me: In Life and Leadership*. Harper Perennial, 2012.

¹¹ The White House, 7 October 2002, *President Bush Outlines Iraqi Threat*.

- The enemies of the US would be “eager to use biological or chemical, or a nuclear weapon”, and it “must not ignore the threat”: “Facing clear evidence of peril, we cannot wait for the final proof – the smoking gun – that could come in the form of a mushroom cloud.”

Security Council open debate, 16 and 17 October 2002

41. In his statement on 17 October, during an open debate on Iraq, Sir Jeremy Greenstock, UK Permanent Representative to the United Nations in New York, emphasised the reliability of the intelligence on which the UK analysis of Iraq’s capabilities was based.

42. The Non-Aligned Movement (NAM) asked on 10 October for an “emergency open debate on the situation in Iraq”.¹²

43. An open debate of the Council, attended by more than 50 Member States or Permanent Observers, in addition to the members of the Security Council, took place on 16 and 17 October.¹³

44. In his statement on 17 October, Sir Jeremy Greenstock set out the UK position. In relation to Iraq’s weapons of mass destruction he stated:

“We remain deeply perturbed by evidence that Iraq believes it can hide its weapons of mass destruction rather than declare them, that it can again fool the inspectors and play games with them. The United Kingdom analysis, backed by reliable intelligence, indicates that Iraq still possesses chemical and biological materials, has continued to produce them, has sought to weaponise them, and has active military plans for the deployment of such weapons. The United Kingdom analysis, backed up by reliable intelligence, shows that Iraq has in recent years tried to buy multiple components relevant to the production of a nuclear bomb. The United Kingdom analysis, backed by reliable intelligence, points to the retention of extended-range missiles and to the employment of hundreds of people in projects to develop weapons with a range of over 1,000 kilometres that could carry both weapons of mass destruction and conventional warheads.

“It would be an abdication of responsibility to ignore this challenge to the international community ...”

¹² UN Security Council, ‘Letter dated 10 October 2002 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council’ (S/2002/1132).

¹³ UN Security Council, ‘4625th Meeting Wednesday 16 October 2002’ (S/PV.4625, S/PV.4625 Resumption 1); UN Security Council, ‘4625th Meeting Thursday 17 October 2002’ (S/PV.4625, S/PV.4625 Resumption 2, S/PV.4625 Resumption 3).

JIC Current Intelligence Group Assessment, 28 October 2002: 'Global Chemical and Biological Weapons Survey'

45. A global survey of chemical and biological weapons on 28 October addressed the practicalities of producing chemical and biological weapons and how they might be used.

46. It stated that intelligence indicated that Iraq continued to produce chemical agent. It assessed that Iraq was producing chemical and biological agents and that the agents could be weaponised; it did not say that Iraq was doing so.

47. At the request of the MOD, the JIC issued a Current Intelligence Group (CIG) global survey of chemical and biological weapons on 28 October.¹⁴ It provided a general assessment of the practicalities involved in producing and using chemical and biological agents, and an assessment of the capabilities of several countries, including Iraq. It highlighted the relative ease with which many chemical and biological agents could be produced and disseminated, and the impact of their use.

48. The Key Judgements stated:

- “• There are few significant technical problems in the production or dissemination of many chemical warfare (CW) and biological warfare (BW) agents.
- Ballistic missiles and most conventional munitions, such as artillery shells, rockets and aerial bombs can be modified to deliver agent. It can also be sprayed from land or marine platforms and a variety of aerial systems.
- BW agents are less suitable for some battlefield roles than CW because they generally act more slowly. CBW could play an increasing role in military thinking, especially asymmetrically. The use of even small quantities of CW could help redress conventional superiority on the battlefield. BW agents have the potential for covert, deniable delivery which is particularly suited to terrorist-type attacks and asymmetric warfare.
- The potential for the proliferation of CBW is increasing. Arms control treaties and export regimes hinder, but cannot stop the trends.
- There is a growing risk of secondary proliferation [of technical knowledge and experience as well as equipment and hardware] between countries of concern. [...]
- States are increasingly using sophisticated denial, deception and concealment methods, including the use of dual-use and/or underground facilities, to hide their activities.”

¹⁴ [CIG Assessment, 28 October 2002, 'Global Chemical and Biological Weapons Survey'](#).

49. Other points made in the Assessment included:

- The equipment and materials used in the production of CW and BW agents were “subject to international export controls imposed by some countries but all are dual-use. They can therefore be imported for legitimate purposes.”
- “Once in country it is difficult to prevent such equipment and materials being diverted to offensive CBW programmes.”
- “The very large quantities of CW agent required for a significant military attack (of the order of one tonne, optimally disseminated, is needed to contaminate 2.5 sq km ...) mean that a large-scale delivery capability is needed.”
- “The effectiveness of an attack depends on the lethality and persistency of the agent ...”
- “BW agents are more potent than CW agents, cheaper, easier to produce and usable against a wide range of targets. A country does not need a sophisticated biotechnology industry to produce BW. Their potency means that the quantities required for an effective large-sale attack are relatively small ... and have the potential to cause more casualties. If effectively disseminated in unprotected urban population centres some BW agents could cause casualties on a scale similar to that of a nuclear attack. Of particular concern are agents that are not just virulent, but highly infectious and capable of causing an epidemic ... [E]ffective delivery is difficult to guarantee.”

50. In relation to Iraq’s chemical weapons programme, the Assessment stated:

“We continue to judge ... that **Iraq** has an offensive CW programme and intelligence indicates that it has continued to produce chemical agent ... Despite UNSCOM’s efforts, we believe Iraq retained some production equipment, small stocks of agent precursors, and small quantities of agents and weapons, including warheads for the Al Hussein 650km ballistic missile. Apart from this hidden capability, Iraq has also retained documentation on CW agent production and experienced key personnel. Despite the constraints that have been put in place to restrict Iraq’s access to dual-use equipment, the chemical industry has been built up and could be used to support an offensive CW programme.”

51. In relation to Iraq’s biological weapons programme, the Assessment stated:

“... Iraq has continued with an offensive BW programme. Research, development and production is assessed to continue under cover of a number of outwardly legitimate institutes and covert facilities. Confirmed intelligence reveals that transportable BW production facilities have been constructed. Iraq has possibly already made significant quantities of BW agents and intelligence indicates that it has continued to produce biological agents. We judge that Iraq is self-sufficient in its BW programme and currently has available, either from pre-Gulf War stocks or more recent production, anthrax spores, botulinum toxin, aflatoxin and possibly plague and ricin.”

52. The Assessment also stated:

“Iraq also researched a number of other agents within its offensive programme, some of which may be available for production. “Iraq can weaponise CBW agents into missile warheads, bombs, artillery rockets and shells, and could adapt helicopters, manned and un-manned aircraft ... to disseminate agent. CBW plays an important role in Iraqi military thinking. As compensation for its conventional military weakness Iraq is determined to retain CBW in order to dominate its neighbours. Intelligence indicates Iraq is ready to use CBW weapons and that munitions could be with military units and ready for firing within 20-45 minutes.”

53. Addressing the judgements in the Assessment, the *Review of Intelligence on Weapons of Mass Destruction*, chaired by Lord Butler of Brockwell, stated:

“The judgement that Iraq was continuing to produce chemical agent was supported by one new intelligence report received on 30 September.”¹⁵

“... The most significant change in this assessment was in the JIC’s indication ... that the intelligence on mobile biological agent production facilities had been ‘confirmed’ ... based on the receipt of one intelligence report, from a reliable and established source quoting a new sub-source. That report reinforced the large volume of reports on those facilities received from a single source through a liaison service since April 2000, although our view is that the new report was complementary to rather than confirming those from the liaison source.”¹⁶

Iraq’s response to resolution 1441

54. Resolution 1441 was adopted on 8 November 2002 by a unanimous vote of the members of the Security Council.¹⁷ Referring to his statement on 17 October, during the Security Council’s open debate on Iraq, Sir Jeremy Greenstock stated that there was “no shadow of doubt” that Iraq had defied the UN and had sought to hinder and frustrate inspections since 1991.

55. Iraq announced on 13 November that it would comply with resolution 1441.

56. Iraq re-stated its position that it had neither produced nor was in possession of weapons of mass destruction since the inspectors left in December 1998. It explicitly challenged the UK statement on 8 November that Iraq had “decided to keep possession” of its WMD.

¹⁵ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 347.

¹⁶ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 349.

¹⁷ UN Security Council, ‘4644th Meeting Friday 8 November 2002’ (S/PV.4644).

57. Iraq informed the Security Council of its decision to comply with the resolution “without conditions” in a letter from Mr Naji Sabri, the Iraqi Foreign Minister, to Mr Kofi Annan, the UN Secretary-General, on 13 November 2002.¹⁸

58. The key points in the letter in relation to WMD were:

- The claims by President Bush and Mr Blair that “Iraq might have produced, or might have been on the way to producing, nuclear weapons” since 1998 and that “Iraq had indeed produced chemical and biological weapons” was “an utterly unfounded fabrication” and “baseless”.
- Iraq had agreed to the return of inspectors, and had “already stated” that it had “neither produced nor possessed any nuclear, chemical or biological weapons of mass destruction during the absence of the inspectors”.

59. The letter challenged a statement made by Sir Jeremy Greenstock that Iraq had been provided with the opportunity to dispose of its weapons of mass destruction, but Iraq had ignored that opportunity and decided to keep possession. The letter asked why “none of the representatives” of the members of the Security Council had “asked ... when, how or where such an alleged decision had been taken by Iraq to keep weapons of mass destruction”.

60. The UK remained sceptical about Iraq’s intentions, focusing on its track record of deceit, and repeating the need to maintain the threat of military action to secure compliance.

61. In a lecture that evening, Mr Jack Straw, the Foreign Secretary, welcomed Iraq’s response “so far as it goes” but added:

“... we must remain vigilant for experience with Iraq tells us to temper optimism with scepticism and to read the small print. Iraq’s intentions are notoriously changeable. What matters above all is their actions not their words.

“... The history of UN weapons inspections in Iraq is littered with examples of deceit, evasion, intimidation and harassment. I hope even Iraq will recognise the consequences of any repeat. If Saddam fails to co-operate fully, then he faces force.”¹⁹

¹⁸ UN Security Council, ‘Letter dated 13 November 2002 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General’ (S/2002/1242).

¹⁹ The National Archives, 13 November 2002, *The Future of Foreign Policy*.

JIC ASSESSMENT, 14 NOVEMBER 2002: 'IRAQ: REGIME COHESION UNDER PRESSURE'

62. The JIC judged on 14 November that:

- Iraq accepted resolution 1441 because Saddam Hussein knew that this was the only way to avert a large-scale US-led ground attack.
- Iraq could try to overload UNMOVIC by releasing large volumes of information about legitimate industries. It might admit to some “expendable” parts of its WMD, but it would focus on concealing sensitive items from inspectors.

63. In parallel with the adoption of resolution 1441, the JIC decided to revisit its July 2002 Assessment of regime cohesion in Iraq to:

“... examine how the Iraqi regime is responding to mounting international pressure ... [and] assess whether there are any signs of strain within the regime and evaluate the speed and effectiveness of Iraqi decision-making.”²⁰

64. In the JIC discussion of the draft Assessment on 13 November, the point was made that concealment and the retention of a WMD capability “remained a cornerstone of Saddam’s policy” and his intention was to allow the inspectors in and manage the inspections indefinitely as a means of avoiding conflict. But the resolution put the onus on Iraq to prove it had no WMD programmes. The inspectors would need to be prepared to deal with diversionary tactics including lengthy inspections of sites not related to WMD.²¹

65. The JIC Assessment, ‘Iraq: Regime Cohesion Under Pressure’, was issued on 14 November.²² In its Key Judgements the JIC stated:

- Iraq accepted resolution 1441 “because Saddam knew that this was the only way to avert a large-scale US-led coalition ground attack. The regime probably believes that a coalition attack will not be possible when inspectors are inside Iraq.”
- “Iraq could try to overload UNMOVIC by releasing large volumes of information about legitimate industries. Although less likely, Iraq might admit to some ‘expendable’ parts of its WMD programmes to demonstrate ostensible co-operation and to provoke divisions in the UN. But it will focus on concealing sensitive items from inspectors.”

²⁰ [JIC Assessment, 14 November 2002, ‘Iraq: Regime Cohesion Under Pressure’.](#)

²¹ Minutes, 13 November 2002, JIC meeting.

²² [JIC Assessment, 14 November 2002, ‘Iraq: Regime Cohesion Under Pressure’.](#)

66. In relation to Iraq's WMD programmes and the return of inspectors, the Assessment stated:

- Saddam Hussein's "overriding priority" was "regime survival" and "he also had a very strong commitment to retaining WMD" which he saw as "key to Iraqi power and influence". Iraq had "no credible alternative to ostensible co-operation with the UN".
- The JIC had "no new intelligence" on whether Iraq would "declare any prohibited materials or activity in response" to resolution 1441. Any disclosures on WMD would "damage the regime's already limited credibility, given its continuing blanket denials of WMD possession". The Iraqi regime would "seek to take advantage of any opportunity to fudge Iraq's obligations or delay the UN process".
- Senior Iraqis agreed "that Iraq should maintain a WMD capability", but if UNMOVIC made "demonstrable progress which threatens to overcome Iraq's policy of deception and concealment, and Saddam refuses to give ground, there could be pressure on key insiders to break with Saddam in order to ensure their own survival".

INTELLIGENCE UPDATE, 21 NOVEMBER 2002

67. Mr John Scarlett, Chairman of the JIC, wrote to No.10 on 21 November to highlight new intelligence on Iraq's thinking on managing UNMOVIC which he considered "confirmed" earlier JIC judgements.

68. Mr Scarlett concluded that the Iraqi regime was confident in its ability to mislead the inspectors.

69. Subsequent intelligence that Saddam Hussein had made clear that UNMOVIC was to be given no grounds for claiming that inspections were being obstructed was interpreted as part of a policy of concealment. The possibility that it might have indicated an intention to co-operate with UNMOVIC appears not to have been considered.

70. Mr Scarlett wrote to Sir David Manning and other senior officials on 21 November drawing their attention to "the first significant [...] intelligence we have received on the Iraqi regime's thinking on how to manage UNMOVIC" since the adoption of resolution 1441.²³

71. Mr Scarlett stated that the key points were:

- Iraq intended to demonstrate its ostensible co-operation with UNMOVIC but would actually resume its game playing.

²³ Minute Scarlett to Manning, 21 November 2002, 'Iraqi Strategy for Dealing with UNMOVIC'.

- Iraq intended to declare a small part of its illegal programmes, and overload UNMOVIC with large quantities of information on legitimate activities.
- WMD were seen as vital to the regime's survival, so a core WMD capability and infrastructure must be retained.
- Iraq was concerned about the provisions for conducting interviews of Iraqis outside Iraq, which could expose illicit procurement.
- There was concern about the potential destruction by the inspectors of dual-use facilities.

72. Mr Scarlett commented that the concerns about exposing illicit procurement might be referring to conventional weapons programmes and that the dual-use facilities supported “the WMD programmes”.

73. Mr Scarlett wrote that the intelligence confirmed earlier JIC judgements, including the identification of “overload” as a potential strategy. There was no intelligence on which illegal programmes might be declared.

74. Mr Scarlett also drew attention to preparations to intimidate potential Iraqi interviewees.

75. Mr Scarlett's other comments included the observations that there seemed to be:

“... an inconsistency in Iraq's policy towards inspectors. The [intelligence] indicates the regime plans to let the inspectors into any site. But it also indicates that the regime must rethink a core WMD capability.”

76. Mr Scarlett concluded that it was “possible” that Iraq was “so confident of its concealment strategy that it believes inspectors will not discover prohibited activity. Nonetheless, this [intelligence] is important in that it further confirms that ultimately the Iraqi regime does not envisage having to accept genuine and complete disarmament, and is confident in its ability to mislead inspectors.”

77. The intelligence described by Mr Scarlett was based on reported comments, including from someone with access to senior members of the Iraqi regime; but it was not quoting Saddam Hussein's views.

78. Mr Alastair Campbell, Mr Blair's Director of Communications and Strategy, wrote in his diaries:

“There was some interesting stuff around on deception programmes, for example [Iraqi] officials being forced to put papers and materials in their homes with the warning that they and their families would be harmed if they were lost.”²⁴

²⁴ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

79. The Assessments Staff Intelligence Update on 26 November stated that intelligence indicated Saddam Hussein was personally handling all dealings with UNMOVIC; and he was confident the inspectors would not find anything, nor find grounds for claiming Iraq had obstructed its work.²⁵

80. The Update was summarising intelligence from a reliable source quoting Saddam Hussein's own views second hand. The intelligence reported that Saddam Hussein had made clear UNMOVIC was to be given no grounds for claiming that inspections were being obstructed; not that he was confident that the inspectors would not find grounds for claiming that they were being obstructed.

81. An Assessments Staff Intelligence Update on 3 December summarised recent reporting which suggested that Iraqi personnel were observing the inspectors, that officials had been instructed on how to handle the inspection teams, and that questioning overseas was forbidden.²⁶

82. The Update also reported that:

- Iraq was afraid that inspectors would destroy weapons and materials which were not proscribed but had been acquired by procurement activities in contravention of resolution 687 (1991).
- There was reporting indicating that Iraq believed inspectors would not detect modifications to extend missile ranges.

SECURITY COUNCIL, 25 NOVEMBER 2002

83. Dr Hans Blix, the Executive Chairman of UNMOVIC, gave an informal briefing to the Security Council on 25 November, reporting on his visit to Baghdad from 18 to 19 November with Dr Mohamed ElBaradei, the Director General of the IAEA.²⁷ Dr Blix told the Council that they had been assured Iraq intended to provide full co-operation.

84. Dr Blix reported that he had told Iraq that “many governments believed that WMD programmes remained in Iraq”; and that “The Council had wanted to offer Iraq a last opportunity. If the Iraqi side were to state – as it still did at our meeting – that there were no such programmes, it would need to provide convincing documentary or other evidence.” The FFCDs (Full, Final, and Complete Declarations) submitted by Iraq to UNSCOM had, “in many cases left it an open question whether some weapons remained”.

²⁵ Minute [Assessments Staff Intelligence Update], 26 November 2002, ‘Iraq – 26 November 2002’.

²⁶ Minute [Assessments Staff Intelligence Update], 3 December 2002, ‘Iraq: 3 December 2002’.

²⁷ UNMOVIC, *Briefing of the Security Council on 25 November 2002, Executive Chairman’s visit to Baghdad*.

FCO ADVICE, 29 NOVEMBER 2002

85. On 29 November, in response to a request from Sir David Manning, Mr Straw's Private Office provided advice on handling Iraq's declaration required by resolution 1441.²⁸

86. The FCO advised that Iraq could maintain it had "no WMD and defy UNMOVIC/IAEA to prove them wrong, confident that they can conceal the programmes uncovered by UNSCOM in 1998", but the expectation was that it would be "more subtle: declaring very large quantities of dual-use items and programmes and reiterating all ... past declarations ... In both cases our assumption is that they will continue to hide programmes ..."

87. The UK aim should be to get the inspectors to "check (or audit)" the declaration "as soon as possible through intrusive inspections, interviews and access to records" against information from other sources, including:

- The information available to UNSCOM in 1998. If Iraq declared "nothing", it "must demonstrate the destruction of material or the disbandment of possible WMD programmes identified by UNSCOM".
- "Intelligence material provided by the US/UK. We have already pointed UNMOVIC towards key sites and provided a list of 6,500 individuals involved in WMD programmes ..."
- Where the declaration was "inconsistent with intelligence", the UK would "want UNMOVIC/IAEA to be able to discover that inconsistency on the ground before notifying the Council". That would avoid giving Iraq the chance to conceal evidence.

JIC Assessment, 6 December 2002: 'Iraq: Military Options'

88. On 6 December 2002, as part of a wider assessment of Iraq's military capabilities and options, the JIC judged that Saddam Hussein would use chemical and biological weapons if he faced defeat, and might use them earlier in a conflict.

89. The Assessment itself identified possible practical and political considerations which might constrain such use.

90. An Assessments Staff Intelligence Update on 27 November 2002, 'Iraqi Use of Chemical and Biological Weapons – Possible Scenarios',²⁹ reported that intelligence on Iraq's plans for using chemical and biological weapons remained "limited".³⁰ It referred to intelligence that, in early September, Saddam Hussein had reiterated his intention to use CBW to defend his regime "if allied forces approached Baghdad, if Basra, Kirkuk or

²⁸ [Letter Sinclair to Manning, 29 November 2002, 'Iraq: 8 December Declaration'](#).

²⁹ The reporting reflected in this Update was withdrawn on 28 September 2004.

³⁰ Minute [Assessments Staff Intelligence Update], 27 November 2002, 'Iraqi Use of Chemical and Biological Weapons – Possible Scenarios'.

Mosul fell to allied control, or if Iraqi military units rebelled”. He “would wait and see how neighbouring countries reacted to any Allied attack, and whether they had allowed their territory to be used by Allied forces, before deciding whether to use CBW against them”. His initial “targets” would be “Israel, Kuwait and Jordan”.

91. In the JIC discussion on 4 December, the draft Assessment was described as “an important paper which highlighted the gaps in our knowledge”.³¹ The judgements were based “largely on a mixture of observation and past experience”, but the Assessment “did not quite do justice to the intelligence”; the judgements “could be made more confidently”. The Assessment needed to bring out more clearly the risks of a phased attack and unpack the risks involved in possible scenarios, such as the possible use of CBW before Coalition Forces were properly assembled and urban fighting.

92. The JIC issued an Assessment of Iraq’s military capabilities and options, which is considered in more detail in Section 6.1, on 6 December 2002.³²

93. A Key Judgement stated that:

“Saddam would use chemical and biological weapons ... if he faced defeat. He might also use them earlier in a conflict, including against Coalition Forces, neighbouring states and his own people. Israel could be his first target ...”

94. In the main text, the JIC set out its assessment of Iraq’s missiles and unguided rockets. The text of the Assessment stated that, given the limited number of Al Hussein missiles, Iraq would use them “principally against Israel”. Shorter-range missiles and unguided rockets “might be used against deployed coalition forces or Iraq’s neighbours”.

95. The Assessment stated:

“We judge Iraq would be able to arm at least some of the missiles and rockets with chemical and biological (CBW) warheads. Iraqi aircraft or artillery could also deliver CBW. [...] in mid-September Saddam re-iterated his willingness to use CBW, [...]. Saddam also envisaged using CBW against Israel, Kuwait, and Jordan. This is consistent with earlier intelligence, but we lack definite corroboration. [...] Iraqi interest in procuring large quantities of protective equipment and treatments for exposure to nerve agent. [...] the regime would consider using CBW against internal uprisings or Shia-populated Iraqi cities, and for propaganda purposes could seek to blame the coalition. CBW use against civilians could cause severe casualties. And even relatively small-scale use could cause widespread panic and a serious humanitarian impact. Iraq’s ability to use CBW might be constrained by its available stocks of agent and the difficulty of producing more while inspectors are present. But we do not know the extent of Iraq’s current stocks or what it might have at such a stage.”

³¹ Minutes, 4 December 2002, JIC meeting.

³² [JIC Assessment, 6 December 2002, ‘Iraq: Military Options’](#).

96. The JIC also stated:

“In determining whether to use CBW, Saddam would have to balance the risk of strengthening the Coalition’s political case for removing him against the desire to widen the war by involving Israel or inflicting unacceptable casualties upon the coalition. We judge that, faced with the likelihood of military defeat and being removed from power, it is unlikely Saddam could be deterred from ordering the use of CBW.”

97. The JIC stated that Iraqi responses to a Coalition attack might include:

- “CBW terrorism: although Iraq probably lacks the capability to deploy a sophisticated device ...”
- “using non-lethal BW in a deniable manner to cause sickness amongst Coalition troops as they assembled;”
- “Iraq ... might also target the civilian Shia or Kurdish populations, possibly with CBW.”

Iraq’s declaration of 7 December and the UK response

98. Operative paragraph 3 (OP3) of resolution 1441 required Iraq to provide:

“... not later than 30 days from the date of this resolution, a currently accurate, full and complete declaration of all aspects of its programmes to develop chemical, biological, and nuclear weapons, ballistic missiles and other delivery systems such as unmanned vehicles and dispersal systems designed for use on aircraft, including any holdings and the precise locations of such weapons, components, sub-components, stocks of agents, and related material and equipment, the locations and work of its research development and production facilities, as well as all other chemical, biological, and nuclear programmes, including for any which it claims are for purposes not related to weapons production or material.”³³

99. Iraq’s declaration was provided on 7 December 2002.³⁴ The declaration was detailed and technical, written in a combination of English, Russian and Arabic, with approximately 7,000 pages dealing with ballistic missile projects. A backlog of semi-annual declarations of activity, covering the period 1998-2002, which Iraq had already provided to UNMOVIC, was not at that time available to the UK.

100. Mr Blair was advised on 11 December that there was impatience in the US Administration and it was looking at military action as early as mid-February 2003.

101. Sir David Manning and Sir Richard Dearlove, Chief of the Secret Intelligence Service, had a joint meeting with Dr Condoleezza Rice, President Bush’s National

³³ UN Security Council resolution 1441 (2002).

³⁴ [JIC Assessment, 18 December 2002, ‘An Initial Assessment of Iraq’s WMD Declaration’.](#)

Security Advisor, and Mr George Tenet, Director of Central Intelligence, in Washington on 9 December.³⁵

102. Sir David reported to Mr Blair that there was impatience in the US Administration and pressure for early military action, probably in mid/late February. There were concerns about the risks if the inspections found nothing and the difficulties of persuading the international community to act if there were a series of “low level and less clear-cut acts of obstruction” rather than the discovery of chemical or biological agents or a nuclear programme, or the imprisonment or murder of UNMOVIC inspectors.

103. Sir David had said that Iraq’s declaration should be handled in a way “calculated to maintain coalition support and to try to secure a second resolution”. He thought that was possible. The UK needed “a convincing case based on evidence. Public defiance by Saddam was not the same as proving non-compliance. We should work hard over the next couple of months to build our case and secure a second resolution.”

104. During a meeting with Mr Geoff Hoon, the Defence Secretary, and Admiral Sir Michael Boyce, Chief of the Defence Staff (CDS), to discuss military planning on 11 December (see Section 6.1), Sir David Manning and Sir Richard Dearlove also briefed Mr Blair on their recent visits to Washington and “on UK attempts to secure credible evidence that the Iraqi WMD Declaration was false” (see Section 3.6).³⁶

105. Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, recorded that Mr Blair:

“... said that we needed to analyse the Iraqi declaration, ask pointed questions about issues which the declaration failed to deal with ... encourage Blix to ask these questions of the Iraqis too, and continue to work on securing credible evidence that Saddam was pursuing WMD programmes.”

106. Mr Blair would speak to President Bush and possibly Dr Blix in the next few days.

107. Mr Miller advised Sir David Manning on 13 December that the declaration was “largely based on material already presented to the UN”, and that:

“There appears to have been no attempt to answer any of the unresolved questions highlighted by UNSCOM or refute any of the points made in the UK or US dossiers.”³⁷

108. The absence of new material was described as “striking, particularly in relation to the biological weapons programme, where UNSCOM have described previous Iraqi FFCDs as deficient in all areas”. The Defence Intelligence Staff (DIS) had also clarified

³⁵ [Minute Manning to Prime Minister, 11 December 2002, ‘Iraq’.](#)

³⁶ [Letter Rycroft to Watkins, 11 December 2002, ‘Iraq: Military Preparations’.](#)

³⁷ Minute Miller to Manning, 13 December 2002, ‘Iraq: WMD Declaration’.

that Iraq had “only previously admitted to testing VX in aerial munitions, not to any other weaponisation”.

109. Mr Blair told President Bush on 16 December that the Iraqi declaration was “patently false”.

110. Mr Blair was “cautiously optimistic” that the inspectors would find proof. Sir Richard Dearlove was pursuing that.

111. Mr Blair suggested he and President Bush should take stock in January.

112. Mr Blair and President Bush spoke on 16 December.³⁸

113. Mr Blair commented that the Iraqi declaration “was patently false. We now needed proof that demonstrated it.” He and President Bush discussed the need to put the burden of truth on Saddam Hussein, how much time he should be allowed and the need to avoid a loss of momentum.

114. Mr Blair said that military preparations should continue. He did not think that Saddam Hussein would co-operate. He was “cautiously optimistic that the inspectors might find proof that the declaration was false. We needed something or someone who was in some way involved.” Sir Richard Dearlove was pursuing that with Mr Tenet.

115. Mr Blair was “hopeful that this strategy would work; we should take stock in January if it was”.

116. During his visit to Washington in mid-December, Sir Richard Dearlove emphasised the need for sufficient evidence to make a convincing case that Iraq had failed to abide by resolution 1441.

117. During a discussion on 15 December, Sir Richard Dearlove told his interlocutor that his impression from his meeting with Mr Blair on 11 December was that “HMG [Her Majesty’s Government] would need clear evidence beyond an audit of the Iraqi declaration, to commit to military action”.³⁹

118. The report sent to Sir David Manning recorded that Sir Richard had discussed the Iraq declaration and the need for a “road map” setting out the next steps with a number of US officials.⁴⁰

³⁸ Letter Rycroft to McDonald, 16 December 2002, ‘Prime Minister’s Telephone Call with President Bush, 16 December’.

³⁹ SIS record, 16 December 2002.

⁴⁰ Letter PS/C to Sir David Manning, 18 December 2002, ‘Iraq: C’s Discussions in Washington 16-17 December’ attaching Paper, ‘Iraq: C’s Discussion in Washington 16-17 December’.

119. Sir Richard told one US official that, in addition to setting out clearly and persuasively that Iraq had failed to abide by resolution 1441:

“... we needed to continue on parallel tracks designed to reinforce the case, and for HMG, to give the PM sufficient evidence of a breach which the declaration by itself did not. We needed:

- a detailed audit of the declaration
- to press the interview issue or force Saddam’s refusal to co-operate
- to prepare for the release of intelligence to prove deception
- to press on with a rigorous inspection regime absent a ‘silver-bullet’.”

120. Sir Richard said that “perhaps by the end of January all those elements would have produced sufficient evidence to make the convincing case we needed”. A “convincing defector or a revealing site inspection” would be preferable, “but we could not depend on this”. He added later that “success was far from guaranteed”.

121. In a separate conversation with another official, Sir Richard Dearlove had said that he “estimated the chance of a successful operation to produce a defector or a smoking gun at about 20 percent”.

122. In a manuscript comment to Mr Blair, Sir David wrote that “we should go flat out” to find a defector or evidence in a site inspection.⁴¹

123. Mr Blair replied: “absolutely”.⁴²

124. Against Sir Richard’s estimate of the chances of success, Mr Jonathan Powell, Mr Blair’s Chief of Staff, wrote: “Not good”.⁴³

125. On the description of a discussion about a possible presentation of intelligence “when conflict was inevitable”, including overhead photographs of material being moved and intercepts of conversations about deception operations, Mr Blair wrote “but can’t this be used to convince Blix?”⁴⁴

DOUBTS ABOUT THE SOURCING CHAIN FOR SIS REPORTS ISSUED ON 11 AND 23 SEPTEMBER 2002

126. By December 2002, doubts had emerged within SIS about the reliability of the source who had given SIS the reporting issued on 11 and 23 September.

⁴¹ Manuscript comment Manning, [undated], on Letter PS/C to Manning, 18 December 2002, ‘Iraq: C’s discussions in Washington 16-17 December’.

⁴² Manuscript comment Blair, [undated], on Letter PS/C to Manning, 18 December 2002, ‘Iraq: C’s discussions in Washington 16-17 December’.

⁴³ Manuscript comment Powell, [undated], on Letter PS/C to Manning, 18 December 2002, ‘Iraq: C’s discussions in Washington 16-17 December’.

⁴⁴ Manuscript comment Blair, [undated], on Letter PS/C to Manning, 18 December 2002, ‘Iraq: C’s discussions in Washington 16-17 December’.

127. Section 4.2 sets out the material from SIS reports described as from “A new source on trial with direct access” and issued to a small number of very senior readers on 11 and 23 September. These stated that Iraq had accelerated the production of chemical and biological agents and that Saddam Hussein was determined to maintain his CBW capability. Mr Blair and others were told that the SIS expected to receive substantial additional material on Iraq’s chemical and biological programmes through the same source.

128. Sir Richard Dearlove was reported to have briefed Mr Straw “in general terms only, on the hoped for dump of material from [codename] and the importance it would have” on 27 September.⁴⁵ Mr Straw had “asked several questions about [codename’s] motivation and whether he was genuine”. Sir Richard had told him that the answer to the first was “money and ideology”, and that the answer to the second was “yes”.

129. When he was asked by the Inquiry about the questions raised by Mr Straw about the sourcing for the report, SIS4 outlined the level of confidence that SIS had had in the source at this point and the reasons for those views and set out the steps which were open to SIS in these circumstances to validate the intelligence.⁴⁶ But he explained that he was unsighted on the exact steps taken in this case.

130. In early October, questions were raised with SIS about the mention of glass containers in the 23 September 2002 report.⁴⁷ It was pointed out that:

- Glass containers were not typically used in chemical munitions; and that a popular movie (*The Rock*) had inaccurately depicted nerve agents being carried in glass beads or spheres.
- Iraq had had difficulty in the 1980s obtaining a key precursor chemical for soman [a chemical agent].

131. The questions about the use of glass containers for chemical agent and the similarity of the description to those portrayed in *The Rock* had been recognised by SIS.⁴⁸ There were some precedents for the use of glass containers but the points would be pursued when further material became available.

132. A document written on 11 November described the issue of acquiring the promised further reporting as “reaching a crucial point” and that it was being afforded “our highest priority”.⁴⁹ It also said that Sir Richard Dearlove was “following progress of the case”.

133. On 13 November, Sir Richard Dearlove “updated” Mr Straw “on our hopes to get further [codename] reporting”.⁵⁰ Sir Richard described “in outline terms only” the delays in obtaining the expected intelligence and, given its importance, possible steps to retrieve it.

⁴⁵ Minute PS/C, 27 September 2002, ‘SOSFCA – WMD Discussions with C on 27 September’.

⁴⁶ Private hearing, Part 1, page 63.

⁴⁷ SIS record, 7 October 2002.

⁴⁸ SIS record, 8 October 2002.

⁴⁹ SIS record, 11 November 2002.

⁵⁰ Minute PS/C, 13 November 2002, ‘SOSFCA – WMD Discussions with C on 13 November 2002’.

134. By 6 December, questions were being asked within SIS about whether there was any further reporting.⁵¹ It was suggested that that meant “a health warning” on material from SIS’s source.

135. Following further contacts, doubts were expressed on 9 December within SIS about the reliability of the source and whether he had “made up all or part of the account of his dealings” with the sub-source.⁵²

136. Reporting on 16 December suggested that further material did exist.⁵³

137. Sir Richard Dearlove’s Private Secretary recorded that Mr Straw asked for an “update on the likelihood” of [codename] “producing silver bullet intelligence to guide the UNMOVIC inspection teams” in his meeting with Sir Richard Dearlove on 19 December.⁵⁴

138. Sir Richard was reported to have stated that “the outcome of [codename] was still in the balance”. SIS was talking to his contacts and he [the sub-source] “definitely existed”; but he “may not have written up the intelligence in the manner which was being claimed for him”.

139. Sir Richard also told Mr Straw that US policy and planning – the “generation of a road map” – were proceeding “on the assumption that a silver bullet would not be forthcoming”.

140. Mr Straw was reported to have been “concerned by the timetabling and what would happen without evidence of a clear material breach”; and that “in a recent meeting the Prime Minister had made the point that unless there was a clear material breach, he would face political difficulties in joining the US in military action”. Mr Straw had said it was “important that there was a sufficiently strong case against Saddam to move a resolution at the UNSC”. The “objective was to ‘scare the pants off the Iraqis’”.

141. Following the meeting, a copy of the report of Sir Richard’s visit to Washington was sent to Mr Straw’s office on 19 December.⁵⁵

142. By 24 December there were still “unresolved questions” about the SIS case.⁵⁶

JIC ASSESSMENT, 18 DECEMBER 2002

143. The JIC’s initial Assessment on 18 December 2002 of Iraq’s declaration stated:

- **Intelligence from late November indicted that Iraq’s aim was to overload UNMOVIC with information.**

⁵¹ SIS record, 6 December 2002.

⁵² SIS record, 9 December 2002.

⁵³ SIS record, 16 December 2002.

⁵⁴ Minute PS/C, 19 December 2002, ‘SOFSCA – Iraq Discussion with C on 19 December’.

⁵⁵ Letter PS/C to McDonald, 19 December 2002, ‘Iraq: C’s Discussions in Washington 16-17 December’.

⁵⁶ SIS record, 24 December 2002.

- Iraq “continued to claim that it has not conducted any illicit WMD or ballistic missile programmes since 1991”.
- There had been “No serious attempt” to answer any of the unresolved questions highlighted by UNSCOM or to refute any of the points made in the UK dossier on Iraq’s WMD programme.

144. The JIC Assessment addressed the substance of the issues, but the judgement that Iraq had made no attempt to deal with the points in the dossier made the dossier a test for Iraq.

145. That was not its purpose. It was for the UN not the UK to define the bar for Iraq.

146. An initial DIS Assessment of Iraq’s declaration of 7 December, based on an analysis of the text provided in English and an attempt to translate the key sections written in Arabic, was produced on 16 December.⁵⁷

147. On 18 December, the JIC discussed a draft Assessment, supported by the DIS analysis of 16 December.⁵⁸

148. Comments recorded in the minutes of the discussion included:

- There had been “no significant disagreements of perception or judgement between the UK and the US”.
- The declaration was “surprisingly bad”; virtually none of the issues arising from the 1999 UNSCOM report had been answered.
- Further analysis of the annexes “would be an enormous job”, and the UK “would have to rely upon seeing the UN translation of much of the Arabic material”. That text was “unlikely to contain the missing information”.
- There would be “a fuller assessment in due course”.

149. The JIC Assessment, ‘An initial Assessment of Iraq’s WMD Declaration’, was issued on 18 December, with the DIS Assessment of 16 December as an Annex.⁵⁹

150. The Key Judgements were:

- The declaration failed “to address the issues outstanding from UNSCOM’s report to the UN Security Council in 1999”.
- Iraq maintained that it currently had “no proscribed WMD programmes”.
- “The majority of information in the declaration” had “already been passed to the UN in some form”.

⁵⁷ Paper [DIS], 16 December 2002, ‘Iraq: Initial DIS Assessment of the “Currently Accurate, Full and Complete Declaration”’.

⁵⁸ Minutes, 18 December 2002, JIC meeting.

⁵⁹ [JIC Assessment, 18 December 2002, ‘An Initial Assessment of Iraq’s WMD Declaration’.](#)

- “The new material so far found” did “not alter UK assessments of Iraq’s WMD programmes”.
- The declaration made “no attempt to deal with the points made in the UK dossier”.

151. The key elements of the Assessment are set out in the Box below.

JIC Assessment, 18 December 2002: ‘An Initial Assessment of Iraq’s WMD Declaration’

The Assessment rehearsed the UK’s knowledge of Iraq’s production of WMD before 1991 and the material which UNSCOM had been “unable to account for”, and the judgements in the September dossier.

Intelligence on the declaration

“Intelligence indicated in early November that Iraq was considering a number of options ... including a possible admission of a small proportion of its illegal activity. But by late November intelligence indicated that Iraq’s declaration would omit references to its banned weapons and that the aim was to overload UNMOVIC with information.” A senior Iraqi official was quoted as saying “the declaration would be general and lacking in detail and had been padded out with various scientific reports and studies”.

Overview

The declaration was “largely based on material already presented to the UN in previous FFCDs [Full, Final, and Complete Declarations] and other correspondence”. “No serious attempt” had “apparently been made to answer any of the unresolved questions highlighted by UNSCOM or to refute any of the points made in the UK dossier”. Iraq continued to “claim that it has not conducted any illicit WMD or ballistic missile programmes since 1991”. “Little new material ... on the nuclear, chemical or biological weapons” had been found; there was “some new material” on missiles.

Chemical weapons

The declaration was based on a June 1996 FFCD and additional information provided to the UN before 1998. Some of that information had not been seen previously by the UK. As well as the “unaccounted for” quantities of agent, precursors and munitions which UNSCOM had identified, the declaration did not:

- “provide a key document detailing the consumption of special munitions in the 1980s” which had been “removed from UNSCOM by the Iraqis”;⁶⁰
- “substantiate Iraq’s denials ... that attempts were made to manufacture and weaponise VX”.

The list of “over 30 sites in which chemical activity” took place was “incomplete”.

⁶⁰ A document found by an UNSCOM inspector in a safe in Iraqi Air Force headquarters in 1998. It gave an account of the expenditure of bombs, including chemical bombs, by Iraq in the Iraq/Iran war. It indicated that 13,000 chemical bombs were dropped by the Iraqi Air Force between 1983 and 1988. Iraq had claimed that 19,500 bombs were consumed during that period. Iraq had taken the document from the inspector.

Biological weapons

The declaration reiterated information already provided to the UN, which had already been reviewed. It failed to “provide a technically coherent account of Iraq’s biological weapons programme”. The declaration provided new material relating to 40 sites which Iraq claimed had no connection with proscribed activity but which were judged capable of supporting a BW programme. It did not mention some dual-use sites previously monitored by UNSCOM. Names of individuals included in previous declarations on biological weapons had been “systematically removed”, although the declaration stated that they would be “provided to UNMOVIC on request”.

It did not:

- “address the issue of unaccounted for growth media”;
- “provide fully documented accounts” of the pre-1991 programmes or “recognition of the military application”;
- “acknowledge any proscribed biological weapons activity post-1991”; or
- “mention ... transportable production facilities”.

Nuclear weapons

The declaration was “largely the same as the FFCD” for activity pre-1991 which had been issued in 1998, “with a new extended summary”. It was “accurate” but “incomplete”. It maintained that no weapons-related work had been undertaken since 1998. It did not address whether Iraq had been seeking uranium in Africa.

Ballistic missiles

Most of the data provided related to pre-1991 programmes. The declaration acknowledged “some facilities established since 1998” and “known from intelligence”. It also provided “some limited new evidence of proscribed missile development post-1991”. Two designs were judged to have ranges greater than the limit of 150km.

The “major omissions” were:

- “no attempt to resolve outstanding issues” relating to SCUD missiles;
- “no mention of any post-1998 activity at many missile related facilities, including the al-Rafah engine test stand”, which was “capable of testing engines for missiles with ranges over 1000km”; and
- “no details of recent procurement activity associated with more advanced missile propellant”.

Unmanned Aerial Vehicles (UAVs):

- The declaration referred to “aborted attempts” to convert an anti-ship missile into a land attack weapon with a range of 95km. The JIC judged the “system would be suitable for chemical and biological delivery”.
- The declaration claimed that the L-29 aircraft was “a target-drone” and there “was no mention of a chemical or biological agent delivery capability”. The JIC judged that Iraq had “more aircraft” and had “conducted more flight tests than stated”; and that its range was “understated”.

- The declaration provided “limited, but new information on two UAV programmes”, which Iraq claimed had “started after 1998”, that had been included in reports recently passed to UNMOVIC. They would be “used as target drones”. The JIC judged that the UAVs “would have a significantly better performance” than claimed and could be “adapted to chemical and biological agent delivery”.

Conclusion

The JIC concluded that the declaration so far analysed failed to address the outstanding issues from UNSCOM’s report to the Security Council in 1999 and “made no attempt to answer any of the points outlined in the UK dossier”. Iraq might:

“... feel they dealt with these points in their previous rebuttal of the dossier. Some of the deficiencies may be addressed in the parts yet to be translated, but this does not look likely.”

152. On 20 December, Mr Miller sent Sir David Manning a further DIS overview of Iraq’s declaration.⁶¹

153. Mr Miller re-stated the key findings outlined in the 18 December JIC Assessment and identified the principal areas of apparent omission. The main new points identified were:

- “an admission by the Iraqis that they have delivered 50 Al Samoud missiles to their military. The UK dossier stated that at least 50 of these missiles had been produced and were being deployed to military units;
- details of missile related procurement activities post-1998, which Iraq claims were for permitted programmes. There are no details concerning the origin of the material and equipment procured, some of which we judge were obtained illicitly; and
- the document fails to cover refurbishment at potential BW sites.”

154. Mr Miller reported that the DIS would continue to analyse the declaration when a full English text was available from the UN. That was likely to be after Christmas.

SECURITY COUNCIL, 19 DECEMBER 2002

155. Dr Blix told the Security Council on 19 December that, while individual governments had stated they had evidence which contradicted Iraq’s denial that it had weapons of mass destruction, UNMOVIC was not yet in a position to give a definitive view.

156. Sir Jeremy Greenstock reported overnight on 17/18 December that Dr Blix would tell the Security Council on 19 December that it could not have confidence that the

⁶¹ [Minute Miller to Manning, 20 December 2002, ‘Iraq: WMD Declaration’.](#)

declaration “disposed of” the question of Iraq’s WMD holdings but that he could not say Iraq definitely had WMD; there was more work to do and the ball was in Iraq’s court.⁶²

157. Dr Blix and Dr ElBaradei briefed members of the Security Council on 19 December on inspections in Iraq and their preliminary assessment of the Iraqi declaration.⁶³

158. Dr Blix told the Security Council on 19 December that, while individual governments had stated they had evidence which contradicted Iraq’s denial that it had weapons of mass destruction, UNMOVIC was not yet in a position to give a definitive view.

159. In his “necessarily provisional” comments on the Iraqi declaration, Dr Blix stated that Iraq continued to state that there were no weapons of mass destruction in Iraq when inspectors left in December 1998 and that none had “been designed, procured, produced or stored in the period since then”. While individual governments had stated that they had “convincing evidence to the contrary”, UNMOVIC was, at that point, “neither in a position to confirm Iraq’s statements, nor in possession of evidence to disprove it”.

160. Dr Blix added that, during the period between 1991 and 1998, Iraq had submitted many declarations which had “proved inaccurate or incomplete or was unsupported or contradicted by evidence”. Dr Blix stated:

“A declaration cannot, if it stands alone, create confidence. The listing of sites or of persons, the reporting of production, importation, destruction and consumption figures ... is not enough to create confidence that no weapons programmes and proscribed items remain. The statements need to be supported by documentation or other evidence. Only so do they become verifiable.”

161. The overall impression was that “not much new significant information” had been provided which related to proscribed programmes; nor had “much new supporting documentation or other evidence been submitted”. Iraq had provided new information on:

- missile activities, including a series of new projects at various stages of development, which Iraq claimed were permitted;
- a short-range rocket manufactured using 81mm aluminium tubes; and
- the ‘Air Force’ document relating to the consumption of chemical weapons in the Iraq/Iran war.

⁶² Telegram 2411 UKMIS New York to FCO London, 18 December 2002, ‘Iraq: Handling of WMD Declaration’.

⁶³ UN Press Release, 19 December 2002, *Statement to press on Iraq inspections by Security Council President* (SC/7614).

162. There were also inconsistencies and areas which needed clarification, including:

- the omission of information on imports of bacterial growth media;
- declaration of the development of a variant of the Al Samoud missile which had exceeded the permitted range in test flights; and
- a lack of supporting evidence to address unresolved issues identified in the 1999 UNSCOM and Amorim reports (see Section 1.1).

163. In conclusion, Dr Blix stated that, if Iraq failed to provide evidence supporting its statements, the inspectors could not guarantee that all possibly concealed items and activities would be found; but they would make attempts at concealment more difficult.

JIC priorities

Mr John Scarlett recorded that he had discussed the JIC's priorities for January 2003 with Sir David Manning on 3 January.⁶⁴ They had agreed that there would be:

“... a need to retest our standing judgements on:

- the continuing cohesion or otherwise of Saddam's regime
- the developing attitudes of neighbouring/regional states
- the attitudes of the Kurds and other internal opposition forces”.

Mr Scarlett and Sir David had also agreed the JIC should attempt in mid-January to answer the question “what will Saddam do now or next?” which “might allow us to retest the standing judgements”.

Mr Scarlett wrote that he and Mr Julian Miller had agreed there would be a wider audience “outside the MOD” for an “assessment of the significance of Iraqi military dispositions” and its future options and strategy.

The absence of a “smoking gun”

164. With indications of concerns in Washington about becoming trapped in the UN, and tensions between the UN timetable and the military build-up, the UK focus on the need to find convincing evidence that Saddam Hussein was not complying with the obligations set out in resolution 1441 and preceding resolutions intensified.

165. Mr William Ehrman, FCO Director General, Defence and Intelligence, advised Mr Straw's Private Secretary on 19 December that the UK was passing intelligence to UNMOVIC but “We had not found a silver bullet yet.”⁶⁵

⁶⁴ Minute Scarlett to Miller, 3 January 2003, 'Iraq: Questions for the JIC'.

⁶⁵ Minute Ehrman to PS/[FCO], 19 December 2002, 'Iraq: Passing Intelligence to UNMOVIC'.

166. In his memoir, Mr Blair wrote that, at Chequers over Christmas 2002, he had asked himself:

“What did I truly believe? That Saddam was about to attack Britain or the US? No. That he was a bigger WMD threat than Iran or North Korea or Libya? Not really, though he was the only leader to have used them. That left alone now, with these inspections ending the same way as the last, he would threaten the stability of the region? Very possibly. That he would leach WMD material or provide help to terrorists? Yes ...”⁶⁶

167. In a meeting overseas in early January, SIS1 told Mr Blair that the body of available evidence was “highly damning” but “none of the reports could yet be termed a silver bullet”.⁶⁷ SIS1 told the Inquiry that Mr Blair had been “surprised and pleased” that so much had been accumulated, but he needed some more evidence that Saddam Hussein was in breach (of resolution 1441), which he (Mr Blair) could use as the basis for personal assurances to Cabinet, the Parliamentary Labour Party (PLP), and to key allies such as Mr Jacques Chirac, the French President, and President Bush and regional leaders. SIS1 recorded that, as a result, Mr Blair had asked for a “stocktake”, including an assessment of the likelihood that the UNMOVIC process would produce that kind of evidence.

168. Asked whether that illustrated the pressure on SIS to produce something that Mr Blair could use to justify supporting President Bush without necessarily having a second Security Council resolution, SIS1 told the Inquiry that SIS was not under “unusual pressure”.⁶⁸ The meeting had taken place before the real diplomatic push to secure a second resolution and the “evidence that would win that second resolution, even over French scepticism and Russian obduracy ... was in the balance”.

169. Asked whether SIS was being asked to find facts that would fit a policy that had already been determined, SIS1 replied: “No”. In early 2003, he was “in no doubt ... at all” that the Americans were going to go in. The “dilemma for [the] British Government” was whether to stand with the US and “intelligence could play a very significant part in arriving at those decisions”.⁶⁹

170. Asked if Mr Blair would have got something significantly different from the stocktake to what he was getting from the JIC, SIS1 replied: “No.”

171. In his minute to Mr Blair on 3 January 2003 about the way ahead (see Section 3.6), Mr Straw wrote:

“... a lot of effort is being made by the ... agencies to provide Blix and ElBaradei [with leads drawing on intelligence reports] ... to enable them to upgrade their

⁶⁶ Blair T. *A Journey*. Hutchinson, 2010.

⁶⁷ Private hearing, SIS1, pages 60-61.

⁶⁸ Private hearing, SIS1, pages 61-62.

⁶⁹ Private hearing, SIS1, page 62.

inspections over the next three weeks. It is possible that this will produce a big smoking gun ... But, in my view (shared by [Secretary] Powell) it would be rash to bank on this. So far, reality has not matched the expectation generated by the intelligence ...”⁷⁰

172. On 4 January, Mr Blair sent a long note to officials in No.10 (see Section 3.6).⁷¹

173. On Iraq, Mr Blair stated:

“We start from behind. People suspect US motives; don’t accept Saddam is a threat; worry it will make us a target. Yet the truth is removing Saddam is right; he is a threat; and WMD has to be countered. So there is a big job of persuasion.”

174. The actions proposed by Mr Blair included:

- “most obviously, the evidence of breach of the UN resolution leading hopefully to a new resolution. Time is short. We need either evidence of actual WMD; or documentation concealed; or an eye witness account of the programme. We are making efforts on all three. But one or more needs to be in place. [...] our biggest hindrance, is the intimidation Saddam is exercising. Those who might co-operate are being told very clearly their families will die. So even though we all know the declaration ... is a lie, proving the lie will be hard. I need an early meeting on this with C [Sir Richard Dearlove].”
- “We need to set out the WMD case generally; publish evidence of it; and have some high profile interdiction of WMD material. People just totally underestimate the WMD threat.”

175. Mr Blair had a meeting with Sir Richard Dearlove on the afternoon of 9 January.⁷² There is no No.10 record of the meeting.

176. Sir Richard Dearlove’s Private Secretary recorded Sir Richard’s view that it had been a good meeting at which Mr Blair had emphasised the importance of being able to demonstrate that the Iraqis were in material breach of resolution 1441.

177. In response to a question from Mr Blair about the likelihood of being able to find a “silver bullet” that would demonstrate a material breach, Sir Richard was reported to have said that “he felt the odds were 50/50”. That was “higher than the US estimates but he simply could not guarantee a successful outcome”.

178. Sir Richard had also reported that Mr Blair’s parting words were: “Richard, my fate is in your hands.”

⁷⁰ [Minute Straw to Prime Minister, 3 January 2003, ‘Iraq – Plan B’](#).

⁷¹ [Note Blair \[to No.10 officials\], 4 January 2003, \[extract ‘Iraq’\]](#).

⁷² SIS record, 9 January 2003, ‘PM Meeting on Iraq’.

179. Mr Campbell wrote in his diaries that:

- Sir Richard told Mr Blair that Dr Blix “knew he was being ‘cat and moused’ but he was not on a mission. He was sure that Saddam was lying but he had to establish that for himself. C felt that we had a better chance of finding the breaches than the US.”
- Mr Blair had said, “half in jest”, “My future is in your hands.”
- “The nightmare scenario, or one of them, was a discovery that was sufficient for the US but not for us.”
- “C said the other risk was that we found the evidence of the breach before the US was ready to go to war ... if the inspectors had another month with genuine access, the picture would be pretty clear. We were now pushing the line that they needed time and space to do the job.”⁷³

180. Asked about Mr Blair’s comment that his fate was in Sir Richard Dearlove’s hands, Sir Richard told the Inquiry that he thought Mr Blair “was beginning to understand that he was in a tough position vis-a-vis the inspection issue”.⁷⁴

The UK’s objectives

The UK’s objectives were published in a Written Ministerial Statement by Mr Straw on 7 January.⁷⁵

Mr Straw stated that the “prime objective” was:

“... to rid Iraq of its weapons of mass destruction (WMD) and their associated programmes and means of delivery, including prohibited ballistic missiles ... as set out in UNSCRs. This would reduce Iraq’s ability to threaten its neighbours and the region, and prevent Iraq using WMD against its own people. UNSCRs also require Iraq to renounce terrorism, and return captured Kuwaitis and property taken from Kuwait.”

Mr Straw also stated:

“Success in achieving our prime objective should help deter the proliferation of WMD and BM more generally.”

UNMOVIC’s activities

181. In his informal briefing for the Security Council on 9 January, Dr Blix made clear that he needed more information from Iraq.

⁷³ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

⁷⁴ Private hearing, 16 June 2010, pages 76-77.

⁷⁵ House of Commons, *Official Report*, 7 January 2003, columns 4-6WS.

182. As agreed on 19 December, Dr Blix and Dr ElBaradei gave an informal update of their assessment of the Iraqi declaration and the progress of inspection activities to the members of the Security Council on 9 January (see Section 3.6).⁷⁶ The points made by Dr Blix included:

- His “overall impression” remained that Iraq’s declaration was “rich in volume but poor in new information” and “practically devoid of new evidence on such issues”.
- “... [T]o create confidence that it has no more weapons of mass destruction or proscribed activities relating to such weapons, Iraq must present credible evidence”.
- He had “not asserted ... that proscribed items or activities” existed; but if they did “Iraq should present them in our presence”. There was “still time” for that. There was “no way the inspectors” could “close a file by simply invoking the precept that Iraq cannot prove the negative”.
- There was a series of inconsistencies between the declaration and earlier Iraqi declarations which had been described as full, final and complete, in addition to the issues he had highlighted on 19 December, including in relation to special munitions, imports of missile engines and solid missile fuel and VX.

UNMOVIC finds

- On 30 December, UNMOVIC inspectors found some Volga missile engines.⁷⁷
- On 16 January, UNMOVIC discovered rocket warheads at an ammunition store.⁷⁸
- On the same day UNMOVIC also discovered nuclear-related documents hidden at the home of an Iraqi scientist.

Mr Blair’s interview on *BBC’s Breakfast with Frost*, 26 January 2003

183. Mr Blair decided to use an interview on *Breakfast with Frost* on 26 January to set out the position that the inspections should be given sufficient time to determine whether or not Saddam Hussein was co-operating fully. If he was not, that would be a sufficient reason for military action. A find of WMD was not required.

184. In a meeting with Sir Jeremy Greenstock and No.10 officials to discuss the handling of Iraq in the UN Security Council in the coming weeks on 23 January, Mr Blair set out an approach which included the need, “if we could possibly get it”, for “hard

⁷⁶ UNMOVIC, *Briefing the Security Council, 9 January 2003: Inspections in Iraq and a further assessment of Iraq’s weapons declaration*.

⁷⁷ UN Security Council, ‘4707th Meeting Friday 14 February 2003’ (S/PV.4707).

⁷⁸ Note DIS Counter Proliferation Support Group, 12 February 2003, ‘The Effectiveness of UN Weapons Inspections in Iraq’.

proof” that Saddam Hussein was “lying over his WMD, to bring public opinion to accept the need for military action”.⁷⁹

185. On 24 January, Mr Scarlett provided a note with a list of points summarising the assessment of Iraqi WMD holdings and concealment policy which could be “deployed publicly” by Mr Blair.⁸⁰

186. Mr Scarlett wrote:

“For the most part the note repackages the contents of the September dossier bringing out the key points, including quantities of WMD more clearly. There is some limited updating to cover the work of UNMOVIC and concealment activities.”

187. The key points in the note included:

Judgements in the dossier:

- “Iraq has a useable [sic] chemical and biological weapons capability, which includes recent production of chemical and biological agents, and military plans to use them;
- Iraq continues to work on developing nuclear weapons;
- Iraq possesses up to twenty 650km Al Hussein missiles, is developing longer-range ballistic missiles, and is extending its shorter range systems beyond the UN permitted range of 150km.”

Iraq’s declaration of 7 December 2002:

- Iraq had “not taken the opportunity ... to explain the issues outstanding from UNSCOM’s report to the UN Security Council in 1999”.
- Iraq maintained that it currently had “no proscribed WMD programmes”.
- The UN already had the “majority of information” in the declaration.
- The declaration did “not alter UK assessments of Iraq’s WMD programmes”.

Chemical weapons:

- Iraq could produce mustard gas, tabun, sarin and VX nerve agents.
- Iraq had had “chemical weapons available from both pre-Gulf War stocks and more recent production”.
- The UK did “not know exactly how much CW agent” was available. While it believed current holdings were “less than” the 360 tonnes for which UNSCOM had been unable to account, it was “still enough to fill many artillery shells or other weapons”.

⁷⁹ [Minute Rycroft to Manning, 23 January 2003, ‘Iraq: Prime Minister’s Meeting with Jeremy Greenstock’.](#)

⁸⁰ [Minute Scarlett to Rycroft, 24 January 2003, ‘Iraq WMD: Intelligence Points for the Prime Minister’ attaching Note, ‘Iraq:WMD’.](#)

- Iraq's military had "planned for the use of CW, and ... issued atropine injectors ... to its troops".

Biological weapons:

- "Iraq has biological weapons available, both from pre-Gulf War stocks and more recent production".
- Iraq could "produce at least" anthrax, botulinum toxin, aflatoxin and ricin.
- the UK did "not know how much agent" Iraq had, but it had "admitted to producing 19,000 litres of botulinum toxin, 8,500 litres of anthrax and 2,200 litres of aflatoxin" before the 1990-1991 Gulf War.
- UNSCOM had been unable to account for the growth media Iraq had procured which was "enough for 25,000 litres of anthrax".
- Iraq had "developed mobile agent production facilities, which makes it extremely difficult for inspectors to find them".

Without distinguishing between chemical and biological capabilities, the minute stated:

- "UNSCOM could not account for over 30,000 CBW munitions, including 550 mustard filled artillery shells."
- Iraq had "admitted to producing CBW warheads for its Al Hussein ballistic missiles".

Ballistic missiles:

- Iraq had "manufactured up to 100 short range ballistic missiles" and was "aiming to build more using illegally purchased engines".
- Iraq had "admitted ... repeatedly testing a version of one of those missiles" beyond the permitted range of 150km.
- Intelligence indicated Iraq's aim was "to develop other missiles with ranges over 1000km".
- "Some of the infrastructure built in Iraq since 1998, such as the engine test stand at al-Rafah" was "far in excess" of what was "required for existing permitted programmes".
- Iraq had "procured material suitable only for longer range missiles".

Iraq's "co-ordinated policy of concealment":

"Intelligence continues to show that such measures are being used.

- Large numbers of documents relating to Iraq's nuclear programme of some years ago were discovered at the home of a nuclear scientist ... clearly demonstrating an Iraqi policy of hiding documents and materials, just as we predicted.

- Other key equipment is being buried or kept constantly on the move using trucks.
- Whatever the Iraqi regime says, there is no doubt that scientists and their families are being intimidated from having private interviews even inside Iraq, let alone outside.”

188. The note also set out the effects of chemical and biological weapons along the lines of the information provided in the September dossier.

189. Mr Scarlett subsequently sent the note to SIS1 with copies to the MOD Deputy Chief of Defence Intelligence and the Press Offices of the MOD and the FCO.⁸¹

190. In response to a request for themes which Mr Blair could use with the press, and in particular on *Breakfast with Frost* on 26 January, SIS1 submitted advice to Sir David Manning on 25 January.⁸²

191. That set out four “Themes from CX”, “for use with the press”. The points to make included:

- **Giving the UN the run around:** Saddam Hussein was “determined to keep his weapons” and believed he could “successfully hide them from the UN”. There was “reliable intelligence, which we have been sharing with the UN inspectors, that for the last few months the Iraqis have been dispersing and concealing the evidence: hiding munitions for chemical warfare, engines for long-range missiles, top secret documents”.
- **Spying on the inspectors:** intelligence had “confirmed” that there was “a huge, well co-ordinated Iraqi operation to spy on the inspectors ... there are well rehearsed plans to prevent them from having access to sites where the weapons are concealed. Iraq’s security agents have orders even to stage car accidents, if necessary, to prevent at all costs the inspectors from finding anything significant. These agents dare not fail: they know only too well what the consequences for them personally would be.”
- **Saddam Hussein rules by fear and repression:** “we have intelligence Saddam has ordered that any scientists who dare to co-operate will be severely punished, even killed, along with their families. They have been forced to hide secret documents at home. Iraq’s ruthless security apparatus has placed minders alongside everyone who could give the game away to inspectors to ensure that they don’t step out of line and to remind them what will happen to them if they do.”
- **But cracks are beginning to show:** “intelligence reveals that ... some senior officials – even members of Saddam’s family are beginning to realise the game is up ...”

⁸¹ Minute Scarlett to SIS1, 24 January 2003, [untitled].

⁸² [Minute \[SIS1 to Manning\], 25 January 2003, attaching Paper, ‘Iraq: Themes from CX’.](#)

192. In his extended interview on the *BBC's Breakfast with Frost* programme on 26 January (see Section 3.6), Mr Blair set out in detail his position on Iraq.⁸³

193. Asked whether Dr Blix should be given more time, Mr Blair stated that the inspectors had “to be given the time to do the job”, but there was “confusion” about what that job was. The time they needed was to certify whether Saddam Hussein was “fully co-operating or not”. Saddam Hussein had to provide information on “exactly what weapons material” he had, “allowing the inspectors to inspect it, monitor it and shut it down”. If they were not able to do that job, Saddam Hussein would have to be disarmed by force. That should not take months, but Saddam Hussein was not co-operating.

194. Pressed as to whether non-compliance rather than evidence of weapons of mass destruction justified “a war”, Mr Blair replied that he “profoundly” disagreed with the idea that a refusal to co-operate was of a “lesser order”. He added:

“... what we know is that he has this material ... we know there is something like 350 tonnes of chemical warfare agent. We know there is something like 30,000 special munitions for the delivery of chemical and biological weapons.

“He hasn’t even told us where those old leftovers from 1998 are ... we know ... that there is an elaborate process ... of concealment ...

“... [T]he people that the inspectors want to interview ... are being told, by the Iraqi authorities, they can only come for interviews with an Iraqi ... minder, and only be interviewed in certain places.

“And we know also from intelligence that these people’s families are being told that if they co-operate and give any information at all they will be executed.

“... [I]f he fails to co-operate in being honest and he is pursuing a programme of concealment, that is every bit as much a breach as finding, for example, a missile or chemical agent.”

195. Asked whether there would be “another dossier” setting out what UK intelligence had discovered, Mr Blair stated:

“... we have the intelligence that says that Saddam has continued to develop these weapons of mass destruction; that what he’s doing is using a whole lot of dual-use facilities in order to manufacture chemical and biological weapons; and ... that there is an elaborate programme of concealment ... forcing the inspectors to play a game of hide and seek.”

196. Asked if he had sufficient evidence to back action, Mr Blair replied:

“... I’ve got no doubt at all that he’s developing these weapons and that he poses a threat but we made a choice to go down the UN route ...

⁸³ *BBC News*, 26 January 2003, *Breakfast with Frost*.

“... our judgement, the American judgement ... is that Saddam has these weapons, but the purpose of the inspectors ... is ... to report back to the UN and say whether he is fully co-operating or he’s not.”

Security Council, 27 January 2003

197. Dr Blix reported to the Security Council on 27 January that Iraq’s declaration of 7 December did not provide new evidence which would eliminate or reduce the unresolved issues identified in 1999.

198. As required in resolution 1441, Dr Blix and Dr ElBaradei made their first reports to the Security Council on 27 January (see Section 3.6).⁸⁴

199. Dr Blix stated:

“One might have expected ... that Iraq might have tried to respond to, clarify and submit supporting evidence regarding the many open disarmament issues, which the Iraqi side should be familiar with from the UNSCOM document S/1999/94 of January 1999 and the so-called Amorim Report of March 1999 ... These are the questions which UNMOVIC, governments and independent commentators have often cited.”

200. UNMOVIC had found “the issues listed in those two documents as unresolved, professionally justified”. The reports pointed to:

“... lack of evidence and inconsistencies ... which must be straightened out, if weapons dossiers are to be closed ... They deserve to be taken seriously by Iraq rather than being brushed aside as evil machinations of UNSCOM. Regrettably, the ... declaration, most of which is a reprint of earlier documents, does not seem to contain any new evidence that would eliminate the questions or reduce their number.”

201. Dr Blix set out examples of questions and issues that needed to be addressed in some detail, including:

- UNMOVIC had information indicating that Iraq had worked on purifying and stabilising the nerve agent VX, and had achieved more than it had declared. This conflicted with the Iraqi account that the agent had only been produced on a pilot scale, which had been destroyed in 1991, and was never weaponised. There were also questions to be answered about the fate of VX precursor chemicals.
- Iraq had provided a copy of the “Air Force” document it had withheld in 1998. It indicated that 13,000 chemical bombs were dropped by the Iraqi Air Force between 1983 and 1988. Iraq had claimed that 19,500 bombs were consumed

⁸⁴ UN Press Release, 27 January 2003, *Security Council briefed by Chief UN Weapons Experts on First 60 days of Inspections in Iraq (SC/7644)*.

during that period. In the absence of evidence to the contrary, UNMOVIC “must assume these quantities are now unaccounted for”.

- The discovery of “a number of 122mm chemical rocket warheads in a bunker at a storage depot southwest of Baghdad”. The bunker was relatively new, which meant “the rockets must have been moved there in the past few years, at a time when Iraq should not have had such munitions”. Iraq had stated that they were “overlooked from 1991 from a batch of 2,000 that were stored there during the Gulf War. That could be the case. They could also be the tip of a submerged iceberg. The discovery of a few rockets does not resolve, but rather points to, the issue of several thousands of chemical rockets that are unaccounted for.” Iraq had subsequently found four more chemical rockets at a storage depot in al-Taji. The warheads were “empty”.
- Inspectors had found “a laboratory quantity of thiodiglycal, a mustard gas precursor”.
- There were “strong indications that Iraq produced more anthrax than it declared, and that at least some of this was retained after the declared destruction date. It might still exist.”
- Iraq had not declared “a significant quantity of bacterial growth media” which had been included in Iraq’s submission to the Amorim panel. This omission appeared “to be deliberate as the pages of the resubmitted document were renumbered”. The quantity of growth media involved would “suffice to produce ... about 5,000 litres of concentrated anthrax”.
- The Al Samoud 2 and Al Fatah missiles “might well represent *prima facie* cases of proscribed systems” but further technical consideration would be necessary before reaching a conclusion on the issue.
- Iraq had refurbished its missile production infrastructure, including a number of casting chambers which were capable of producing motors for missiles with ranges greater than the 150km limit.
- Iraq had illegally imported 300 rocket engines which might be for the Al Samoud 2, chemicals used in propellents and other potentially proscribed items.

202. Dr Blix questioned Iraq’s claims that there were no more documents about its activities. After the discovery of documents in the home of a scientist “relating to the laser enrichment of uranium”, UNMOVIC could not “help but think that the case might not be isolated and that such placements of documents is deliberate to make discovery difficult”. He warned that: “Any further sign of the concealment of documents would be serious.”

203. Dr Blix also questioned whether Iraq had provided a complete list of the names of personnel who had worked on proscribed programmes, and pointed out the difficulties of interviewing individuals “in private”. He reported that UNMOVIC had asked 11 individuals for interview in Baghdad and that none of them would speak without the presence of an Iraqi official.

204. Commenting on Iraqi demonstrations against the inspectors at a number of sites, Dr Blix told the Security Council:

“Demonstrations and outbursts of this kind are unlikely to occur in Iraq without initiative or encouragement from the authorities ... They do not facilitate an already difficult job ... Where our Iraqi counterparts have some complaint they can take it up in a calmer and less unpleasant manner.”

205. In his memoir, Dr Blix wrote:

“There were some cases of demonstrations against the inspectors, though hardly threatening ones. They occurred at our Baghdad office, at a hospital site and during the inspection of the private home that yielded nuclear documents.”⁸⁵

206. Dr ElBaradei reported that the IAEA had found no evidence that Iraq had revived its nuclear weapons programme but it was still investigating a number of issues.

207. Dr ElBaradei reported that the IAEA had conducted 139 inspections at some 106 locations, with a “focus on areas of concern identified by other States, facilities identified through satellite imagery as having been modified or constructed since 1998, and other inspection leads identified independently”. They had been able to “gain ready access and to clarify the nature of the activities” at those facilities. “No prohibited nuclear activities” had been identified.⁸⁶

208. Iraq’s unsuccessful attempts to procure high-strength aluminium tubes which Iraq had indicated were related to a programme to reverse-engineer conventional rockets, had been a particular focus. The IAEA had concluded that the tubes “would be consistent with” use in a conventional rocket programme. They “would not be suitable for manufacturing centrifuges” without modification. The IAEA was “still investigating” the issue, but the attempt to acquire such tubes was “prohibited” by resolution 687 (1991).

209. The IAEA was investigating how “dual-use” material had been relocated or used, including the “HMX”⁸⁷ explosive which had been removed from IAEA seals at the end of 1998. Dr ElBaradei stated that it would be difficult to verify how that had been used.

210. The IAEA was investigating reports of Iraqi efforts to import uranium but it did “not have enough information, and ... would appreciate more”.

211. Iraq had not provided “any new information relevant to ... questions which had been outstanding since 1998”; but those questions did “not constitute unresolved disarmament issues”.

⁸⁵ Blix H. *The Search for Weapons of Mass Destruction: Disarming Iraq*. Bloomsbury Publishing Plc, 2005.

⁸⁶ UN Press Release, 27 January 2003, *Security Council briefed by Chief UN Weapons Experts on First 60 days of Inspections in Iraq (SC/7644)*.

⁸⁷ A high explosive used to help trigger nuclear fission.

212. Dr ElBaradei concluded:

“... we have to date found no evidence that Iraq has revived its nuclear weapons programme since the elimination of the programme in the 1990s ... [O]ur work is steadily progressing and should be allowed to run its natural course ... [W]e should be able within the next few months to provide credible assurance that Iraq has no nuclear weapons programme. These few months ... would be a valuable investment in peace because they could help us avoid a war. We trust that we will continue to have the support of the Council ... to verify Iraq’s nuclear disarmament through peaceful means and to demonstrate that the inspection process can and does work as a central feature of the international nuclear arms control regime.”

**Extracts from President Bush’s State of the Union address,
28 January 2003**

In his State of the Union address on 28 January, President Bush emphasised the threat of terrorism to the US and others, the potential threat from Iraq in that context and the need to disarm Iraq.⁸⁸

President Bush’s detailed statements about the threat posed by Iraq included:

“The United Nations concluded in 1999 that Saddam Hussein had biological weapons sufficient to produce over 25,000 liters of anthrax – enough doses to kill several million people. He hasn’t accounted for that material. He has given no evidence that he has destroyed it.

“The United Nations concluded that Saddam Hussein had material sufficient to produce more than 38,000 liters of botulinum toxin ...

“Our intelligence officials estimate that Saddam Hussein had the materials to produce as much as 500 tonnes of sarin, mustard and VX nerve agent ...

“US intelligence indicates that Saddam Hussein had upwards of 30,000 munitions capable of delivering chemical agents. Inspectors recently turned up 16 of them – despite Iraq’s recent declaration denying their existence ...

“From three Iraqi defectors we know that Iraq, in the late 1990s, had several mobile biological weapons labs ...

“The International Atomic Energy Agency confirmed in the 1990s that Saddam Hussein had an advanced nuclear weapons development program ... The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa. Our intelligence sources tell us that he has attempted to purchase high-strength aluminium tubes suitable for nuclear weapons production. Saddam Hussein has not credibly explained these activities. He clearly has much to hide.”

⁸⁸ The White House Press Release, 28 January 2003, *President Delivers “State of the Union”*.

JIC Assessment, 29 January 2003

213. The JIC assessed on 29 January that retaining WMD was a vital Iraqi interest and that Saddam Hussein was unlikely to agree to relinquish power or go into exile.

214. The JIC sustained its earlier judgements on Iraq's ability and intent to conduct terrorist operations.

215. At the request of the FCO, the JIC reviewed current developments in Iraq from Saddam Hussein's perspective and possible Iraqi moves in the coming weeks.⁸⁹

216. The minutes of the JIC discussion on 29 January record that the draft Assessment had been difficult to write given the fast-moving developments, and it was important to ensure it reflected the latest information, especially the UNMOVIC perspective.⁹⁰ The minutes also recorded that:

“... it was difficult to predict if and when Saddam might launch pre-emptive strikes, but the paper should try and make a judgement on possible timescales. The trigger would probably be set when Saddam concluded that his fate was sealed, rather than any movements by Coalition Forces. Most of the Iraqi military would probably crumble quickly under attack. Saddam would maintain his hold on power until then, and there were no indications of possible coups beforehand. Whilst the Iraqi public might welcome the end of Saddam's regime, they were also concerned about the human costs of fighting.”

217. The JIC's Key Judgements about weapons of mass destruction were:

- “Retaining WMD remains a vital Iraqi interest. Saddam might nevertheless consider a last minute tactical declaration of some of his WMD to avert a war, believing that he can rebuild his WMD capability later.”
- “Saddam probably believes he has some strong political and military cards to play, even in the face of an inevitable attack. ... He may ... fire CBW against Coalition Forces ...”

218. Other key elements of the Assessment in relation to Iraq's WMD capability and its use are set out in the Box below.

⁸⁹ [JIC Assessment, 29 January 2003, 'Iraq: The Emerging View from Baghdad'](#).

⁹⁰ Minutes, 29 January 2003, JIC meeting.

JIC Assessment, 29 January 2003: 'Iraq: The Emerging View from Baghdad'

Inspections

The JIC had “judged in October” that:

“Saddam was confident he could prevent UNMOVIC from finding any evidence before military options started to close off ... and that concealment and dispersal of sensitive items were the basis of Iraq’s strategy. [...] But by mid-January there were signs that Iraq was coming under pressure from UNMOVIC finds that were inconsistent with its December 2002 declaration. [...]

“[...] Intelligence is unclear, but it is possible the UNMOVIC discoveries have increased Iraqi uncertainty. Blix’s tough statement to the Security Council on 27 January surprised Baghdad and may have increased the regime’s concerns about UNMOVIC. Saddam Hussein continues to believe that the possession of WMD is a vital Iraqi interest. [...] Any WMD admission would therefore be tactical rather than indicative of a genuine change of policy.”

Iraqi military preparations

- Saddam Hussein would have “little incentive to launch such a strike while the Iraqi strategy focuses on convincing UNMOVIC that Iraq does not have WMD holdings”, but it might “become an attractive option in the face of imminent Coalition military action”.
- A “pre-emptive limited artillery strike on Kuwait using CBW could be launched in as little as two hours”.

Saddam’s mindset

- Saddam Hussein was “under increasing pressure” as the inspections regime intensified, UNMOVIC had made “significant discoveries” and the Coalition military build-up continued.
- The JIC judged that Saddam Hussein had “underestimated UNMOVIC’s capability to expose his deception”. He had “failed to realise that he was facing a situation different from the days of UNSCOM”. UNMOVIC’s “limited success” highlighted the “risks Saddam took in providing a weak declaration of Iraq’s WMD-holdings”.
- “In the face of an attack, or even before hostilities if he judged that an attack was imminent,” Saddam Hussein might take a number of actions, including:
 - making a last minute declaration of his WMD;
 - ...
 - inflicting “high enough casualties on any Coalition ground forces, perhaps in Kuwait, including through use of CBW, to halt a Coalition attack and to swing public opinion in the West against hostilities”.
- “Once hostilities were underway”, Saddam Hussein might also:
 - “... seek to cause an international outcry over the level of Iraqi or Coalition casualties”; and
 - “pursue a scorched earth policy, including the destruction of oil wells and poisoning the water supply”.

219. Sir David Manning visited Washington on 29 January for talks with Dr Rice (see Section 3.6).⁹¹ He was accompanied by Sir Richard Dearlove. Sir David reported that Sir Richard Dearlove had “briefed in detail on our intelligence” which the US Administration “clearly find very impressive”.

220. Mr Scarlett assured Sir David Manning on 30 January that the intelligence reporting was “consistent and convincing”, and there was no evidence that Saddam Hussein was considering the renunciation of WMD.

221. Mr Scarlett also highlighted the need for the Government to take seriously Iraq’s options for using chemical and biological weapons and missiles.

222. In addition to the JIC Assessment of 29 January, Mr Scarlett sent Sir David Manning his “personal observations on the overall intelligence picture”, which addressed Saddam Hussein’s mindset and likely actions.⁹²

223. Mr Scarlett wrote:

“Our intelligence reporting has been consistent and convincing. I have not seen a single reference to Saddam even considering the renunciation of WMD to save his regime (and probably his own life).”

224. Addressing WMD and inspections, Mr Scarlett wrote that Saddam Hussein had “followed essentially the same strategy and tactics as during the 1990s”. He had “probably ... considered making a ‘partial’ declaration of WMD holdings”, but “even that has proved too difficult, at least so far”. Mr Scarlett suggested that would be “an obvious tactic to deploy at the very last minute” but, in his view, a “genuinely full and open renunciation” was:

“... simply too dangerous. It would remove the one weapon of last resort with which Saddam can threaten his population and neighbours and send a signal of weakness to both with possibly unmanageable consequences (for him). Given the decision not to come clean, a ‘partial’ admission (for example in the 7 December declaration) would have been a big risk. The chance of opening up lines of investigation to what was still being concealed would have been too great. Better to submit a flat denial leaving no loose ends. From Saddam’s point of view, that was probably the right decision.”

225. Mr Scarlett added that the Iraq position had:

“... certainly made it more difficult to find concrete proof of his WMD and leaves him the continuing options of concealment and delay.

⁹¹ Minute Manning to Prime Minister, 30 January 2003, ‘Talks with Condi Rice in Washington on 29 January’.

⁹² [Minute Scarlett to Manning, 30 January 2003, ‘Iraq: JIC Assessment and Personal Observations’](#).

“Until now, Saddam and his closest advisers have seemed confident that concealment would work. Oddly, they have not appeared worried by the obvious risk of leaks from the thousands of people aware of this concealment activity. They have relied on the brutal discipline of the regime and so far it has worked. Even now we cannot be confident of finding really significant evidence of retained WMD.”

226. Mr Scarlett suggested Iraq had recognised that:

“The one clear weak point in the policy ... has been interviews, especially interviews outside Iraq. The regime has no choice but to continue to resist these. They may be able to give a bit of ground on ‘private’ interviews inside Iraq although they will hesitate about meetings in UNMOVIC’s Baghdad HQ ... Everywhere else, and even in the HQ, they can probably feel confident that the overall level of extreme intimidation will deter interviewees. This is the nature of this kind of totalitarian regime ... And why put your life and that of your family in the hands of an inspector ...?”

227. Mr Scarlett concluded that it was “proving more difficult to deal with the new inspection regime than Saddam and his close advisers probably expected”. Events were “moving faster than anticipated” and Dr Blix was “now pursuing the line that ‘passive cooperation’ is coming close to non-co-operation”. For Iraq, that would be “difficult to handle” because Dr Blix was:

“... pushing Saddam close to red lines he cannot afford (outside interviews) or is simply not able (proof of destruction of VX, chemical munitions, etc) to cross. But if you are Saddam you do not give up hope. The key tactic remains delay in the hope or expectation that something will turn up ...”

228. Addressing Saddam Hussein’s hold on power, Mr Scarlett wrote:

“I continue to be struck by the regime’s ability to conduct complex surveillance and deception operations without unforced errors or major slip ups. Co-ordinating the dispersal of materials and associated documentation around the country and fielding surprise UNMOVIC and IAEA visits to hundreds of sites in a few weeks is a complex undertaking and evidence of the regime’s continuing grip on the population at least of central Iraq.”

229. Addressing Saddam Hussein’s options after an invasion, Mr Scarlett wrote that: “Given the perceived inability of his enemies [the Coalition] to take significant casualties or setbacks”, the Government should take seriously the options available identified in the JIC Assessment “to give us pause even after a military operation begins”. He “picked out”:

- “Attempted use of CBW and missiles ... immediately before an attack or (in Kuwait and southern Iraq) in the early stages of the attack itself.” That would be “Very difficult to pull off”, but “even a small number of short range artillery

rockets getting through would have a disproportionate effect” and it was “not unreasonable for Saddam to think it would give us second thoughts”.

- “CBW armed Al Hussein attack on Israel. Again very difficult to achieve, but the benefits of success are obvious.”
- “A move against the Kurds either immediately before or after a Coalition invasion ...”

230. Mr Scarlett’s comments on Iraq’s response to military action are addressed in Section 6.2.

Cabinet, 30 January 2003

231. Mr Blair told Cabinet on 30 January that he would be discussing the policy on Iraq with President Bush the following day.⁹³

232. In the subsequent discussion it was suggested that the onus was on Saddam Hussein to explain the discrepancies between the Iraqi declaration and a series of unanswered questions: “about 223 missile motors imported illegally; the production of VX nerve agent; 6,500 missing chemical bombs; 12 newly stored chemical shells; and the refusal to allow [Iraqi] scientists to be interviewed in private” listed by Dr Blix. Resolution 1441 “demanded Iraqi co-operation: it was not for the inspectors to act like detectives to find evidence of Saddam Hussein’s guilt”.

Iraq letter, 31 January 2003

In anticipation of Secretary Powell’s presentation of 5 February, Mr Sabri wrote to Mr Annan on 31 January requesting the US Government to “submit immediately its alleged evidence” to enable UNMOVIC and the IAEA to begin investigations and report to the Security Council.⁹⁴

Mr Sabri also stated that the 518 inspections since 27 November, which included all the sites identified by the US and UK, had shown that the allegations were “devoid of truth and had been drafted in order to distort the picture of Iraq and create pretexts for aggression against Iraq and against the region as a whole”.

‘Iraq – Its Infrastructure of Concealment, Deception and Intimidation’

233. Following his meeting with President Bush in Washington on 31 January (see Section 3.6), Mr Blair made a statement to Parliament on 3 February (see Section 3.7).⁹⁵

234. Mr Blair referred to a “report” which had been “published at the weekend” and which he had placed in the Library of the House of Commons, which made clear that

⁹³ Cabinet Conclusions, 30 January 2003.

⁹⁴ UN Security Council, 31 January 2003, ‘Letter dated 31 January 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General’ (S/2003/132).

⁹⁵ House of Commons, *Official Report*, 3 February 2003, columns 21-22.

Iraq had “a huge infrastructure of deception and concealment designed to prevent the inspectors from doing their job”.

235. In response to a request from Mr Iain Duncan Smith, Leader of the Opposition, for the Government to make available any further intelligence relevant to the security of the UK or its citizens, Mr Blair stated:

“We issued further intelligence over the weekend about the infrastructure of concealment. It is obviously difficult when we publish intelligence reports, but I hope that people have some sense of the integrity of our security services. They are not publishing this, or giving us this information, and making it up. It is the intelligence that they are receiving and we are passing it on to people. In the dossier that we published last year, and again in the material that we put out over the weekend, it is very clear that a vast amount of concealment and deception is going on.”⁹⁶

236. The report, ‘Iraq – Its Infrastructure of Concealment, Deception and Intimidation’, stated that it drew on “a number of sources, including intelligence material” and showed how the Iraqi regime was “constructed to have, and to keep, WMD”, and was “now engaged in a campaign of obstruction” of the UN inspectors.⁹⁷

237. The document was in three parts:

- **Part One** focused on how Iraq’s security organisations operated “to conceal” weapons of mass destruction;
- **Part Two** provided “up to date details of Iraq’s network of intelligence and security organisations whose job it is to keep Saddam and his regime in power, and to prevent the international community from disarming Iraq”; and
- **Part Three** showed “the effects of the security apparatus on the ordinary people of Iraq”.

238. In Part One, the document stated that Iraqi security organisations worked “together to conceal documents equipment and materials” and the regime had:

“... intensified efforts to hide documents in places where they were unlikely to be found, such as private homes of low-level officials and universities. There are prohibited materials and documents being relocated to agricultural areas and private homes or hidden beneath hospitals and even mosques.

“The material is being moved constantly, making it difficult to trace or find without absolutely fresh intelligence.

“And those in whose homes this material is concealed have been warned of serious consequences to them and their families if it is discovered.”

⁹⁶ House of Commons, *Official Report*, 3 February 2003, columns 23-24.

⁹⁷ Report [No.10], January 2003, ‘Iraq – Its Infrastructure of Concealment, Deception and Intimidation’.

239. The report described Iraqi activities to monitor UNMOVIC's activities, including that all interviews would be monitored and, in relation to any interviews outside Iraq, that:

“All scientists and key workers have been made to draw up a list of their relatives ... The interviewees know only too well what will happen to them, or their relatives still in Iraq, if it is even suspected that they have said too much ...”

240. The report stated that Iraq would seek to intimidate and put psychological pressure on individual inspectors.

241. On 6 February, *Channel 4 News* reported accusations that the report contained material drawn from published articles, including one by Dr Ibrahim al-Marashi from September 2002, which had been published in the *Middle East Review of International Affairs*.

242. The FCO informed the Foreign Affairs Committee (FAC) on 16 June 2003 that the report was compiled by the CIC, “a cross-government team” which reported to Mr Campbell but which was based in the FCO.⁹⁸

243. Mr Campbell told the FAC that the document was:

“... intended as a briefing paper for journalists to inform them of the way in which the Iraqi state was dominated by its security apparatus and therefore well placed to conceal WMD. When new intelligence material came to light, which was authorised for use in the public domain, which revealed the scale of the regime's programme of deception and concealment, it was my idea ... to base a briefing paper for the media upon it and this approach was agreed by the Iraq communication group in early January, and the paper worked on during that month.”⁹⁹

244. Mr Campbell stated that the CIC was commissioned to produce the paper. He had edited it and changed the title, and informed Mr Blair about the nature of the report and its intended purpose, before it was given to “six representatives of the UK Sunday newspapers” travelling to Washington with Mr Blair. The document had subsequently been posted on the No.10 website on 3 February and placed in the House of Commons Library the same day.

245. Mr Campbell stated that Dr al-Marashi's article had been submitted to the CIC and had been “absorbed into the briefing paper, without attribution”. It “formed the basis” of Part Two of the report and was then assumed by those asked to comment on the report to have come from Government sources.

⁹⁸ Memorandum FCO to Foreign Affairs Committee, 16 June 2003, ‘Memorandum from the Foreign and Commonwealth Office’.

⁹⁹ Memorandum Campbell to Foreign Affairs Committee, 24 June 2003, ‘Memorandum from Alastair Campbell’.

246. Mr Campbell subsequently informed the FAC that Parts One and Three of the report were “based on information provided by SIS from a range of sources”.¹⁰⁰ There was also some intelligence material in Part Two, and Mr Campbell provided some examples.

247. The Intelligence and Security Committee (ISC) was informed that the SIS representative at Mr Campbell’s meeting in January had offered to provide a briefing note on the organisation of deception, concealment and intimidation in Iraq as SIS had “acquired a body of information on these matters”.¹⁰¹ The document provided by SIS was published by the ISC in its report.

248. Mr Campbell wrote to the CIC authors on 7 February pointing out the “absolute necessity of quality control”.¹⁰² That was “particularly important in any document ... that includes intelligence assessment”. He took responsibility for the document and he “would defend it on substance”, but he had to be “able to make basic assumptions about quality control”.

249. Mr Campbell added that:

“... as the prospect of conflict grows, we have to be extra sensitive to the fact that the media will want to pick apart our communications.

“So lessons must be learnt from this, and greater emphasis placed on quality not quantity, and acute sensitivity to the new political and media realities.”

250. On 11 February, Sir David Omand, Cabinet Office Permanent Secretary and Security and Intelligence Co-ordinator, issued guidance on the use of intelligence in CIC products, including the need for the lead policy department to be “fully consulted”.¹⁰³ Pointing out that “the reputation of the intelligence community” was “at risk” whenever intelligence material and judgements were “attributed to the Government”, Sir David proposed applying the following rules:

a. where intelligence is to be used attributably, in whatever form, the precise wording must be cleared with the Agency originating the material and the Assessments Staff;

b. where the attributable product is to be released under the rubric that intelligence material is involved, the document as a whole must be cleared with the Assessments Staff;

¹⁰⁰ Memorandum Campbell to Foreign Affairs Committee, 24 June 2003, ‘Supplementary memorandum from Alastair Campbell’.

¹⁰¹ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraphs 129-130.

¹⁰² Minute Campbell to Hamill, 7 February 2003, ‘Re: Concealment Document’.

¹⁰³ Minute Omand to Campbell, 11 February 2003, ‘The Use of Intelligence in CIC Products’.

c. in cases where the content of an attributable product relies largely on intelligence, the Assessments Staff should control and co-ordinate the preparation of the document;

d. finally, the current arrangements for the handling of material from the intelligence Agencies on an unattributable basis should continue as before.”

251. Asked about the origins and accuracy of the dossier published by No.10 during Prime Minister’s Questions on 13 February, Mr Blair said that the part of the document that dealt with intelligence was from intelligence sources and was accurate, as was the document as a whole.¹⁰⁴

252. Mr Blair “had said publicly that Dr al-Marashi should have been acknowledged as a source”, and that the journal in which his article was published should have been identified.¹⁰⁵

253. The FCO told the FAC that lessons had been learned from the way the report had been handled and systems had been put in place “to ensure that any intelligence material which is made available publicly will first be authorised by the JIC Chairman”.¹⁰⁶

254. In its report published on 7 July 2003, the FAC concluded:

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

“... [B]y referring to the document on the floor of the House as ‘further intelligence’ the Prime Minister – who had not been informed of its provenance ... misrepresented its status and thus inadvertently made a bad situation worse.

“... [I]t is wholly unacceptable for the Government to plagiarise work ... and to amend it without ... highlighting the amendments ... [I]t was fundamentally wrong to allow such a document to be presented to Parliament and made widely available without ministerial oversight.

“We recommend that any paper presented to Parliament ... for the purpose of explaining the Government’s foreign policy be signed off by a FCO Minister. We further recommend that any FCO document presented to Parliament which draws on official sources should include full transparency of sources, and attribution where appropriate.”¹⁰⁷

¹⁰⁴ House of Commons, *Official Report*, 12 February 2003, columns 857-860.

¹⁰⁵ Memorandum Campbell to Foreign Affairs Committee, 24 June 2003, ‘Memorandum from Alastair Campbell’.

¹⁰⁶ Memorandum FCO to Foreign Affairs Committee, 16 June 2003, ‘Memorandum from the Foreign and Commonwealth Office’.

¹⁰⁷ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, 7 July 2003, *The Decision to go to War in Iraq*, HC 813-1, paragraphs 136-139.

255. The ISC concluded:

“The publicity surrounding the document was such that it devalued the input of the Agencies. It was counter-productive in that attention was distracted from the concealment, intimidation and deception of the Iraqi regime.”¹⁰⁸

256. Commenting on the FAC conclusions in its response, the Government stated:

- It disagreed that the February dossier had “undermined the case for war”: “As the FAC itself says, the information in the February document was important. The overall accuracy of the document has never been challenged.”
- Mr Blair “did not misrepresent the status of the document. It did contain intelligence material ... from a range of sources and was regarded by the [intelligence] Services involved as reliable and significant. The introduction ... makes clear that the document draws on a number of sources, of which intelligence was one.”
- It acknowledged that “mistakes were made and lessons have been learned. Amendments made to the text were in line with information obtained from other sources and did not undermine the accuracy of the document.”
- “Ministers take full responsibility for all papers presented to Parliament that explain the Government’s foreign policy ...”¹⁰⁹

Secretary Powell’s presentation to the Security Council, 5 February 2003

257. Secretary Powell gave a long and detailed presentation to the Security Council on 5 February setting out the US position on the threat posed by Iraq and its failure to comply with resolution 1441.

258. In his presentation to the Security Council on 5 February, Secretary Powell stated that he had asked for the meeting for two purposes:

- The first was to support the “core assessments” made by Dr Blix and Dr ElBaradei.
- The second was to provide “additional information and to share ... what the United States knows about Iraq’s weapons of mass destruction, as well [as] Iraq’s involvement in terrorism”.¹¹⁰

259. Secretary Powell stated that the information “when combined with what all of us have learned over the years” was “deeply troubling”. There was “an accumulation of

¹⁰⁸ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 135.

¹⁰⁹ Foreign Secretary, *The Decision to go to War in Iraq. Response of the Secretary of State for Foreign and Commonwealth Affairs*, November 2003, Cm6062, paragraphs 21-24.

¹¹⁰ UN Security Council, ‘4701st Meeting Wednesday 5 February 2003’ (S/PV.4701).

facts and disturbing patterns of behaviour” that demonstrated that Saddam Hussein and his regime had “made no effort to disarm as required by the international community” and was “concealing their efforts to produce more weapons”.

260. Secretary Powell provided tapes of intercepted conversations and satellite imagery which he interpreted as demonstrating Iraq’s attempts to conceal activity to “clean up” facilities before visits by the inspectors.

261. Secretary Powell also stated that human sources had told the US that:

- The Iraqis were moving “not just documents and hard drives but also weapons of mass destruction to keep them from being found by inspectors”.
- “... [W]e know from sources that [last fall] a missile brigade outside Baghdad was disbursing rocket launchers and warheads containing biological warfare agents to various locations, distributing them to various locations in western Iraq. Most of the launchers ... were to be moved every one to four weeks to escape detection.”
- “In early December, Saddam Hussein had all Iraqi scientists warned of the serious consequences that they and their families would face if they revealed any sensitive information to the inspectors. They were forced to sign documents acknowledging that divulging information is punishable by death.”
- “Saddam Hussein also said that scientists should be told not to agree to leave Iraq. Anyone who agreed to be interviewed outside Iraq would be treated as a spy.”
- A “false death certificate” had been issued for one scientist, and he was “sent into hiding” and a “dozen experts have been placed under house arrest ... at one of Saddam Hussein’s ‘guest houses’”.

262. Secretary Powell added that the “information and intelligence” pointed to “an active and systematic effort on the part of the Iraqi regime to keep materials and people from the inspectors”.

263. Secretary Powell stated that Iraq had failed the test of providing an honest declaration and the conclusion that Iraq was now in further material breach of its obligation was “irrefutable and undeniable”. Iraq had “placed itself in danger of the serious consequences called for in resolution 1441”. The Council placed itself “in danger of irrelevance” if it allowed Iraq to “continue to defy its will without responding effectively and immediately”.

264. Secretary Powell set out the “real and present dangers” posed by Iraq’s weapons of mass destruction.

265. In relation to Iraq’s biological weapons, Secretary Powell stated that “One of the most worrisome things” was the “existence of mobile production facilities used to make biological agents”. Secretary Powell set out the details provided by “an Iraqi chemical

engineer who supervised one of these facilities”, who had defected and was hiding in another country. He added:

- The existence of transportable facilities moving on trailers had been “confirmed by a second source, an Iraqi civil engineer in a position to know the details of the program”.
- “A third source, also in position to know, reported in summer 2002 that Iraq had manufactured mobile production systems mounted on road trailer units and on rail cars.”
- A fourth source, “an Iraqi major, who defected, confirmed that Iraq has mobile biological research laboratories”.

266. Secretary Powell provided diagrams of the reported facilities and stated: “We know that Iraq has at least seven of these mobile biological agent factories.”

267. During his presentation Secretary Powell also drew attention “to the fine paper that the United Kingdom distributed yesterday which describes in exquisite detail Iraqi deception activities”.

268. Secretary Powell was referring to the No.10 document, ‘Iraq – Its Infrastructure of Concealment, Deception and Intimidation’.

269. In his statement to the Security Council, Mr Straw described Secretary Powell’s presentation as “a most powerful and authoritative case against the Iraqi regime” and thanked him for “laying bare the deceit practised by the regime of Saddam Hussein, and worse, the very great danger which that regime represents”.

270. Mr Mohammed Aldouri, Iraqi Permanent Representative to the UN, challenged the “incorrect allegations” in Secretary Powell’s statement and reiterated that Iraq had no weapons of mass destruction. He stated that inspectors had visited the sites identified in US and UK reports in September and October and “none of the allegations” was true. He also rebutted statements made by President Bush in his State of the Union address on 28 January.

271. Mr Aldouri reaffirmed Iraq’s commitment to pro-active co-operation with the inspectors so that they could verify that Iraq was free of weapons of mass destruction, sanctions could be lifted, and progress could be made on regional security by ridding the whole Middle East of WMD.

Meetings with Dr Blix and Dr ElBaradei, 6 February 2003

272. Dr Blix reminded Mr Blair that the material described as “unaccounted for” in UNSCOM’s report of 1999 was not necessarily present in Iraq; and that it would be “paradoxical to go to war for something that might turn out to be very little”.

273. Dr Blix told Mr Straw he thought Iraq had prohibited programmes, and it “definitely possessed the ability to jump-start BW programmes”.

274. On 6 February, Dr Blix and Dr ElBaradei met Mr Blair and Mr Straw.

275. In the meeting with Mr Blair, Dr Blix registered a number of questions about Secretary Powell's briefing to the Security Council the previous day.¹¹¹ He also said that intelligence leads had so far produced only one success.

276. The record of the meeting stated that Dr Blix:

“... would seek to resolve three relatively minor points related to process: U2 overflights, interviews, and Iraqi domestic legislation. His approach would be that the Iraqis had better come up with co-operation on substance ... If Saddam decided to be as helpful on substance as he was on process, fine.”

277. Mr Blair doubted that Saddam Hussein would co-operate:

“He would try some trick to divide the Security Council. Retaining his WMD was essential to his own view of his grip on Iraq.”

278. Dr Blix reminded Mr Blair that: “UNSCOM had not reported that the 1999 left-overs were present in Iraq, just that they were unaccounted for.” UNMOVIC was more cautious than the UK, but Dr Blix agreed that if Iraq did not have documents it should be more eager to allow interviews to go ahead. There was a stalemate on the issue. The inspectors might have to ask for interviews without minders, but Dr Blix was uneasy about risking people's lives.

279. Dr Blix was reported to have informed Mr Blair that his report to the Security Council on 14 February would probably contain a “balance sheet”. His last assessment had been “honest but harsh”; the next might have to say that the inspectors “had not found any WMD”.

280. In response to a comment by Mr Blair that containment “was not a long term policy, and sanctions caused misery to the Iraqi people”, Dr Blix “commented that it would be paradoxical to go to war for something that might turn out to be very little”. Mr Blair replied that “if Saddam had no or little WMD he should prove it”.

281. Mr Rycroft reported that Sir David Manning had:

“... underlined we were confident of our judgements on Iraq's CBW. If the inspectors had difficulty finding it, this was because Saddam was not co-operating.”

282. Mr Campbell wrote in his diaries that Dr Blix felt that Secretary Powell had done well but was avoiding comment.¹¹² Dr Blix was “pretty cagey” and had “made clear his job was to be sceptical”. Dr Blix was talking to Iraq about enhanced co-operation and

¹¹¹ Letter Rycroft to Owen, 6 February 2003, ‘Iraq: Prime Minister's Meetings with Blix and ElBaradei, 6 February’.

¹¹² Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

trying to resolve the issues of anthrax and VX: “On the remnants of old programmes they should be able to tell us.”

283. In his subsequent meeting with Mr Straw, Dr Blix was reported to have said he had clear indications that anthrax had been weaponised and his personal judgement was that Iraq did have programmes and “definitely possessed the ability to jump-start BW programmes”.¹¹³ The trick would be to find evidence.

284. Dr Blix also told Mr Straw that if the Al Samoud missiles were found to be illegal, they would be destroyed. That could force a real confrontation with the Iraqis who were not keen to lose billions of dollars of armaments at a time when they were threatened with military action.

285. Dr ElBaradei was reported to have told Mr Straw that he would press Iraq hard on possible uranium imports and interviews. He did not expect much movement from Iraq and tough messages from the international community could only help the inspectors.

286. Mr Straw encouraged Dr ElBaradei to focus on interviews. Dr ElBaradei reported that the scientists he had interviewed were clearly extremely nervous, but he saw great difficulties with conducting interviews overseas.

287. Dr ElBaradei told Mr Blair that:

“Not all members agreed with the US timing ... Iraq was not co-operating. Unless there were clear signs of an Iraqi change of heart on co-operation, (both process, including interviews, and substance), UNSCR 1441 would have to be implemented. Not allowing interviews was a lack of full co-operation ... dribbling out concessions was not full co-operation ... His 14 February report would be as clear as possible.”¹¹⁴

288. In Dr ElBaradei’s view, CBW (chemical and biological weapons) was the key.

289. On nuclear issues, the inspectors continued to assess the aluminium tubes. Reports of the possible import of uranium were: “Much more disturbing ... There could only be one reason for such an import.”

290. Dr ElBaradei told Mr Blair that:

“If satisfactory co-operation was not forthcoming, the next best outcome would be to force Saddam ... out ... [He] did not oppose more time for inspections. Any war would risk radicalising the region. It should be UN-controlled. As should the future Iraq ...”

¹¹³ Telegram 79 FCO London to UKMIS New York, 7 February 2003, ‘Iraq: Foreign Secretary’s Meetings with Blix and El-Baradei, 6 February’.

¹¹⁴ Letter Rycroft to Owen, 6 February 2003, ‘Iraq: Prime Minister’s Meetings with Blix and El-Baradei, 6 February’.

291. The No.10 record stated that Mr Blair had made clear to both Dr Blix and Dr ElBaradei “the importance of putting Iraqis on the spot with some sharp questions, to show whether they were co-operating fully or not”. He had “also emphasised the importance of interviews”.

292. The wider issues discussed are addressed in Section 3.7.

Mr Straw’s speech, 11 February 2003

293. Mr Straw set out a detailed case for confronting the challenge posed by Iraq in a speech to the International Institute for Strategic Studies on 11 February.

294. In a speech made at the International Institute for Strategic Studies on 11 February, Mr Straw set out “the disturbing outcome of a failure to act decisively to secure Iraq’s disarmament” and the need, “for the sake of the Iraqi people, long-term stability in the Middle East, the credibility of the UN and the cause of international law and collective security” to confront the challenge posed by Iraq.¹¹⁵

295. In relation to Iraq, Mr Straw stated:

“Weapons of mass destruction have been a central pillar of Saddam’s dictatorship since the 1980s. He has amassed poisons and viruses both to suppress his own people, and to threaten his neighbours. He has relentlessly pursued his ultimate ambition, the acquisition of a nuclear weapons capability, in flagrant disregard of SCRs and Iraq’s obligations as a non-nuclear weapons state under the Non-Proliferation Treaty. His pursuit of these weapons has lain at the heart of the UN’s stand-off with Iraq for the past 12 years.”

296. Mr Straw argued that the Iraqi threat to Europe and the US was not “overstated”. Resolution 1441 recognised the “singular menace” from Iraq’s weapons of mass destruction. UNSCOM had had some successes, including overseeing the destruction of “significant quantities” of weaponry, but when the inspectors left in 1998, it was “clear that the regime continued to hold vast stocks of deadly weaponry”. The absence of inspectors since 1998 had “allowed Saddam to accelerate his weapons programmes”. The report published in autumn 2002 had “demonstrated determined efforts” to enhance Iraq’s nuclear, biological and chemical capabilities. Dr Blix’s report to the Security Council in January had “underlined these concerns”. Diplomacy, intelligence co-operation, reinforced export controls, and interdiction and disruption of supplies were options being used to “frustrate the ambitions” of other regimes. But “in respect of Iraq”, those options had been “exhausted ... over 12 long years”. It was the “deadly combination of capability and intent” which made Saddam Hussein “uniquely dangerous”. Rogue regimes which showed “total disregard for the rule of law, and share the terrorists’ hatred of our values” were the “most likely source of materials and know-how”. Given Saddam Hussein’s “longstanding support for terrorist causes”, the

¹¹⁵ The National Archives, 11 February 2003, *Iraq: A challenge we must confront*.

“terrifying possibility that his poisons and diseases” would “find their way into the hands of Al Qaida and its sympathisers” could not be ruled out.

The UK contribution to UNMOVIC’s investigations

297. Sir Richard Dearlove told No.10 that UK intelligence had been responsible for two of UNMOVIC’s finds.

298. UNMOVIC and the IAEA’s inspections were supported by information provided by both SIS and the DIS.¹¹⁶

299. The FCO advised No.10 in mid-January that UK intelligence had helped UNMOVIC to discover illegally imported rocket engines.¹¹⁷

300. The UK also had provided intelligence on the home of the Iraqi scientist who had concealed documents relating to Iraq’s pre-1991 nuclear programme.¹¹⁸

301. At Sir Richard Dearlove’s request, his Private Secretary sent an update on the progress of inspections to Sir David Manning on 12 February.¹¹⁹

302. Sir David was told that the strike rate in relation to the UK intelligence-led inspections was low, but it had been responsible for two out of three UNMOVIC finds to date, from more than 550 inspections. In addition, “even where there is no WMD, something else has often been concealed [...] Our inspections have revealed the Iraqi game.”

303. Sir Richard’s update also stated that “we needed to keep going in the expectation that an intelligence-led inspection would lead to a find or a solid refusal of entry”.

304. Sir David sent the letter to Mr Powell with the comment: “More inspections ahead – but time getting very short.”¹²⁰

305. In a note produced on 12 February, the DIS recorded that most of the site visits conducted by UNMOVIC and the IAEA during the first six weeks were “intended [to] familiarise inspectors with the sites, and inspection techniques”.¹²¹

306. From early January, “the inspections had become longer and more intrusive” and, by the beginning of February, UNMOVIC had “visited or inspected all but one of the UK’s

¹¹⁶ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 136.

¹¹⁷ Letter Davies to Rycroft, 15 January 2003, ‘Prime Minister’s Meeting with Hans Blix, UNMOVIC’.

¹¹⁸ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 136.

¹¹⁹ Letter PS/C to Manning, 12 February 2003, ‘Update on Intelligence-Led UNMOVIC Inspections’.

¹²⁰ Manuscript comment Manning to Powell [undated] on Letter PS/C to Manning, 12 February 2003, ‘Update on Intelligence-Led UNMOVIC Inspections’.

¹²¹ Note DIS Counter Proliferation Support Group, 12 February 2003, ‘The Effectiveness of UN Weapons Inspections in Iraq’.

recommended sites”, and continued to be receptive to UK advice on potential targets. Finds had included:

- “nuclear-related documents hidden at the home of [...] an Iraqi scientist” on 16 January, although “the general perception has been that these do not constitute a ‘smoking gun’”;
- “CW associated rocket warheads at Ukhaider Ammunition depot” the same day. The liquid in one warhead was “awaiting the delivery of chemical sampling equipment”. That had arrived but was “not yet operational”;
- a “small quantity of ... CW precursor chemicals at a Laboratory”;
- “aluminium nozzles for 80mm rockets that Iraq had recast, but not declared” were discovered by the IAEA on 31 January; and
- “parts” from a “suspected ... biological or chemical sub-munition” were found “at the al-Numan factory” on 2 February.

307. The Iraqis realised that some inspections had “been mounted on the basis of intelligence”, and had “increased even further the measures being taken to prevent damaging material being uncovered by either UNMOVIC or IAEA”. That included “ensuring that WMD material only remains at a particular location for an absolute maximum of 24 hours, and contingency plans to ensure that ‘crowds’ will always be available to disrupt an inspection that might prove successful”.

308. The DIS report concluded:

“UNMOVIC and the IAEA are capable of conducting thorough inspections; however, mistakes have resulted in at least two inspections failing to uncover concealed material ...

“UNMOVIC and IAEA remain very receptive to UK intelligence. On balance, however, in the absence of Iraqi cooperation, we assess that the discovery of a ‘smoking gun’ will probably be the result of intelligence information, skill on the part of the inspectors, an Iraqi mistake, and an element of luck.”

309. The ISC reported that:

- SIS provided UN inspectors with about 170 intelligence reports between December 2000 and March 2003;
- the DIS also provided regular briefings;
- Mr Blair and Mr Straw confirmed that the UK passed all UK-owned intelligence that was relevant to UN inspections; and
- the UK had provided intelligence packs on 19 sites.¹²²

¹²² Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 136.

310. The Butler Review was told that the UK used about 30 separate pieces of intelligence from human sources and satellite imagery covering 19 sites to provide leads for the UN inspectors.¹²³ UNMOVIC visited seven of those sites, made a partial examination of one more and subjected one further site to an inspection by ground-penetrating radar.

The perspective of the inspectors

311. Dr Blix reported to the Security Council on 14 February that UNMOVIC had not found any weapons of mass destruction and the items that were not accounted for might not exist, but Iraq needed to provide the evidence to answer the questions, not belittle them.

312. The Al Samoud 2 missile programme and engines converted for use on the missile were proscribed.

313. The third Ministerial-level meeting of the Security Council to discuss Iraq took place on 14 February.¹²⁴

314. Dr Blix told the Security Council that:

- UNMOVIC had begun the process of destroying approximately 50 litres of mustard gas declared by Iraq.
- More than 200 chemical and more than 100 biological samples had been collected. Three-quarters of the samples had already been tested and the results were consistent with Iraq's declarations.

315. Addressing how much, "if any", was left of Iraq's weapons of mass destruction, Dr Blix stated that UNMOVIC had not found any so far, "only a small number of empty chemical munitions, which should have been declared and destroyed". UNMOVIC had destroyed the "laboratory quantity" of a "mustard gas precursor" that had been found. Many proscribed weapons and items had not been accounted for, but:

"One must not jump to the conclusion that they exist. However that possibility is also not excluded. If they exist they must be presented for destruction. If they do not exist, credible evidence to that effect should be presented."

316. Addressing Iraq's ballistic missile programmes, Dr Blix stated:

- Experts had "concluded unanimously" that the two variants of the Al Samoud 2 missile declared by Iraq were capable of exceeding the range of 150km and were therefore proscribed.

¹²³ *Review of Intelligence on Weapons of Mass Destruction* ["The Butler Report"], 14 July 2004, HC 898, paragraph 357.

¹²⁴ UN Security Council, '4707th Meeting Friday 14 February 2003' (S/PV.4707).

- Any of the 380 SA-2 engines imported in contravention of resolution 687 and converted for use in the Al Samoud missile system were also proscribed.
- The casting chambers for missile motors which had been destroyed by UNSCOM and reconstituted were also proscribed.
- Clarifications were needed before decisions could be made on the capabilities of the Al Fatah missile and the engine test stand at al-Rafah.

317. Addressing the role of intelligence, Dr Blix stated that in the closed society of Iraq, and given the history of inspections, “other sources of information, such as defectors and government intelligence agencies” were “required to aid the inspection process”. International organisations then needed to analyse such information critically.

318. Dr Blix added that intelligence had been useful for UNMOVIC, and in one case had led to the discovery of documents relating to laser enrichment of uranium:

“In other cases, intelligence has led to sites where no proscribed items were found. Even in such cases, however, inspection of these sites were useful in proving the absence of such items and in some cases the presence of other items – conventional munitions. It shows that conventional arms are being moved around the country and their presence is not necessarily related to weapons of mass destruction.”

319. Dr Blix also pointed out that the evidence that Iraq had prepared for inspections by cleaning up sites and removing evidence, presented to the Security Council by Secretary Powell on 5 February, could have a different interpretation.

320. Dr ElBaradei reported that the IAEA had found no evidence of ongoing prohibited nuclear or nuclear-related activities in Iraq, although a number of issues were still under investigation.

321. Dr ElBaradei reported that Iraq had provided documentation relating to the reported attempt to import uranium, the attempted procurement of aluminium tubes, the procurement of magnets and magnet production capability, and the use of HMX. The IAEA:

- was pursuing the acquisition of uranium;
- examining issues in relation to aluminium tubes and magnets; and
- might be unable to reach a final conclusion on HMX: “While we have no indication that this material was used for any application other than declared by Iraq, we have no technical method of verifying ... the declared use ...”

322. In relation to “documents found on 16 January in the private residence of an Iraqi scientist”, the IAEA had “completed a more detailed review”. The documents related “predominantly to lasers, including the use of laser technology to enrich uranium”. “Nothing” in the documents altered “the conclusions previously drawn by the IAEA” about the extent of Iraq’s laser enrichment programme.

323. Iraq had also provided documentation about questions and concerns which had remained since 1998 about weapons and centrifuge design, but the documents contained “no new information”. Dr ElBaradei hoped that “the new Iraqi commissions ... will be able to discover documents and other evidence that could assist in clarifying remaining questions and concerns”.

324. Dr ElBaradei had “reported on numerous occasions” that the IAEA had:

“... by December 1998 ... concluded that it had neutralised Iraq’s past nuclear programme and that therefore no unresolved disarmament issues remained ... Hence, our focus since the resumption of inspections ... has been verifying whether Iraq revived its nuclear programme in the intervening years.

“We have to date found no evidence of ongoing prohibited nuclear or nuclear-related activities in Iraq. However ... a number of issues are still under investigation ... we intend to make full use of the authority granted to us ... to build as much capacity into the inspection process as necessary.

“In that context, I would underline the importance of information that States may be able to provide to help us in assessing the accuracy and completeness of information provided by Iraq.”

325. Mr Straw thanked Dr Blix and Dr ElBaradei for “their great efforts in the face of what I think is still very clear: Iraq’s failure, fully and actively to comply with resolution 1441”.

326. Mr Straw stated that the issue, which “could not be graver”, was “about the authority of the United Nations and about the responsibility of the Security Council for international peace and security”. All the members of the Council knew that Iraq had “had these weapons [of mass destruction and long-range missiles]”; Iraq had been “found guilty” in 1991. The issue was whether Iraq was “actively co-operating to get rid of them”.

327. Mr Straw stated that Iraq had lied, had concealed weapons and played games. As Dr Blix and Dr ElBaradei had:

“... spelled out in their report of 27 January, Iraq has failed to account for thousands of tons of chemical weapons and precursor chemicals, of shells and bombs for anthrax, for mustard gas, for VX nerve agent. They have failed to make a full and complete disclosure as required of them ... They have failed to co-operate fully and actively on substance, as well as on process with the inspectors, and failed substantively to meet the obligations imposed on them.”

328. Iraq continued to state that it did not possess weapons of mass destruction.

329. Mr Aldouri stated that Iraq had agreed to act on resolution 1441 and had “provided everything that might fall within the concept of pro-active Iraqi co-operation”. The

documents provided with the Iraqi declaration, of 7 December 2002, required “in-depth study” because they contained “updated relevant information responding to many questions”. Iraq had “the right to wonder whether the declaration had been studied with due diligence and thoroughness”. Iraq had “begun to co-operate pro-actively”, and many speakers had called for that but there was a question about what that would mean.

330. Mr Aldouri pointed out that there was an “Arabic proverb that an empty hand has nothing to give. You cannot give what you do not have. If we do not possess such weapons, how can we disarm ourselves? How can such weapons be dismantled if they do not exist?”

331. Iraq agreed that the “best way to resolve these issues is through continuing proactive co-operation with the inspectors”. Mr Aldouri stressed that Iraq had:

“... chosen the path of peace. We have opted for solutions that would satisfy the international community. We are prepared to provide all means to assist in making clear the true picture ...

“We hope the Security Council will heed the desire of the vast majority of States Members of the United Nations and allow the inspectors to fulfil their role ...”

332. In the subsequent private discussion of the Council, Mr Straw stated that there was “overwhelming evidence that Iraq had had WMD”; if there was no evidence it had been destroyed, we had to work on the basis that it existed.

333. Sir Jeremy Greenstock reported that in response to points raised during the private session of the Council, Mr Straw had stated that the reason the Council had said Iraq’s WMD posed a threat was because there was “overwhelming evidence that it had had the material. If we had no evidence it had been destroyed, we had to work on the basis that it existed and that there was a danger to the region and to our national security.”¹²⁵ Oral cross-examination was the best way to get the truth. Interviewees were not saying anything and were insisting on tape recorders because they wanted to stay alive: “Until Iraq allowed interviews outside Iraq and in free conditions, we would be naive to think that they were co-operating.”

334. Dr Blix told Mr Blair on 20 February that the intelligence he had received was “not all that compelling”; perhaps there was not much WMD in Iraq.

335. Mr Blair telephoned Dr Blix on 20 February.¹²⁶

336. In the course of a discussion lasting 45 minutes about the possibility of devising an ultimatum for Iraq and tests for compliance (see Section 3.7), Dr Blix told Mr Blair that the intelligence he had received was “not all that compelling”. While he still tended

¹²⁵ Telegram 266 UKMIS New York to FCO London, 15 February 2003, ‘Iraq: Blix and EIBaradei Presentations: Private Session’.

¹²⁶ Letter Cannon to Owen, 20 February 2003, ‘Iraq: Prime Minister’s Conversation with Blix’.

to think that Iraq was concealing some WMD, he needed evidence to put to the Security Council. He was receiving “a flow of half promises” on Iraqi co-operation and needed more time.

337. Dr Blix also commented that “perhaps there was not much WMD in Iraq after all”; and that the French and Germans were “unsure” about mobile BW production facilities: “It would be paradoxical and absurd if 250,000 men were to invade Iraq and find very little.”

338. Mr Blair responded that “our intelligence was clear that Saddam had reconstituted his WMD programme”.

339. The record stated that Dr Blix had “concluded that he accepted the need for time-lines and bench-marks”.

340. In his account of the conversation, Dr Blix wrote that he had said:

“Only at three sites to which we had gone on the basis of intelligence had there been any result at all.

“Personally, I tended to think that Iraq still concealed weapons of mass destruction, but I needed evidence. Perhaps there were not many such weapons in Iraq after all.”¹²⁷

SIS advice of 17 and 20 February 2003

341. Sir Richard Dearlove counselled on 17 February that there was no guarantee that inspections would produce conclusive physical evidence of WMD.

342. In a minute to Sir David Manning on 17 February, responding to a request for views on way ahead on Iraq (see Section 3.7), Sir Richard Dearlove stated that there was ample evidence, including from Dr Blix, that Iraq was not, and had no intention of, complying with its obligations.¹²⁸ Given the resources Saddam Hussein had available to thwart inspections, and the scale of the task of uncovering something “truly damning”, there was no guarantee that the inspections would produce conclusive physical evidence.

343. Sir Richard Dearlove’s Private Secretary advised Sir David Manning on 20 February that the “chances of a successful inspection are slim”.¹²⁹ SIS had sent messages to its best placed sources “emphasising the utmost importance of a major find in the next two weeks, and asking them to do everything possible to try and identify where materials or papers are being hidden”. The chances of a potential defector were “not encouraging”.

¹²⁷ Blix H. *The Search for Weapons of Mass Destruction: Disarming Iraq*. Bloomsbury Publishing Plc, 2005.

¹²⁸ Letter Dearlove to Manning, 17 February 2003, ‘Iraq: The Way Forward’.

¹²⁹ Letter PS/C to Manning, 20 February 2003, ‘Iraq: UNMOVIC Inspection and Defectors’.

344. SIS did not inform No.10 or others that the source who had provided the reporting issued on 11 and 23 September 2002, about production of chemical and biological agent, had been lying to SIS.

345. On 2 February 2003, there was further reporting that the sub-source had not produced the material.¹³⁰

346. By 18 February, the source was being described as having been revealed to have been lying to SIS over a period of time.¹³¹

347. By 3 March, SIS had concluded that there was no further material and that SIS would seek to make direct contact with the sub-source.¹³²

348. The reissue of the reports in April 2003 and the subsequent withdrawal of this stream of reporting in July 2003 is addressed later in this Section.

Briefings for Cabinet Members and Committee Chairs

349. At Mr Blair's request, members of Cabinet were briefed by Mr Scarlett in February 2003.

350. Mr Scarlett also briefed the Chairmen of the House of Commons Committees on Foreign Affairs and Defence and the Intelligence and Security Committee.

351. Following Cabinet on 6 February, Mr Blair asked Mr Scarlett “to provide a confidential and intelligence based briefing on Iraq for small groups of Ministers attending Cabinet”. The briefing would “take as its starting point Part 1 of the Government's dossier published last September” and cover:

- the “latest assessment of Iraq's holding of weapons of mass destruction”;
- the Iraqi response to resolution 1441;
- “recent developments in Iraq and our current assessment of the cohesion of the regime”; and
- “Iraq and terrorism”.¹³³

352. Four “briefing sessions” were offered the following week.

353. Mr Scarlett briefed the ISC on 5 February, following up a previous briefing on 22 January.¹³⁴

¹³⁰ SIS record, 2 February 2003.

¹³¹ SIS record, 18 February 2003.

¹³² SIS record, 3 March 2003.

¹³³ Minute PS/Chairman JIC to Prout, 7 February 2003, ‘Intelligence Briefing on Iraq’.

¹³⁴ Minute Scarlett to Heads of Intelligence Agencies, 10 February 2003, ‘Intelligence and Security Committee: Iraq Briefing’.

354. Mr Scarlett also provided briefings for Mr Donald Anderson and Mr Bruce George, respectively the Chairmen of the House of Commons Foreign Affairs and Defence Committees.¹³⁵ Mr Scarlett reported that Mr Anderson had found the imagery used by Secretary Powell “especially ‘compelling’”.

355. The report of the briefing on 6 February for Mr George stated that the text had been agreed with the intelligence Agencies.¹³⁶ Mr George had shown most interest in Iraq’s policy of concealment and had also asked about its links with Al Qaida. Mr Scarlett also reported that Mr George was: “... clear that the evidence on WMD holdings and concealment was ‘sufficiently compelling’ to justify ‘military operations’.”

356. The brief prepared for the Cabinet members drew on the document produced for briefing the Chairmen of the Select Committees.¹³⁷

357. The brief for Cabinet members provided substantial additional material on:

- Iraq’s programmes before the 1990-1991 Gulf Conflict;
- the current assessment of Iraq’s capabilities – including its missile capabilities;
- difficulties with securing interviews;
- scenarios for CBW use;
- the risk of terrorism in the event of military action against Iraq.

358. Drawing on the detailed information published in the 24 September dossier, the brief stated that before the 1990-1991 Gulf Conflict, Iraq:

- had “declared to the UN the production of:
 - 2,850 tonnes of mustard gas, 210 tonnes of tabun, 795 tonnes of sarin and cyclosarin, and 3.9 tonnes of VX
 - 19,000 litres of botulinum toxin, 8,500 litres of anthrax, 2,200 litres of aflatoxin”;
- “was aiming to produce a nuclear warhead with a yield of 20 kilotons”; and
- “had a well developed ballistic missile industry, producing missiles with ranges up to 650km”.

359. In addition:

- UNSCOM and the IAEA had “destroyed much of the pre-1991 programmes”.
- There were intelligence indications that “planning to reconstitute some of its programmes began in 1995”.

¹³⁵ Minute Scarlett to Manning, 7 February 2003, [untitled].

¹³⁶ [Minute Scarlett to Manning, 6 February 2003, ‘Briefing of Bruce George MP, Chairman of the Select Committee on Defence’.](#)

¹³⁷ [Minute Scarlett to Powell, 18 June 2003, ‘Iraq/FAC: Robin Cook’ attaching Paper, \[undated\]. ‘Iraq – Brief for the Cabinet’.](#)

360. The brief stated that the Government assessment published on 24 September (the dossier), judged that Iraq:

- Had “a usable chemical and biological capability, which included production in 2002 of chemical and biological agents, and military plans to use them”.
- Continued “to work on developing nuclear weapons”.
- Possessed “up to 20 650km range” Al Hussein missiles”, and was “developing longer-range ballistic missiles, and is extending the ranges of Al Samoud and Ababil-100 systems beyond the permitted range of 150km”.

361. Addressing the current assessment of Iraq’s capabilities, the brief stated:

- There was “Very little significant new intelligence on [Iraq’s] WMD capabilities” since September 2002, “although continue to see planning for its use”.
- The focus on UN inspections “may have limited activity in some areas such as missile development”.
- The “possibility of ongoing production” of CBW agents could not be ruled out because it was “easily concealed especially in the case of BW agents using transportable biological production facilities”.
- Intelligence indicated that Iraq had “produced both chemical and biological agents since 1998 to add to stocks since the [1991] Gulf War. As late as September 2002 Iraq was carrying out illegitimate work on anthrax that could be used as part of a weapons programme.”

362. The brief recognised that not all the systems which were capable of delivering chemical and biological weapons would have such munitions or a CBW delivery role. Intelligence suggested that Iraq might “not be able to deliver CBW efficiently” using Al Samoud and Ababil-100 missiles.

363. Addressing Iraq’s declaration in response to resolution 1441, the brief rehearsed the outstanding issues identified by UNSCOM in 1999 and added references to Iraq’s:

- understatement in the declaration of the quantity of Volga engines which had been procured;
- lack of any reference to the engine test stand at al-Rafah; and
- “misrepresentation of the status and performance of the L-29 programme”.

364. Addressing Iraq’s concealment and deception activities, the briefing for the Cabinet stated that “Iraq was confident in its ability to prevent inspectors finding any ‘smoking gun’”.

365. The briefing for Mr Anderson and Mr George had stated that “Iraq was confident that inspections would not find” any “smoking gun”.

366. The brief did not refer to the fact that although the inspectors had found material that had been procured illicitly, some of it related to permitted programmes including missiles with ranges less than 150km.

367. Mr Robin Cook, the Foreign Secretary from May 1997 to June 2001 and then Leader of the House of Commons, recorded that he had concluded Iraq did not have weapons of mass destruction in the sense of weapons that could be used against large-scale civilian targets.

368. Mr Scarlett reported that Mr Cook had asked a number of questions during his briefing on 20 February, including:

- The “threat posed by battlefield CBW as opposed to missiles capable of hitting civilian targets (e.g. cities) in foreign countries”.
- Iraq’s “weaponisation capabilities”.
- “Had containment worked?”
- “Had Iraq’s WMD programmes had developed since 1998?”¹³⁸

369. Mr Scarlett added that he had:

“... made clear that Iraq had a range of battlefield systems capable of delivering CBW. We assessed that Saddam was ready to use them, including against his civilian population. Iraq might not have succeeded in developing CBW capable warheads for the 150km ‘permitted’ missiles. We assessed that Iraq could deliver CBW with the 650km missiles it retained; if only one of these hit home in favourable conditions on an Israeli city (I might also have mentioned Kuwait), civilian casualties would be large. I also made clear that Iraq’s programmes had not stood still since 1998 and had developed in all areas except perhaps the nuclear, where I reminded him of what was in the public assessment.”

370. Mr Cook wrote that the briefing from Mr Scarlett had lasted an hour, and “was impressive in its integrity and shorn of the political slant with which No.10 encumbers any intelligence assessment”.¹³⁹ Mr Cook had concluded, “Saddam probably does not have weapons of mass destruction in the sense of weapons that could be used against large-scale civilian targets”.

371. Asked if Mr Cook had challenged the briefing, Sir John Scarlett told the Inquiry:

“... he questioned me very closely on the assessment ... He asked for more detail than other Ministers did ... he was an especially experienced Minister when it came to the use of intelligence. He didn’t dispute what I was saying ... Where he ... took a different view was on how he interpreted it ...”¹⁴⁰

¹³⁸ [Minute Scarlett to Powell, 18 June 2003, ‘Iraq/FAC: Robin Cook’.](#)

¹³⁹ Cook R. *The Point of Departure*. Simon & Schuster UK Ltd, 2003.

¹⁴⁰ Private hearing, 5 May 2010, pages 83-84.

372. Sir John told the Inquiry that the briefing for Cabinet members was designed to cover:

“... the current assessment of CBW capabilities and delivery systems; the reaction on the regime’s part to the prospect of military action, and their behaviour and reaction to the presence of inspectors; the response to 1441 and the Assessment we made of the declaration in December; the activity on the concealment side; the problem with interviews of scientists and so on; Saddam’s military options, including for the use of CBW; the aspects relating to international terrorism; the impact on the terrorist threat internationally, but also there was mention of what the Assessments were saying about the presence of extremists inside Iraq at the time.”¹⁴¹

373. Asked if any of the briefing included material that was not included in current JIC Assessments, Sir John replied:

“No, I was sticking to the regular briefing that was being given.”

374. Lord Turnbull, Cabinet Secretary from September 2002 to September 2005, told the Inquiry that he thought the briefings for members of Cabinet in February had influenced their perspective.¹⁴² He stated: “they were all very conditioned by the intelligence presentation”.

375. A full list of the Iraq briefings provided by Mr Scarlett to Cabinet and senior Parliamentarians was published by the ISC in September 2003.¹⁴³

Would Iraq use chemical and biological weapons?

376. The JIC judged on 19 February that southern Iraq was “the most likely area for the first use of CBW against both Coalition Forces and the local population”.

377. In its discussion of the draft JIC Assessment of 19 February 2003, the JIC concluded that Saddam Hussein was “likely to use CBW first in southern Iraq, if anywhere”.¹⁴⁴ The implications needed further discussion, in the final Assessment, “to bring out the scale of the potential humanitarian crisis”, which would, in the initial period, need to be dealt with by Coalition troops.

378. The relevant Key Judgement stated:

“Southern Iraq is the most likely area for the first use of CBW against both Coalition Forces and the local population.”

¹⁴¹ Private hearing, 5 May 2010, pages 81-82.

¹⁴² Public hearing, 13 January 2010, page 60.

¹⁴³ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 143.

¹⁴⁴ Minutes, 19 February 2003, JIC meeting.

379. The JIC Assessment stated:

“The relative weakness of Iraqi forces in the South and the fact that those forces will face the brunt of a Coalition attack mean **southern Iraq is the most likely area for the first use of CBW against both Coalition Forces and the local population.**”¹⁴⁵

380. The Assessment added that one report from August 2002 had indicated:

“... Iraqi plans to use CBW in southern Iraq to cause mass casualties among the Shia in the event of a US-led attack. The regime would seek to pin the blame for the resulting high-level of casualties on the Coalition.”

381. Responding to a series of questions from Mr Blair (see Section 6.2), the MOD advised on 24 February that Iraq retained “the capability (through a variety of means) pre-emptively to deliver CBW against Coalition Forces in Kuwait. The question is one of intent.”¹⁴⁶ There was “no intelligence” to indicate that the regime was “currently planning a pre-emptive strike”. In the MOD view that was “highly unlikely whilst Saddam believes war can be averted”. If he was convinced that war was “inevitable and imminent” that “might make a pre-emptive move more attractive” but it was “more likely that Saddam would deploy CBW after the onset of the campaign”.

382. In its Assessment, ‘Iraq: Prospects in the North’, of how Iraq would respond in northern Iraq to a coalition attack, issued on 26 February, the JIC judged:

“The Iraqi regime would be willing to use CBW against the Coalition and the Kurds.”¹⁴⁷

383. The Assessment made clear that that judgement was a continuation from earlier Assessments.

384. In its Note, ‘Saddam’s Plan for Baghdad’ issued on 13 March, the JIC stated that it had “previously judged that Saddam would be willing to use chemical and biological warfare (CBW) against the Coalition and the Iraqi population”.¹⁴⁸

385. The JIC assessed that it was “likely that, even if it had not done so already, the regime would use CBW in the defence of Baghdad if it could”. That “would depend on the survival of leadership command and control, and of some delivery means, such as artillery”. Intelligence indicated that the Special Republican Guard and Special Security Organisation retained “control over CBW munitions” and that the regime had “been distributing protective CBW clothing and medical supplies for treating exposure to nerve agents to units around Baghdad”.

¹⁴⁵ [JIC Assessment, 19 February 2003, ‘Southern Iraq: What’s In Store?’](#)

¹⁴⁶ [Letter Watkins to Rycroft, 24 February 2003, ‘Iraq: Political and Military Questions’.](#)

¹⁴⁷ [JIC Assessment, 26 February 2003, ‘Iraq: Prospects in the North’.](#)

¹⁴⁸ [Note JIC, 13 March 2003, ‘Saddam’s Plan for Baghdad’.](#)

Presentation of the UK position

386. The UK's intensive lobbying to secure support in the Security Council for a second resolution on Iraq is described in Sections 3.7 and 3.8. It included a series of visits to the capitals of many members of the Council.

387. Mr Miller informed Sir David Manning that a script was being prepared which would:

“... briefly summarise evidence and judgements on Saddam's WMD; describe the effect of some of the agents; set out the Iraqi response to UNSCR 1441, including the flaws in the 7 December declaration; and cover what we know of concealment, intimidation of witnesses and other aspects of non-co-operation. It will also provide supporting material on Saddam's regime and – briefly – on links with terrorism. We will update the pack as new material becomes available.”¹⁴⁹

388. On 26 February, Mr Miller provided a brief for Sir Jeremy Greenstock to use in Security Council discussions, setting out the UK assessment of Iraq's WMD and its response to resolution 1441.¹⁵⁰

389. The brief provided a very short summary of the judgements in the September dossier, including that there had been recent production of chemical and biological agents; that judgements on concealment had been borne out by events; that the dossier had highlighted rocket motor casting chambers which UNMOVIC had now proscribed; and that UNMOVIC had agreed that the al-Rafah engine test stand had “a capability far in excess of what is needed for permitted missile systems”. The brief also stated that work on anthrax “carried on late into 2002”.

390. In relation to Iraq's response to resolution 1441, the brief stated:

“Saddam's behaviour since the middle of last year has been very instructive. We have been watching closely as the story unfolds. What follows is not supposition. It is what we know.”

391. The points made in the briefing included:

- In April 2002, Qusay Hussein had issued instructions for the concealment of chemical warfare agents.
- In August 2002, “individual scientists and officials were made personally responsible for the items on which they were working, holding them in their homes and the homes of relatives and friends”.
- By 20 November, all production work on banned weapons at Military Industrialisation Commission sites had been stopped and evidence of prohibited activity was being cleaned up.

¹⁴⁹ Minute Miller to Manning, 21 February 2003, 'Iraq: Briefing Foreign Government'.

¹⁵⁰ [Letter Miller to Greenstock, 26 February 2003, 'Iraq: WMD Brief'](#).

- Proscribed materials were concealed “at innocuous sites such as hospitals”.
- “Some materials, such as missiles, have been and remain on trucks that are continually on the move.”
- “By the end of December Saddam was confident that this concealment strategy would work at least until the spring when military options might become more difficult – the aim was to buy time.”
- Following the discovery of nuclear-related documentation at a scientist’s home on 16 January 2003, orders were given to remove hidden items from scientists’ homes.
- When inspectors arrived at a hospital at al-Kut in search of hidden weapons in January, they were “confronted by an orchestrated crowd, whose aim was to prevent a full inspection of the area”.
- Many proscribed materials were “now being moved daily”.
- Iraq continued to ensure, mainly through a policy of intimidation and monitoring, that the inspectors were not able to interview who they wanted.

392. The brief concluded:

“Iraq will continue ostensible co-operation ... and seek support in the UNSC to avert a war while continuing an active policy of concealment ...

“And as part of that, and despite current protestations, we know that Saddam is likely to agree to the destruction of all Al Samoud 2 missiles ...”

393. Sir Jeremy reported that he had used the points provided by the Assessments Staff during “informal consultations” on 27 February, including Iraq’s:

“... capacity to produce chemical and biological weapons; its delivery mechanisms; the efforts the regime had taken to conceal WMD; the fact that the regime had considered whether to declare some weapons but concluded it was too risky; plans to obstruct ... [the inspectors] if they got too close; and the intimidation to prevent private interviews which Iraq saw as the weak link that could expose their WMD.”¹⁵¹

394. In addition, Sir Jeremy stated that “UNMOVIC had been tagging proscribed equipment that had been repaired by the Iraqis”.

395. In meetings with President Vicente Fox, the Mexican President, and President Ricardo Lagos, the Chilean President, Mr Scarlett emphasised his confidence in the strength, consistency and reliability of both the UK’s intelligence and the judgements it had reached.

¹⁵¹ [Telegram 318 UKMIS New York to FCO London, 28 February 2003, ‘Iraq: 27 February Consultations and Missiles’.](#)

396. Sir David Manning and Mr Scarlett went to Mexico and Chile on 1 and 2 March to explain the UK's position to President Fox and President Lagos, and to seek their support for the UK's proposals for the Security Council.¹⁵²

397. Mr Scarlett was reported to have told President Fox that the UK had developed:

“... a range of sources, some inside Iraq, that had proven reliability. We had built up a consistent picture in which we had confidence. Our allies, including Europeans, had no serious differences of substance with us ...

“While we believed that UNSCOM had been able to disarticulate Iraq's nuclear programme it had not been able to account for a wide range of chemical and biological materials – we were particularly worried about VX and anthrax. Even conservative estimates of material Iraq still held indicated the capacity to assemble thousands of WMD artillery shells. Since 1998 Iraq had continued to produce new agents, develop its missile capability and, with less success, reconstitute its nuclear programme.

“In 2002 a conscious decision was taken to deny possession of WMD to frustrate a renewed and strengthened inspection programme. We had watched a policy of concealment and intimidation develop. Evidence had been dispersed, factories cleaned up and scientists cowed.

“... Some UNMOVIC successes in January resulted in further efforts to hide evidence and deceive inspectors. Continued small successes forced Iraq to move to a policy of slow, small concessions to give the impression of movement (eg on missiles). For the UK, the litmus test would be interviews with scientists. Iraq realised their knowledge was their Achilles heel, hence the intimidation.”

398. In the subsequent meeting with President Lagos, Mr Scarlett was reported to have described the intelligence assessment and, in response to a specific question, informed President Lagos that “although there were some differences of detail e.g. over the degree to which Saddam could weaponise, the French assessment was similar” to the UK's.¹⁵³

The position in March

The IAEA position on Iraq's nuclear programme

399. The FCO advised No.10 on 4 March that the UK Mission in Vienna had confirmed that the IAEA was on the verge of closing the file on nuclear issues in Iraq, despite

¹⁵² [Telegram 1 Mexico City to Cabinet Office, 1 March 2003, 'Iraq: Mexico'](#).

¹⁵³ [Telegram 34 Santiago to FCO London, 2 March 2003, 'Chile/Iraq: Visit by Manning and Scarlett'](#).

information from the UK that had “still not been followed up”.¹⁵⁴ The IAEA had apparently concluded that:

- There was “no significant evidence that Iraq had attempted to procure uranium from Niger”. The documents the IAEA had seen “that formed the basis of such an allegation appeared to be forgeries”.
- Aluminium tubes, “although imported illegally”, were not connected with a gas centrifuge programme. Iraq had “satisfactorily explained the use of the tubes, and the reasons for their various fine tolerances”. The Iraqis “were no longer (if ever) in a position to manufacture a gas centrifuge, especially without foreign assistance”.
- There was “no evidence to link the magnets with a covert nuclear programme”; the IAEA had found the part in the guidance system of a missile.
- The IAEA had evidence that a significant amount of the “missing 32 tonnes of HMX (a high explosive used to help trigger nuclear fission)”, had been used for commercial purposes, “as the Iraqis had claimed”.

UK assessments of Iraq’s intentions

400. In evidence to the FAC on 4 March, Mr Straw emphasised Iraq’s attempts to conceal its capabilities and deceive the inspectors.

401. Mr Straw gave evidence to the FAC on 4 March (see Section 3.7).¹⁵⁵

402. In his opening statement, Mr Straw said that it was assessed that Iraq had the capability to produce a range of chemical and biological agents, and:

“The Iraqi regime has put up an elaborate screen of concealment based on intimidation and deception to cover this capability ... [W]e know that sensitive materials and documents have been hidden in the homes of employees and hidden too in hospitals, farms and other sites. Intelligence also suggests that WMD-related items may have been buried and others were being kept on the move every 12 hours using trucks and trains. Throughout the period of inspection Iraq’s security and intelligence agencies have been monitoring UNMOVIC and the IAEA and plans are available to obstruct them if they come close to WMD itself ... Iraq is particularly concerned about ... interviews of scientists and others because if they were carried out as mandated by [resolution] 1441 they would unquestionably expose the regime’s deception and its stockpile of weapons ... In early December we know that Saddam Hussein issued instructions that scientists were to be threatened with serious consequences for themselves and their families if they revealed any sensitive information to UNMOVIC. They were ordered not to agree to any interviews taking place outside Iraq ... The potential witnesses have been

¹⁵⁴ Letter Owen to Rycroft, 4 March 2003, ‘Iraq Weapons Inspections: IAEA Line on 7 March’.

¹⁵⁵ Minutes, Foreign Affairs Committee (House of Commons), 4 March 2003, [Evidence Session].

coached in the answers they have to give. Some of them have been removed from their homes and places of work and detained to prevent them from being interviewed.”

403. An assessment of Iraq’s intentions on 6 March concluded that the strategy was to play for time, and that Iraq thought the strategy was working.

404. The Assessments Staff was “confident” that Saddam Hussein’s aim would be the eventual re-creation of his WMD capability.

405. Mr Miller provided an assessment of “Saddam’s possible next moves” for Sir David Manning on 6 March.¹⁵⁶ The document was also sent to officials in the FCO, the MOD and the Cabinet Office.

406. Mr Miller described Saddam Hussein’s strategy as “to play for time, gradually releasing limited information on Iraq’s terms or when there is no other option”. Iraq thought its strategy was working. Mr Miller stated: “Even if he [Saddam Hussein] does opt for a declaration of WMD, we are confident that his aim would be the eventual recreation of his capability.”

407. Mr Miller advised that the decision to destroy the Al Samoud 2 missile was “indicative of Saddam’s strategy: a drawn out debate with UNMOVIC over legality; an offer to form a ‘technical committee’ to review the weapon; compliance; and an attempt to portray compliance as a major concession”. Mr Miller predicted that Iraq would “draw out the destruction process”, which might take “as long as two months to complete”.

408. Mr Miller concluded:

“In short, we have seen no indication that there will be a change in Iraq’s strategy ... Iraq will continue to put the onus on the inspectors to set out what they want rather than pro-actively provide information ... Saddam will be prepared to offer further concessions – or at least to say he is ready to. But based on current behaviour any information will be incomplete, will be difficult to interpret and will not represent a full declaration of Iraq’s capability. On overseas interviews and any proposal for a substantial UN military force, agreement is likely only in the face of imminent military action.”

Security Council, 7 March 2003

409. In his report to the Security Council on 7 March, Dr Blix stated that there had been an acceleration of initiatives from Iraq since the end of January, but they could not be said to constitute immediate co-operation. Nor did they necessarily cover all areas of relevance; but they were nevertheless welcome.

410. Dr Blix and Dr ElBaradei’s presentations to the Security Council on 7 March, and the subsequent discussion, are described in detail in Section 3.7.

¹⁵⁶ [Minute Miller to Manning, 6 March 2003, ‘Iraq: Potential Compliance with UNMOVIC’.](#)

411. Introducing UNMOVIC's 12th quarterly report of activity to 28 February 2003, Dr Blix stated that, when the quarterly report had been finalised, there had still been "relatively little tangible progress to note" and the report had been "cautious".¹⁵⁷ By 7 March, there had been a number of relevant events on which he would bring the Council up to date

412. Dr Blix stated that inspections had begun on 27 November 2002, and "faced relatively few difficulties". While there were "frictions", "at this juncture", UNMOVIC was "able to perform professional no-notice inspections all over Iraq and to increase aerial surveillance" and its capabilities were being increased.

413. Iraq seemed "to have encouraged interviewees not to request the presence of Iraq officials ... or the taping of interviews" but "conditions ensuring the absence of undue influence were difficult to attain inside Iraq. Interviews outside Iraq might provide such assurance. It is our intention to request such interviews shortly." Thirty-eight individuals had been asked for interviews and 10 had accepted UNMOVIC's terms, seven during the last week.

414. Iraq had denied the existence of mobile production units for biological weapons and that proscribed activities were being conducted underground. Inspections had taken place at declared and undeclared sites but no evidence of proscribed activities had "so far been found". Iraq was "expected to assist in the development of credible ways to conduct random checks of ground transportation".

415. Inspectors were examining Iraq's programmes for RPVs and data was being collected to assess the range and other capabilities of the models found.

416. In relation to "reports of proscribed activity conducted underground", which Iraq had denied, Dr Blix stated that "no facilities for chemical or biological production or storage have been found so far". Iraq should provide information on any underground facilities that were suitable for the production or storage of weapons of mass destruction.

417. Dr Blix stressed the importance of Iraq's acceptance of the destruction of Al Samoud 2 missiles and associated items, which constituted a "substantial measure of disarmament ... the first since the middle 1990s".

418. Other points covered by Dr Blix included:

- UNMOVIC was reviewing the legality of the Al Fatah missile.
- Papers on anthrax, VX and missiles had recently been provided. Many re-stated what Iraq had already declared, but some required further study and discussion.
- There was "a significant Iraqi effort under way to clarify a major source of uncertainty" about the "quantities of biological and chemical weapons" that had been "unilaterally destroyed in 1991", by excavating a site that was formerly

¹⁵⁷ UN Security Council, '4714th Meeting Friday 7 March 2003' (S/PV.4714).

“deemed too dangerous”. Eight intact bombs had been unearthed, two of which had a “liquid fill”. That “should be followed by a serious and credible effort to determine” how many R-400 bombs had been produced.

- Iraq had informed UNMOVIC that there would be further legislation on prohibiting work on weapons of mass destruction.

419. Dr ElBaradei reported that there were no indications that Iraq had resumed nuclear activities since the inspectors left in December 1998 and the recently increased level of Iraqi co-operation should allow the IAEA to provide the Security Council with an assessment of Iraq’s nuclear capabilities in the near future.

420. Dr ElBaradei reported that the IAEA was focused on the “central question” of “whether Iraq has revived, or attempted to revive, its defunct nuclear weapons programme over the last four years”.¹⁵⁸ Dr ElBaradei noted that:

“... in the past three weeks, possibly as a result of ever-increasing pressure by the international community, Iraq has been forthcoming in its co-operation, particularly with regard to the conduct of private interviews and in making available evidence that could contribute to the resolution of matters of IAEA concern.”

421. That “should enable” the IAEA “in the very near future to provide the Security Council with an objective and thorough assessment of Iraq’s nuclear-related capabilities”.

422. Iraq’s industrial capacity had deteriorated sharply, including through the departure of foreign support present in the 1980s and large numbers of skilled Iraqi personnel in the preceding decade.

423. Interviews were continuing, including two “private interviews in the last 10 days”. Interviews outside Iraq might be the best way to ensure that interviews were “free”, and the IAEA intended to request such interviews “shortly”.

424. The primary technical focus of the IAEA in the field had been on the possible resumption of Iraq’s efforts to enrich uranium. In relation to the three key issues, the IAEA had:

- Failed to uncover any evidence that Iraq’s attempts to purchase high strength aluminium tubes was for “any project other than ... rockets”. The documents provided and interviews had allowed the IAEA “to develop a coherent picture of attempted purchases and intended usage”.
- Verified that none of the magnets Iraq had declared could be used directly for the magnetic bearings in centrifuges. It was likely that Iraq possessed the expertise to manufacture such magnets and the IAEA would continue to monitor and inspect equipment and materials.

¹⁵⁸ UN Security Council, ‘4714th Meeting Friday 7 March 2003’ (S/PV.4714).

- Stated that documents relating to the reports of possible acquisition of uranium from Niger were not authentic, but the IAEA would continue to follow up any additional evidence.

425. Dr ElBaradei concluded that there was no indication:

- “of resumed nuclear activities” in buildings identified as new or reconstructed since 1998;
- “of nuclear-related prohibited activities at any inspected sites”;
- “that Iraq has attempted to import uranium since 1990”;
- “that Iraq has attempted to import aluminium tubes for use in centrifuge enrichment”; or
- “to date that Iraq imported magnets to use in a centrifuge enrichment programme”.

426. Dr ElBaradei stated that Iraq’s procurement efforts, including those in relation to magnets and aluminium tubes, had been conducted “in contravention of the sanctions controls” imposed by the Security Council. The IAEA would continue to scrutinise and investigate those issues and hoped “to continue to receive from States actionable information relevant to our mandate”.

427. Mr Aldouri emphasised that Iraq had taken the strategic decision to disarm in 1991.

428. Mr Aldouri underlined Iraq’s “pledge to continue pro-active co-operation” with UNMOVIC and the IAEA. He also stated that Iraq had taken “the strategic decision to rid itself of weapons of mass destruction” in 1991. He added:

“All weapons that have been proscribed fall into one of two categories: they have been either declared or unilaterally destroyed by Iraq. All the declarations that Iraq has been repeatedly asked to present concerned the details and verification of that unilateral destruction and nothing ... else. It is for the accusers to prove otherwise, if they possess any evidence.”

429. Mr Aldouri stated that Iraq had no VX programme.

430. Mr Aldouri stated that the issues of concern identified by the US and UK were “an attempt to confuse the issue” and mask their real agenda to take over Iraq’s oil and the political and economic domination of the region. Iraq continued to hope for justice from the Security Council and called on the Council to thwart aggression and prevent “a crime whose impact would far surpass that of any crime of the past century”. He concluded:

“... war against Iraq will wreak destruction, but it will not unearth any weapons of mass destruction, for one very simple reason: there are no such weapons, except in the imagination of some ...”

431. In subsequent informal consultations, Sir Jeremy Greenstock stated that the UK was sure Iraq had WMD, but they could not be located because they had been hidden by Iraq.

432. The Council meeting was followed by “a long session of informal consultations”.¹⁵⁹

433. The points made by Sir Jeremy Greenstock included:

- There was “no real evidence of non-compliance on the nuclear weapons file”.
- The “key question” was whether Iraq had WMD: “The UK was sure they did. But the WMD could not be located because Iraq had hidden them, and they would not be found without unconditional and immediate Iraqi co-operation.”
- The US and the UK “had invested time and money in finding out the truth. So we knew that WMD were being moved every 12 hours; that mobile weapons facilities existed; and that documents and materials were being moved around.”

434. Dr Blix was reported to have stated:

- Iraqi co-operation “sometimes seemed grudging”, but “only if UNMOVIC found that Iraq was concealing things could one say that there was a real lack of co-operation”.
- With the Al Samoud missiles and UAVs, Iraq was “trying to push to the boundaries of what was permissible”. On the former, Iraq had arguably “trespassed over the border”; the resolution did not prohibit UAVs, but they were “on the border of what was allowed”. UNMOVIC was “still investigating”.
- Iraq “seemed to be trying to find ways of assisting UNMOVIC” on mobile BW facilities.

Security Council open debate, 11 and 12 March 2003

435. Iraq continued to refute US and UK statements about its capabilities and intent.

436. Following a meeting with Dr Blix late on 9 March, Sir Jeremy Greenstock reported that Dr Blix had reminded him “that UNMOVIC still lacked clear evidence that Iraq possessed any WMD at all”.¹⁶⁰

437. At the request of Malaysia representing the NAM, the Security Council held an open debate on the “situation between Iraq and Kuwait” on 11 and 12 March (see Section 3.8).¹⁶¹

¹⁵⁹ [Telegram 388 UKMIS New York to FCO London, 8 March 2003, ‘Iraq: 7 March 2003: Informal Consultations’.](#)

¹⁶⁰ Telegram 391 UKMIS New York to FCO London, 10 March 2003, ‘Iraq: Second Resolution’.

¹⁶¹ UN Security Council, ‘4717th Meeting Tuesday 11 March 2003’ (S/PV.4717).

438. The points made by Mr Aldouri, who spoke at the beginning and end of the debate, included:

- The US and the UK had propagated “falsehoods and untrue allegations” about “Iraq’s compliance and implementation of the relevant Security Council resolutions”.
- Ninety-five percent of the disarmament tasks had been completed between 1991 and 1994.
- Iraq had recently unilaterally declared its missile programme and was destroying the Al Samoud 2 missiles which UNMOVIC had deemed to be proscribed.
- None of the “allegations” presented to the Council by Secretary Powell on 5 February had “proved to be true”.
- The most recent “intelligence report produced by the UK [the No.10 dossier]”, contained previously published information.
- Recent allegations about RPVs were unfounded. They were small experimental aircraft which had been examined by the inspectors.

439. In both his opening and closing statements, Mr Aldouri repeated that Iraq had “taken the strategic decision” to rid itself of weapons of mass destruction.

No.10 advice to Mr Blair

440. In response to his requests, Mr Blair was given several notes on 15 and 16 March about Iraq’s WMD and the activities of the inspectors since 1991.

441. They comprised a series of statements setting out past problems without any caveats about how they should be interpreted in relation to Iraq’s current capabilities and intent.

442. A note on the subjects covered by UNMOVIC’s “clusters” report listed the unresolved issues, commenting: “**There are therefore questions to which UNMOVIC has been unable to obtain answers in every one of the following 29 areas.**”¹⁶²

443. A note on the types of CBW produced by Iraq, drawing on open sources whose accuracy had been endorsed by Porton Down,¹⁶³ graphically described the toxicity and effects of various agents, together with a comment on Iraq’s capability taken from the UNMOVIC “clusters” report.¹⁶⁴

444. A note on UNMOVIC activities between 1998 and 2002 advised Mr Blair that Iraq maintained that “no proscribed activities took place in that period” and had made no

¹⁶² [Minute Cannon to Prime Minister, 15 March 2003, ‘Iraq: Blix “Clusters” Report’.](#)

¹⁶³ The headquarters for the Defence Science and Technology Laboratory.

¹⁶⁴ [Minute Cannon to Prime Minister, 15 March 2003, ‘Iraq: Chemical and Biological Weapons’.](#)

declarations. In the absence of site inspections, UNMOVIC had “relied on intelligence material supplied by Member States”. Areas of activity reported to UNMOVIC included:

- “mobile BW agent production facilities”;
- “underground facilities for research and production of CBW”;
- “development of Unmanned Aerial Vehicles (UAVs), including those fitted with sprays for BW agents”; and
- “movements of proscribed materials and documents”.

445. UNMOVIC had “reported a ‘surge of activity’ in the missile technology field over the period”.¹⁶⁵

446. A note setting out Iraqi tactics in dealing with UN weapons inspectors rehearsed problems encountered between 1991 and 1998 and concluded that:

“Iraq’s approach to the UN has therefore consisted of:

- concealment and destruction of evidence
- commitment to co-operate alternating with harassment of inspectors
- as new facts become available to UNSCOM, Iraq changes its story to incorporate those facts. There is no genuine effort at openness or honesty.

“The Blix ‘clusters’ paper underlines the inspectors’ very limited information on the details of, for example, Iraq’s BW programme. This is after 12 years of operations and five purportedly full, final and complete declarations by the Iraqis.”¹⁶⁶

Mr Cook’s resignation statement, 17 March 2003

447. In his resignation statement of 17 March, Mr Cook set out his doubts about the degree to which Saddam Hussein posed a “clear and present danger”.

448. In his statement to the House of Commons on the evening of 17 March, Mr Cook set out the reasons why he could not “support a war without international agreement or domestic support” and why, in order to vote against military action in the House of Commons the following day, he had resigned from the Government (see Section 3.8).¹⁶⁷

449. Mr Cook continued:

“Nor is it fair to accuse those of us who want longer for inspections of not having an alternative strategy ... Over the past decade that strategy [of containment] had destroyed more weapons than in the Gulf War, dismantled Iraq’s nuclear weapons programme and halted Saddam’s medium and long range missile programmes.”

¹⁶⁵ [Minute Cannon to Prime Minister, 15 March 2003, ‘Iraq: UNMOVIC Operations, 1998-2002’.](#)

¹⁶⁶ [Minute Cannon to Prime Minister, 16 March 2003, ‘Iraq: Iraqi Approach to UNSCOM/UNMOVIC’.](#)

¹⁶⁷ House of Commons, *Official Report*, 17 March 2003, columns 726-728.

450. Mr Cook stated that Iraq's military strength was now less than half its size in 1991; and, "Ironically", it was "only because Iraq's military forces" were "so weak that we can even contemplate its invasion". He questioned the threat posed by Iraq:

"Iraq probably has no weapons of mass destruction in the commonly understood sense of the term – namely a credible device capable of being delivered against a strategic city target. It probably ... has biological toxins and battlefield chemical munitions, but it has had them since the 1980s when US companies sold Saddam anthrax agents and the then British government approved chemical and munitions factories. Why is it now so urgent that we should take military action to disarm a military capacity that has been there for twenty years, and which we helped to create? Why is it necessary to resort to war this week, while Saddam's ambition to complete his weapons programme is blocked by the presence of UN inspectors?"

451. The questions about Iraq's capabilities asked by Mr Cook in response to the briefing he had been given by Mr Scarlett on 20 February are set out earlier in this Section.

Mr Scarlett's advice, 17 March 2003

452. On 17 March, Mr Scarlett addressed the different elements of Iraq's capability, including Iraq's actions since the departure of the inspectors in 1998 to pursue chemical and biological weapons programmes, and Iraq's activities to pursue enhanced ballistic missiles and other means to deliver them.

453. In relation to Iraq's chemical and biological weapons capability, Mr Scarlett concluded that the JIC view was clear: Iraq possessed chemical and biological weapons, the means to deliver them, and the capacity to produce them.

454. Mr Scarlett attributed the failure to find any significant evidence of chemical and biological weapons to Iraq's ability to conceal its activities and deceive the inspectors.

455. On 17 March, in response to a request from Sir David Manning, Mr Scarlett provided advice on "the strength of evidence showing Saddam's possession of WMD".¹⁶⁸

456. Mr Scarlett wrote:

"The starting point is our knowledge of Iraq's past WMD programmes. This demonstrates not only large-scale possession of these weapons, and the readiness to use them, but also Saddam's determination to retain WMD in the face of military defeat in 1991 and the subsequent UN inspections. You will recall that much of his BW programme came to light only in 1995, following Kamil's [Saddam Hussein's son-in-law] defection. And as UNSCOM demonstrated in 1999, there has never been a full and convincing account of the destruction of Iraq's capabilities."

¹⁶⁸ [Minute Scarlett to Manning, 17 March 2003, 'Iraqi WMD: Evidence of Possession'](#).

457. Mr Scarlett pointed out that:

“Evidence of past possession is not, of course, enough. Indeed it could itself engender rumour and speculation in Iraq that might be fed back to us as fact. (Some opposition and defector material may be suspect on these grounds.)”

458. Referring to the Government’s assessment of Iraq’s WMD published on 24 September 2002, Mr Scarlett wrote: “our judgement ... draws on a range of well-sourced intelligence” falling under three main headings:

- “• **SIGINT** [signals intelligence] has provided extensive material relating to procurement activities particularly in the missile and UAV field. Some of this has led to a number of interdictions of missile material. Procurement of dual-use items that could be related to CBW and nuclear programmes has also been noted.
- **Imagery** has also provided useful material in relation to the extensive reconstruction of the Iraq’s [sic] missile infrastructure, such as the identification of the al-Rafah Test Stand and the al-Mamoun solid fuel facility. Because many chemical and biological facilities are dual-use, it is difficult for imagery to provide proof of the existence of a CBW programme. For this reason we have not relied on imagery in supporting our case that Iraq has a CBW programme.
- **HUMINT** [human intelligence] has provided clear and consistent reporting relating to Iraq’s continuing WMD programmes ...”

459. Mr Scarlett added that HUMINT came “from a variety of sources”:

- “• SIS have a number of well placed and reliable sources [...] [with high-level access in Iraq] and have been able to report on the regime’s WMD policy, its plans for use and its extensive concealment efforts. SIS also have a number of sources who report from closer to the programmes.
- Some of these have provided a consistent picture of Iraq’s missile programme (including extension of Al Samoud and the existence of Al Hussein).
- Intelligence on CBW programmes has been less complete but indicates continued production of CBW agents after UNSCOM’s departure.
- CIA and other foreign intelligence agencies (the mobile BW production laboratories originated from [...]).
- DIS ... reporting, relating to Iraq’s long range missile programme.”

460. Mr Scarlett wrote that Sir David Manning was “familiar with the main conclusions from intelligence”.

461. Addressing Saddam Hussein’s behaviour, Mr Scarlett wrote:

“The picture from past possession and from intelligence is further reinforced by Saddam’s current behaviour. He has been given clear opportunities to avoid

military action by demonstrating full and active co-operation with UNMOVIC. But he has repeatedly failed to take this route. Leaving aside the intelligence on his concealment tactics, his actions since the adoption of UNSCR 1441 are strongly indicative of deceit. They include:

- failure to volunteer scientists for interview outside Iraq;
- illicit procurement, and subsequent concealment, of Volga engines;
- failure to declare reconstructed facilities (including the rocket motor casting chambers) previously disabled by UNSCOM”.

462. In relation to inspections, Mr Scarlett wrote:

“The failure of UNMOVIC to uncover significant chemical or biological weapons has been disappointing. But it is not wholly unexpected. On 16 October last year,¹⁶⁹ the JIC judged that there was a serious risk that Iraq could prevent inspectors from finding conclusive evidence of WMD before the spring, unless there was additional guidance to UNMOVIC. The JIC pointed in particular to the importance of interviews free of Iraqi intimidation: you know the limited progress in this area.”

463. Mr Scarlett concluded:

“The JIC view is clear. Iraq possesses chemical and biological weapons, the means to deliver them and the capacity to produce them. The scale of the holdings is hard to quantify: it is undoubtedly much less than in 1991. But the evidence points both to Saddam’s view that the capability is already militarily significant, and to his determination – left to his own devices – to build it up further.”

464. A reference in paragraph 4 of the minute to the conclusions being “summarised at Annex” was crossed out by Mr Scarlett on the signed version of the minute on the No.10 file.

465. Mr Scarlett sent a copy of the minute to Mr Powell in February 2004 with a manuscript note stating that he had “not yet traced a copy of the Annex”.¹⁷⁰

466. The Government could not find any evidence of an Annex. The Inquiry concludes one was planned but not produced: hence the manuscript amendment removing the reference to the Annex in paragraph 4 of the document.

¹⁶⁹ A version of 11 October 2002 JIC Assessment, ‘Iraq: The Return of Weapons Inspectors’.

¹⁷⁰ [Manuscript comment Scarlett to Powell, 2 February \[2004\], on Minute Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’.](#)

467. Sir David Manning advised Mr Blair:

“I asked that you should have this Summary from the Chairman of JIC before action begins. Worth adding that all political intelligence also points to Saddam and senior officials aware of WMD programmes and determined to retain them.”¹⁷¹

468. Mr Blair replied: “Good.”¹⁷²

469. The advice to No.10 was not formally considered and agreed by the JIC or sent to other Ministers.

470. A draft of the document held by the MOD, also dated 17 March 2003, shows Sir David Omand, Sir Richard Dearlove, Sir Francis Richards (Director, Government Communications Headquarters (GCHQ)) and senior officials in the MOD, the FCO and the Cabinet Office as copy recipients.¹⁷³

471. Mr Hoon quoted from that draft when he told the Inquiry that Mr Scarlett had advised that Iraq had “the capacity to re-establish production” of chemical and biological weapons.¹⁷⁴

472. A manuscript note written by Mr Scarlett in February 2004 stated that the note “was approved by the Agencies and DIS. It was not formally at JIC.”¹⁷⁵

473. The Government has confirmed that there are no additional words on the copy of the minute on the No.10 file.

474. The Inquiry concludes that the advice was not formally approved by the JIC.

475. The Government was unable to find any evidence that the final version of Mr Scarlett’s minute to Sir David Manning was sent to anyone outside No.10.¹⁷⁶

JIC Note, 19 March 2003: ‘Saddam: The Beginning of the End’

476. The JIC continued to assess that Iraq had usable chemical and biological weapons and might use them, although its ability to do so could be limited.

¹⁷¹ [Manuscript comment Manning to Prime Minister, 18 March 2003, on Minute Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’.](#)

¹⁷² [Manuscript comment Blair, \[undated\], on Manning to Prime Minister, 18 March 2003, on Minute Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’.](#)

¹⁷³ Minute [unsigned draft] Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’, found on MOD files, with amendments from the Defence Intelligence Staff.

¹⁷⁴ Public hearing, 19 January 2010, page 122.

¹⁷⁵ [Manuscript comment Scarlett to Powell, 2 February \[2004\], on Minute Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’.](#)

¹⁷⁶ Letter Cabinet Office to Iraq Inquiry, 19 March 2014, ‘Declassification’.

477. A JIC Note, 'Saddam: The Beginning of the End', which revisited previous JIC judgements in the light of recent events and intelligence, was issued by the Assessments Staff on 19 March after discussion by the JIC earlier that day.¹⁷⁷

478. Addressing the use of chemical and biological weapons, the Note stated that the JIC judged:

- Iraq had “a usable CBW capability, deliverable using artillery, missiles and possibly unmanned aerial vehicles”.
- Iraq’s Al Hussein and shorter-range missiles, “mostly with a range of 150km or less ... may be able to deliver CBW, although intelligence suggests that Iraq might lack warheads capable of the effective dispersal of such agents.”

479. In addition, the Note stated:

- “A report [...] in mid-March indicated that Iraq’s chemical weapons remained disassembled and that Saddam had not yet ordered their assembly.”
- The issue of gas masks and injections for CBW antidotes indicated “Iraqi plans to use CBW”.
- “Intelligence on the timing of CBW use is inconsistent [...].”
- Intelligence on the deployment of CBW was “sparse”.
- “Uncorroborated reporting” suggested the “delivery of CW shells to Republican Guard units ... south of Baghdad”.
- There was “no evidence” that ballistic missiles destroyed by Coalition air action in February “were equipped with CBW warheads”, but the JIC could not be sure that it “would receive indications prior to an attack”.
- Saddam Hussein retained “ultimate control of CBW use”, but there were suggestions that he had “contingency plans to devolve military decision making, including CBW, to regional commands, if communications are cut with Baghdad”.
- Saddam Hussein “might take this decision early, once the severity of the initial attack becomes clear or in the face of Kurdish or Shia uprisings”, although the possibility of Saddam Hussein offering concessions to remain in power “would argue against pre-emptive attacks and devolving control”.
- An “early strategic U-turn, once Saddam realises the intensity of the attack ... and the risk of losing control of his CBW capability” could not be ruled out, and he might “then order early CBW attacks”.
- The JIC continued to judge that “in the face of death and the destruction of his regime”, Saddam Hussein would “try to wreak as much havoc as possible”, but his ability to do so could be limited.

¹⁷⁷ [Note JIC, 19 March 2003, 'Saddam: The Beginning of the End'](#).

- There was a “further risk ... that CBW could become available to extremist groups either as a last vindictive act by Saddam, or through the loss of control in the final days of his regime”.
- Two recent reports suggested that “some or all” of Iraq’s Al Hussein missiles “were disassembled to hide them from inspectors. It would take Iraq at least several days to reassemble the missiles once they decided to do so.”

480. Sir John Scarlett told the Inquiry that an Intelligence Update produced on 10 March had referred to a report issued on 7 March:

“... essentially saying that Iraq had no missiles which could reach Israel and none which could carry germ or biological weapons.

“The leadership had ordered the dismantlement of the missiles known as Al Hussein ... to avoid discovery and they thought they could be quickly re-assembled. The JIC had over many months throughout this period reported the assessed existence of these missiles ... But all along, it had been reported that they had been disassembled and concealed.

...

“The Defence Intelligence Staff advised ... that ... it might be possible to reassemble [the missiles] in one or two days. But if it was very complex disassembly it would be longer.

“SIS advised that the reference to ‘germ and biological’ might also refer to chemical, just from the context, although that was speculative.”¹⁷⁸

481. Sir John Scarlett also told the Inquiry that, on 17 March:

“... intelligence was received that chemical weapons had been disassembled and dispersed and would be difficult to reassemble. Saddam had not yet ordered reassembly nor, indeed, asked about chemical weapons.”¹⁷⁹

482. Sir John added that the two reports:

“... were assessed in the context of the policy of dispersal and concealment. They were not understood to be an indication that chemical and biological weapons did not exist. Indeed they didn’t say that but ... it was clear ... that they might be difficult to find.

“Previous reporting and updates had already reported separately on the difficulty that Iraq was having or was reported to have in developing or redeveloping chemical warheads for ballistic missiles ... An update at the end of December had noted ...

¹⁷⁸ Public hearing, 8 December 2009, pages 44-45.

¹⁷⁹ Public hearing, 8 December 2009, pages 45-46.

that point, but also noted that the intelligence had said that chemical warheads were still available for short-range artillery, rockets and so on.”

483. Asked whether the JIC had revised its assessment in the light of the reports, Sir John stated:

“... the JIC looked again at the issue and recorded its view in the minute [JIC Note] of 19 March and judged then that Iraq had a usable chemical and biological warfare capability, deliverable by artillery shells and possibly by aerial vehicles. It also said that missiles might be available to deliver CBW, but Iraq might lack the necessary warheads ...”¹⁸⁰

484. Mr Blair told Cabinet on 20 March that Saddam Hussein would, in extremis, probably use chemical and biological weapons, and that it was believed that some were deployed with Iraqi forces.¹⁸¹

485. Mr Scarlett wrote to Mr Powell on 21 March stating that: “in the current crisis, numerous intelligence reports indicate that Saddam Hussein is prepared to use CBW to ensure the survival of the regime, despite the US again having warned of the implications this would have for Iraq.”¹⁸²

Security Council, 19 March 2003

486. In the Security Council discussion on 19 March, Iraq reiterated that it no longer possessed weapons of mass destruction.

487. The Security Council held an open debate on Iraq on 19 March (see Section 3.8).¹⁸³

488. In his statement to the Council, Mr Aldouri expressed his “appreciation” for the efforts made by Council members to find a peaceful solution to the “current crisis”, which had been “created by the United States, the United Kingdom and Spain, with the intention of launching a hostile war against Iraq and occupying it under the pretext of the presence in Iraq of weapons of mass destruction”.

489. Mr Aldouri stated:

“For the record, and for the sake of historical accuracy, as well as to reassure every State that has recently made active efforts to maintain peace and to prevent war, we would like to reiterate that Iraq no longer possesses weapons of mass destruction. The presence of such weapons has been relegated to the past. Iraq decided in 1991 to destroy the weapons it had produced. That action stemmed from the conviction underlying Iraq’s policy to rid itself of such weapons. Proof of this fact lies

¹⁸⁰ Public hearing, 8 December 2009, pages 47-48.

¹⁸¹ Cabinet Conclusions, 20 March 2003.

¹⁸² Minute Scarlett to Powell, 21 March 2003, ‘Iraq: Saddam Hussein in 1991’.

¹⁸³ UN Security Council, ‘4721st Meeting Wednesday 19 March 2003’ (S/PV.4721).

in the failure by the United States and Britain to prove any allegation that Iraq has possessed such weapons in recent years, and especially during the period following the adoption of resolution 1441 (2002).”

490. Mr Aldouri stated that the inspectors had “refuted all the misleading information that was presented” by the US and the UK; and that the inspectors had “proved that information to be false”, including the information that Secretary Powell had “worked so arduously to put before the Council as damning evidence”. The US and the UK had failed to “provide even a shred of evidence”.

491. Mr Aldouri concluded by reaffirming that Iraq would “continue to work with the Security Council to make the truth known” that Iraq was “free of weapons of mass destruction”. Iraq hoped that the Council would “continue to search for a peaceful solution to the crisis, ensure that the work of the inspectors continues and resume the Oil-for-Food programme”.

492. Sir Jeremy Greenstock reported:

“Even at the precipice of war, Aldouri maintains Iraq has no WMD.”¹⁸⁴

Withdrawal of intelligence

493. Three streams of pre-invasion intelligence reporting on Iraq were withdrawn by SIS after the invasion:

- the reports of 11 and 23 September 2002 were withdrawn on 29 July 2003;
- all the reporting from the sourcing chain that had produced the “45 minutes report” was withdrawn on 28 September 2004; and
- all the reporting from Curve Ball, the source who had provided material on the mobile production facilities for chemical and biological weapons, was withdrawn on 29 September 2004.

SIS reporting of 11 and 23 September 2002

494. SIS issued two reports on Iraqi CBW, from a new source on trial, about the production of chemical and biological agents in September 2002.

495. The first report on 11 September stated that:

- Iraq had accelerated the production of chemical and biological agents;
- it had built further facilities throughout Iraq; and
- Saddam Hussein was determined to maintain his CBW capability.

496. SIS also stated that it expected to receive substantial additional material on Iraq’s biological and chemical programme through the same source.

¹⁸⁴ Telegram 492 UKMIS New York to FCO London, 20 March 2003, ‘Iraq: 19 March Open Debate’.

497. Reflecting concerns about source protection, the report was given a very limited distribution to named senior officials.

498. The report did not make clear that SIS was not itself in contact with the source whom it considered had direct access to Iraq's programmes.

499. The detail of the reporting and Sir Richard Dearlove's description of it in a telephone call to Mr Scarlett on 11 September are set out in Section 4.2.

500. Sir Richard Dearlove briefed Mr Blair on the reporting on 12 September, when he had:

“... underlined ... the potential importance of the new source and what SIS understood his access to be; but also said that the case was developmental and that the source remained unproven.”¹⁸⁵

501. SIS4 suggested that Mr Blair had already known about the intelligence before the meeting between Mr Blair and Sir Richard Dearlove on 12 September, and that he wanted to see the product.¹⁸⁶

502. Sir Richard Dearlove told the Inquiry that “it would have been very rare” for him to have talked to Ministers or Mr Blair “about our source base”.¹⁸⁷

503. Asked about Mr Blair's reaction, Sir Richard told the Inquiry that Sir David Manning had asked him to give Mr Blair a briefing “which would give him [Mr Blair] more of a flavour for what was actually going on on the ground”.¹⁸⁸ Mr Blair “had an appetite for that sort of briefing which was a pretty rare event”, and had had a “fair amount of general discussion” with SIS9 “about the difficulties and problems we were facing”.

504. Asked whether he had been precipitate in going to Ministers with the report so quickly, Sir Richard replied:

“I think in the circumstances, I don't agree ... because if you issue a report like that in the middle of a crisis, you're going to get a phone call from a Ministerial office within a short period of time.”¹⁸⁹

505. Sir Richard also stated that in the circumstances it would have been “impossible” not to issue the report; SIS could not “sit on something as potentially important” as that.¹⁹⁰

¹⁸⁵ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 578.

¹⁸⁶ Private hearing, Part 1, page 58.

¹⁸⁷ Private hearing, 16 June 2010, page 53.

¹⁸⁸ Private hearing, 13 July 2010, page 33.

¹⁸⁹ Private hearing, 13 July 2010, pages 34-35.

¹⁹⁰ Private hearing, 13 July 2010, page 35.

506. The report of 11 September was used by Mr Scarlett and Mr Miller in reaching key judgements about Iraq’s chemical and biological weapons capabilities in the Government dossier published on 24 September.

507. Specifically it provided the assurance for the judgements that Iraq had:

- “continued to produce chemical and biological agents”;
- “military plans for the use of chemical and biological weapons ...”

508. The way in which the reporting was used in the preparation of the dossier and the decision not to show it to the experts in the DIS is addressed in Section 4.2.

509. The judgements in the dossier on Iraq’s production of chemical and biological weapons and the circumstances in which they could be used became the baseline for subsequent advice to Ministers and public statements on the threat posed by Iraq.

510. SIS issued a second report from the same sourcing chain as the 11 September report on 23 September.¹⁹¹ That stated VX, sarin and soman had been produced at Al-Yarmuk, and were loaded into a variety of “containers”, including “linked hollow glass spheres”. The source commented that there had been “accelerated production of CW substances at Al-Yarmuk for several years”.

511. SIS described the report as expanding and clarifying the intelligence in the first report, and that it was “valuable intelligence”.

512. The report was sent to the same restricted group as the report on 11 September, with the addition of Mr Mark Bowman, Private Secretary to Mr Gordon Brown, the Chancellor of the Exchequer.

513. The Butler Report stated that SIS had hopes that this source would become a major asset.¹⁹² In particular, the source had indicated to SIS that he would be able to provide substantial and critical additional intelligence in the near future.

514. By December 2002, as set out earlier in this Section, doubts had emerged within SIS about the reliability of the sourcing chain.

515. SIS did not inform No.10 or others that in mid-February 2003 the source had been revealed to have been lying to SIS over a period of time and that it had concluded by early March that there was no further material and that SIS would seek to make direct contact with the sub-source.

516. The reports of 11 and 23 September were reissued to a wider readership on 3 April.

¹⁹¹ Report SIS, 23 September 2002, ‘Iraq Details of CW Production at Al Yarmuk’.

¹⁹² *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 574.

517. A minute of 2 April recorded that a SIS Requirements officer had been telephoned the previous night about the two reports produced in September 2002. Mr Scarlett had asked “about the reliability of the sourcing” and for a copy as he no longer had access to the original copies.¹⁹³

518. The SIS Requirements officer had given “only the briefest details (that we obtained the material via another source, with whom we were no longer in contact, and that we were still trying to contact the original source)”.

519. The SIS Requirements officer also wrote:

“Despite the problems over the ... sourcing chain, there could be some merit in at least widening the extremely limited readership of these two reports. We cannot (yet) discount their content and, topically ... [the report of 11 September] provides useful support for ... [another report]. The case is no longer as sensitive and we could usefully re-circulate the two reports, with some additional commentary.”

520. The SIS Requirements officer provided a draft letter for SIS4 to send to Mr Scarlett.

521. Another SIS Requirements officer commented that there had been “no public use of the material; what it was used for was to give assurance to the assessment in the ‘dossier’ that Iraq continued production of CW after 1998”. The DIS would “welcome” the downgrading of the restricted marking on the reports and it would “need to see these reports whenever a review of the Iraq WMD story is commissioned”.¹⁹⁴

522. SIS4 wrote to Mr Scarlett on 3 April 2003 providing copies of the two reports of 11 and 23 September 2002.¹⁹⁵

523. The letter stated that the reports were “not drawn upon for either the dossier or for the Prime Minister’s subsequent statements. And of course it [the material] post-dated ... [the JIC Assessment of 9 September 2002, ‘Iraqi Use of Chemical and Biological Weapons – Possible Scenarios’].” SIS4 also wrote that Sir Richard Dearlove had briefed Mr Blair:

“... on the background to the case (and on what else we hoped it might deliver) but for speed the reports were issued to other readers without a full briefing. This was to have followed but, as there was no further reporting, we did not bother you with this.”

524. SIS4 added:

“You may therefore wish to know something of the background to the case. The material came from an Iraqi sub-source who was working within the CW programme [via SIS source]. We are still endeavouring to establish direct contact with him [the sub-source]; until we succeed in this we shall not be able to verify fully the details

¹⁹³ Minute SIS Requirements officer, 2 April 2003, ‘JIC Chairman Enquiry: [Codeword] CX’.

¹⁹⁴ SIS record, 2 April 2003.

¹⁹⁵ Letter SIS4 to Scarlett, 3 April 2003, ‘Reporting on CW Production in Iraq’.

given in the intelligence. But despite the later behaviour of our source, we have no reason yet to dismiss this material. There has been collateral for some of it [from other reporting issued on 30 March 2003].”

525. Because source protection was no longer as sensitive, the documents would be reissued “with additional comment and to a wider readership”.

526. A report was issued on 3 April 2003 which was described as “a lightly edited composite of two reports” previously issued in September 2002. The source was described as: “A new source (with whom contact has now ceased) quoting the [sub-source].”¹⁹⁶

527. The 3 April report merged much of the reporting in the reports of 11 and 23 September 2002 and added new comments from SIS. The significant changes were:

- A statement that “capability outstripped personnel able to operate it” was moved to the Summary of the report. That gave it additional prominence in comparison with the original report of 11 September.
- SIS added a comment that this was consistent with a later report from March 2003 about the problems caused by the dispersal of technical experts previously involved in the production of CW.
- Details of spherical glass containers filled with CW agents at the named establishment, which had constituted part of the main body of the second report, were identified as a “source comment” in the 3 April report.
- Additional details were provided substantiating the authenticity of the sub-source’s existence. His previous involvement in CW activities was also emphasised.
- SIS acknowledged that it would not be possible “to verify fully” the details in the report until it had succeeded in gaining direct access to the sub-source, but it had “no reason to dismiss the bulk of this material, for which there has been collateral”.
- However, it drew attention to the fact that the source’s description of the device and its spherical glass contents was “remarkably similar to the fictional chemical weapon portrayed in the film *The Rock*”. It acknowledged that the similarity had been pointed out by one recipient when the report of 23 September was circulated. That significantly changed the context in which the details were subsequently presented in the reissued report.
- There is no evidence that that point was made to the original readers of the reports before they were reissued on 3 April.

¹⁹⁶ Report SIS, 3 April 2003, ‘WMD/Iraq: Production of Chemical and Biological substances in Iraq in 2002’.

- SIS added a comment that the reporting of additional risks being taken to increase production was consistent with UNSCOM's observation on Iraqi working practices and their disregard for safety.
- SIS also added a comment that the reporting of an order to stop production and decontaminate equipment in August 2002 was "unsurprising" as it paralleled the then assumed arrival of UNMOVIC. It added that the current state of the facility "and the material produced prior to August 2002" was "unknown".
- SIS had been unable to identify the "anthrax specialist" mentioned in the original report.

528. The summary of the intelligence produced for dissemination at "Secret" level, including to selected foreign partners, presented the information that the Iraqi regime had "demanded accelerated production of BCW substances" in 2002. In August 2002 an order had been sent to all factories involved in producing BCW instructing them to stop producing prohibited substances.

529. The reissued report was sent to officials in the FCO, the MOD – including the DIS, the Cabinet Office and GCHQ. It was not sent to the original, high-level recipients of the September reports.

530. After the conflict the sub-source told SIS that he had not provided the information in the reports.

531. SIS formally withdrew the reporting on 29 July 2003.

532. SIS finally met the sub-source in June 2003.¹⁹⁷ He had been involved in Iraq's CW programme before 1991 and had also been involved in Iraq's destruction activities. The sub-source denied that he had provided any of the material attributed to him. SIS concluded that its source was a fabricator who had lied from the outset.

533. On 3 July, a SIS Requirements officer wrote that it was "now necessary" to withdraw the reports issued on 11 and 23 September and 3 April.¹⁹⁸

534. The Requirements officer added:

"Without denying that these reports are no longer valid, we need to ensure their withdrawal does not provide wide-spread scepticism about our CW reporting, particularly in the absence of a convincing CW find."

535. The relevant SIS team leader had "prepared the ground with Mr Scarlett and others for the likelihood that, now we have the opportunity to validate our CX, some may prove false. They were sanguine about this, at least in the abstract. But DIS in particular remain sceptical of our CW reporting and Assessments Staff continue to claim (wrongly) that they drew on the [11 September report] for the dossier."

¹⁹⁷ SIS record, 25 June 2003.

¹⁹⁸ Minute, 3 July 2003, 'Withdrawal of CX'.

536. The Requirements officer concluded that SIS should write to those to whom the reports had been issued and sought SIS3 and SIS4 approval for the text to be used.

537. The Requirements officer also commented:

“... there are still unanswered questions as to how this story could have been so wrong, but that is not an issue for CX readers.”

538. Sir Richard Dearlove informed the ISC in mid-July 2003 that the intelligence had been withdrawn.¹⁹⁹

539. Internal SIS documents seen by the Inquiry show that the briefing produced for Sir Richard Dearlove’s appearance before the ISC stated that: “In the light of the post-war research ... [the reporting of 11 and 23 September 2002] has now been withdrawn.”²⁰⁰

540. A memorandum withdrawing the reports of 3 April 2003 (and 11 and 23 September 2002) was issued on 29 July 2003.²⁰¹ It said that SIS had interviewed the individual identified as the sub-source for the intelligence after the conflict, but he had denied being the source of the material passed to SIS. The memorandum stated that the reports were being withdrawn because the sourcing chain was discredited. That did “not necessarily invalidate their contents (some of which chimed with other reporting)”.

541. The memorandum was sent to most of the recipients of the original reports, including to the Private Offices of Mr Straw and Mr Hoon and to Mr Bowen in the Cabinet Office. But it was not sent to No.10 or to Mr Brown’s Private Office.

542. In the covering letter to SIS’s Annual Report for 2002-2003, Sir Richard Dearlove wrote:

“Iraq of course has been the dominant issue. I am confident that the intelligence picture to which we contributed pre-conflict will be proved correct.”²⁰²

543. Sir Richard added that the search for Saddam Hussein’s WMD would continue into 2004, “and possibly beyond”. He also wrote:

“We risk damage to the credibility of the intelligence community if the public perception remains that our intelligence may have been wrong. If we can persuade Iraqi scientists involved in the programme to go public, then we may be able to turn the media debate more in our favour and reduce our dependence on the eventual outcome of the physical search.”

544. In the letter and the Annual Report itself, which was sent to Mr Brown, Mr Straw and Mr Hoon, Sir Andrew Turnbull, Sir David Omand, Mr Scarlett, Sir Michael Jay (the

¹⁹⁹ Letter PS/C to Adams, 8 September 2003, ‘Additional ISC Request for Access to Intelligence’.

²⁰⁰ SIS record, July 2003, ‘Briefing for C appearance at ISC’.

²⁰¹ Minute [SIS memorandum], 29 July 2003, [with telegram and memorandum of same date].

²⁰² Letter Dearlove to Prime Minister, 30 July 2003, ‘SIS Annual Report 2002-2003’.

FCO Permanent Under Secretary), Ms Eliza Manningham-Buller (Director General of the Security Service) and Dr David Pepper (Director, GCHQ), as well as to Mr Blair, there was no mention of any doubts about the reliability of any of the intelligence on Iraq's WMD.

545. Following the evidence to the Hutton Inquiry of Dr Brian Jones (the branch head of the nuclear, biological and chemical section in the Scientific and Technical Directorate of the Defence Intelligence Staff, 1987 to January 2003), Sir Richard Dearlove's Private Secretary asked for Mr Straw's permission for Sir Richard to disclose the reports of 11 and 23 September 2002 to the ISC on 8 September 2003.²⁰³

546. The letter stated that Sir Richard Dearlove had told the Committee, during a hearing on 17 July, that the "reporting came from a new source on trial and was subsequently withdrawn".

547. Mr Straw approved the request the following day.²⁰⁴

THE INTELLIGENCE AND SECURITY COMMITTEE'S VIEW

548. In its Report published in September 2003, the ISC stated that it had considered the concerns expressed by two individuals in the DIS about "the language used in the draft dossier, which was not in their view supported by the intelligence available to them on the current production of chemical and biological agents and weapons". The Report stated:

"We were told that there was further intelligence of a nature so sensitive that it was only released on a very restricted basis. We have seen the intelligence and understand the basis on which the CDI [Chief of Defence Intelligence] and JIC took the view they did."²⁰⁵

549. The ISC Report did not state that the intelligence had been withdrawn.

THE BUTLER REVIEW

550. The Butler Report noted that the reporting had been withdrawn in July 2003.

551. The Butler Report, published on 14 July 2004, stated that SIS had withdrawn the two reports (of 11 and 23 September 2002) in July 2003, "because the sourcing chain had by then been discredited".²⁰⁶ SIS had interviewed the alleged sub-source after the conflict who had "denied ever having produced the information in the reports".

²⁰³ Letter PS/C to Adams, 8 September 2003, 'Additional ISC Request for Access to Intelligence'.

²⁰⁴ Letter Straw to C, 9 September 2003, [untitled].

²⁰⁵ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 101.

²⁰⁶ *Review of Intelligence on Weapons of Mass Destruction* ["The Butler Report"], 14 July 2004, HC 898, paragraph 405.

552. The Butler Report noted that the two reports, “including one which was important in the closing stages of production of the Government’s September dossier, must now be treated as unsafe”.

553. The Butler Report’s comments on the decision not to show the reporting to DIS experts is addressed in Section 4.2.

MINISTERIAL AWARENESS THAT THE REPORTING HAD BEEN WITHDRAWN

554. Mr Blair and Mr Hoon became aware that the reporting had been withdrawn as a result of the Butler Review.

555. In the No.10 press briefing on 16 July 2004, Mr Blair’s Official Spokesman was asked why Lord Hutton had not been informed that the intelligence had been withdrawn a month before Mr Scarlett had given evidence to the Hutton Inquiry.²⁰⁷ The Spokesman replied that SIS validation of the intelligence was still “ongoing” and that at the time Mr Scarlett gave evidence, “this matter was still being investigated”.

556. Asked about Sir Richard Dearlove’s evidence to the Hutton Inquiry that the information in the dossier was “sound” and whether the SIS decision not to inform Lord Hutton that the intelligence had been withdrawn meant that Sir Richard’s evidence had been “wrong”, the Spokesman replied that “Lord Hutton had been investigating the controversy surrounding the 45-minute claim, not the wider intelligence picture”.

557. Asked when Mr Blair had “discovered” that the intelligence had been withdrawn, the Spokesman replied that Mr Blair “had not known at the time he had given evidence to Lord Hutton [on 28 August 2003]” that the intelligence had been withdrawn “because the process of validation had been ongoing”. Mr Blair had “found out” that the intelligence had been withdrawn “as a result of the Butler Inquiry”.

558. In Written Questions to Mr Blair, Mr Straw and Mr Hoon, Mr Adam Price (Plaid Cymru) asked each of them when they were:

“... informed that SIS had withdrawn reporting from the source who claimed that production of biological and chemical agents had been accelerated by the Iraqi regime, because the source of the reporting had subsequently been deemed unreliable.”

559. Mr Straw replied on 20 July:

“I became aware of the withdrawal of this reporting when I agreed, in response to a request from SIS on 8 September 2003, that the reports in question should be disclosed to the Intelligence and Security Committee.”²⁰⁸

²⁰⁷ The National Archives, 16 July 2004, *Press Briefing: 11AM Friday 16 July 2004*.

²⁰⁸ House of Commons, *Official Report*, 20 July 2004, column 176W.

560. Mr Hoon replied on 21 July:

“I first became aware that SIS had withdrawn the reports as a result of the Butler Review.”²⁰⁹

561. Mr Blair replied on 21 July:

“As my Official Spokesman made clear on 16 July, it was as a result of the Butler Review.”²¹⁰

562. In response to a further question from Mr Price, asking when he had become aware that “in July 2003” SIS “had withdrawn two reports from a new source on trial because the source had by then been discredited”, Mr Blair replied on 16 September:

“These matters have been examined during the course of the Butler Review and other inquiries, and covered during debates and statements on Iraq and in briefings by my Official Spokesman. All relevant information has been placed in the public domain insofar as that could be done without prejudicing national security.”²¹¹

563. Asked by Mr Bob Marshall-Andrews (Labour), in November 2004, for the precise date on which he was aware of the intelligence services’ withdrawal of “wholly discredited” reports, Mr Blair replied that he thought:

“... the doubts about the information ... were drawn to our attention during the Butler Review. I can certainly look into the precise date on which that happened. It has to be said, however, and I hope that he understands this, that the information and intelligence that we received, we received in good faith and acted on in good faith.”²¹²

564. Although the SIS minute of 29 July 2003 withdrawing the reporting was sent to the Private Offices of Mr Straw and Mr Hoon and to the Cabinet Office, it was not sent to No.10.

565. The withdrawal of the reporting was done in a very low key manner compared with the way in which the original reporting was issued. That and the timing of the minute may explain why it was not drawn to Mr Hoon’s attention. It is not clear why SIS did not inform No.10 or ask the Assessments Staff to do so.

566. Senior members of SIS offered the Inquiry differing views about how the reports had been used by SIS.

²⁰⁹ House of Commons, *Official Report*, 21 July 2004, column 267W.

²¹⁰ House of Commons, *Official Report*, 21 July 2004, column 285W.

²¹¹ House of Commons, *Official Report*, 16 September 2004, column 1774WS.

²¹² House of Commons, *Official Report*, 17 November 2004, column 1344.

567. Asked about the confidence attached to the reports of 11 and 23 September, SIS1 told the Inquiry that he thought “it was based in part on wishful thinking”. He added:

“SIS was under quite extraordinary pressure to try and get a better view of Iraq’s WMD programme, and I think we marketed that intelligence – I think this is not [an] original comment – before it was fully validated.”²¹³

568. Asked whether there were doubts in SIS’s collective consciousness even before March 2003, SIS1 replied:

“Well before that. Even while it was still going on. Here was a chap who promised the crock of gold at the end of the rainbow. Now, you have got to go for those, because sometimes that can be just what you are looking for.”²¹⁴

569. Asked about the strain that had put on the validation process and the way in which it is reported, SIS1 replied:

“Well, there wasn’t much to validate. What he was promising had not arrived. That was the point.

...

“... and I think that that created an expectation which could not be fulfilled, not only on the part of those who were briefed on it ...”²¹⁵

570. Asked whether the reporting was the reason for the belief that there was a growing threat, SIS1 replied: “No, because, again, there wasn’t much to go on.”

571. Asked if the reporting had influenced actual assessments, SIS1 replied:

“No, he didn’t influence assessments. He influenced expectation on the part of people who were concerned, are we going in the right direction.”²¹⁶

572. Asked about Sir David Omand’s comment to the Inquiry that SIS over-promised and under-delivered, SIS1 replied:

“If he was referring to that [the information promised by the SIS source], I think he’s right. I would hate it to be the epitaph of the whole period. If that was the suggestion, that’s completely untrue.”²¹⁷

573. Asked about the confidence which Sir Richard Dearlove had expressed in the intelligence, SIS4 told the Inquiry that, for SIS, the report had a story behind it. The

²¹³ Private hearing, 2010, page 18.

²¹⁴ Private hearing, 2010, page 18.

²¹⁵ Private hearing, 2010, pages 18-19.

²¹⁶ Private hearing, 2010, page 19.

²¹⁷ Private hearing, 2010, pages 19-20.

technical experts in SIS “knew the Iraqi story intimately”. If they “said we know about this chap, we know about the account of his past, if he’s possibly in touch with us and going to send us stuff, that’s a very major development”.²¹⁸

574. SIS4 added that it was “potentially a very, very serious breakthrough”.²¹⁹

575. SIS4 told the Inquiry that Sir Richard Dearlove had not, in his view, “acted unprofessionally” in briefing Mr Blair about the 11 September report. He had had “to take all these political decisions on his own shoulders” and those were:

“Heavy responsibilities.

“He judged that Blair needed to know, and he told him. I don’t think he did a wrong thing. The style may be questioned, but I don’t think he was wrong to do what he did.

....

“... the analysis and motivation at the time ... stands.”²²⁰

576. Asked why Mr Blair was under the impression when he gave evidence to the Hutton Inquiry that the process of validation was still continuing, SIS4 told the Inquiry:

“I think that was one of life’s ghastlinesses. I don’t think the withdrawal notice was sent to Number 10 because withdrawal notices are not major new intelligence. They are not the sort of thing ministers get up early to read. What they do affect, importantly, is the integrity of the record.

“I imagine that the requirements officer issuing the withdrawal report ... thought, ‘They won’t be interested in this’. How wrong he was, and what a skid-up within just a few days, when the Prime Minister said at a public inquiry something that was probably not the case.²²¹ It’s very embarrassing.”²²²

577. Asked whether that was, “A cock-up rather than a conspiracy”, SIS4 replied: “Always.”

²¹⁸ Private hearing, Part 1, pages 56-57.

²¹⁹ Private hearing, Part 1, page 60.

²²⁰ Private hearing, Part 1, page 62.

²²¹ Mr Blair did not make such a statement to the Hutton Inquiry. The statement that he had not known about the withdrawal of the reporting when he had given evidence to the Hutton Inquiry on 28 August 2003 was made by his Spokesman on 16 July 2004. The National Archives, *Press Briefing: 11am Friday 16 July 2004*.

²²² Private hearing, Part 1, pages 67-68.

578. Asked what conclusions he had drawn when reviewing the case in 2004, SIS3 replied:

“Well, I think it illustrated, first of all, the dangers of a chain of sourcing ...

“The second point is that when you have senior people who reach down into the machinery and try moving the cogs, if I may put it like that ... you obviously disenfranchise the operational chain of command. You cut out expertise, and perhaps you also disable that element of challenge which is, I think, a very important part of operational life in the Service.

“The third point is there was a judgment ... that we had overpromised and underdelivered. I absolutely agreed with that judgment. It’s precisely what we did.”²²³

579. Pressed to clarify to whom he was referring, SIS3 told the Inquiry he was reporting what people had said about Sir Richard Dearlove, and that it had been controversial at the time at an operational and working level where he thought “people were genuinely annoyed and concerned”.²²⁴

580. Asked whether there were political pressures not to be as careful as SIS should have been over an unvalidated, untested source, SIS3 replied:

“Well, it was obviously pressure – whether you describe it as political pressure or merely pressure from Assessments Staff – to have more material, in a sense responding to the tasking that we had received. Clearly when you are under a lot of pressure to produce intelligence, there is a risk that you will take short cuts.”²²⁵

581. **The information in the report issued on 11 September was very striking and further information confirming the material as the source promised would have been of great importance in providing proof that Iraq had chemical and biological programmes.**

582. **The way the report of 11 September was used to support critical judgements in the dossier without being subject to evaluation and challenge by the appropriate technical experts or properly assessed by the JIC is addressed in Section 4.2.**

583. **The judgements were then carried forward into assessments, briefings and public statements without those involved in providing advice to Ministers and senior officials or the recipients of that advice being aware of the doubts which had emerged within SIS about the sourcing chain at any point before the decision to take military action.**

²²³ Private hearing, 2010, page 17.

²²⁴ Private hearing, 2010, page 18.

²²⁵ Private hearing, 2010, page 19.

584. Sir Richard should have alerted the Chairman of the JIC and made sure that Mr Blair and Mr Straw were informed.

585. Given the controversy about the failure to find WMD and questions about whether the intelligence had been presented accurately after the conflict, Sir Richard Dearlove should have ensured that Ministers were aware of the position when he informed the Intelligence and Security Committee that the intelligence had been withdrawn.

Withdrawal of two other streams of SIS reporting

586. By the middle of 2004, serious doubts had emerged about two further streams of reporting which had informed pre-conflict assessments on:

- the production and possession of stocks of chemical and biological agents;
- the weaponisation and deployment of those agents;
- Iraq's intentions to use chemical and biological weapons; and
- Iraq's strategy of concealment and deception.

587. On 2 June 2004, SIS alerted the FCO and No.10 to concerns about the reporting from the chain responsible for the "45 minutes" report and a number of other reports including the one which had informed the 27 November 2002 Update.

588. The ISC Report published in September 2003 stated that Sir Richard Dearlove told the Committee that the sourcing for the SIS report of 30 August (the source for the reference in the September dossier to chemical and biological weapons being deployable within 45 minutes of an order to use them), was "reliable":

"The senior military officer named and quoted in the report was in a position to comment on the deployment of chemical and biological weapons."²²⁶

589. SIS informed the FCO on 2 June 2004 that it had information casting doubt on the reliability of information from a sourcing chain which had provided intelligence before the conflict on Iraq's intentions and ability to use chemical or biological weapons.²²⁷

²²⁶ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 51.

²²⁷ Minute SIS to Kidd, 2 June 2004, 'Butler Review: Sourcing of 45 Minute Report' attaching SIS Paper, 2 June 2004, 'Speaking Note for C to Lord Butler [...]'.

590. The draft speaking note for Sir Richard Dearlove explained that new information, obtained recently when SIS met the sub-source for the first time, cast doubt on the reliability of his intelligence, and that he had provided the report referred to in the 9 September 2002 JIC Assessment, that:

“Intelligence also indicates that chemical and biological munitions could be with military units and ready for firing within 20-45 minutes.”

591. There were also doubts about other reporting from the sub-source. SIS was pursuing its validation of the reports, but intended to inform Lord Butler of the issue before Sir Richard Dearlove gave further evidence to the Butler Review on 10 June.

592. When Mr Straw saw the papers he asked for them to be sent to Mr Blair “without delay”, commenting that SIS’s description of the new information as a “snag” was “a very major understatement”, and that the information seemed “to drive a coach and horses through the veracity of the 45-minute claim”.²²⁸

593. Sir Michael Jay, commented on the papers:

“I am sure we must be open with Butler about this – and/wd have thought go into more details than proposed in [draft speaking note] ...”²²⁹

594. An SIS internal minute records that Sir Nigel Sheinwald, who succeeded Sir David Manning as Mr Blair’s Foreign Policy Adviser and Head of OD Sec in August 2003, discussed developments with Mr Blair on 5 June.²³⁰

595. On 7 June, Sir Nigel wrote to Mr Straw’s Private Office reporting that Mr Blair regarded the information “as a very serious development”, and that he had “asked for a clear damage assessment”.²³¹

596. Mr Blair had also asked:

- how the overall intelligence picture would be affected;
- what was “the position regarding the other main sources on Iraqi WMD”; and
- “where do we stand in our assessment of the veracity of Curve Ball’s material [the source for the majority of the reporting on mobile production facilities for biological agents]”.

597. Mr Blair agreed that Sir Richard Dearlove should brief Lord Butler, and that that should take place before other witnesses gave evidence to Lord Butler (on 8 June).

²²⁸ Minute Adams to Kidd, 4 June 2004, ‘Butler Review: Sourcing of 45 Minute Report’.

²²⁹ Manuscript comment Jay on Minute Adams to Kidd, 4 June 2004, ‘Butler Review: Sourcing of 45 Minute Report’.

²³⁰ Minute SIS, 7 June 2004, ‘Butler Review/SIS: Sourcing of 45 Minute Report’.

²³¹ Minute Sheinwald to Adams, 7 June 2004, ‘Butler Review: Sourcing of 45 Minute Report’.

598. SIS did not gain direct access to Curve Ball until early 2004.²³²

599. The US Commission on WMD reported that the CIA had doubts about Curve Ball from summer 2003:

“Any remaining doubts, however, were removed when the CIA was finally given access to Curve Ball himself in March 2004. At that time, Curve Ball’s inability to explain discrepancies in his reporting, his description of facilities and events, and his general demeanor led to the conclusion that his information was unreliable ... Having concluded that Curve Ball had fabricated his reporting, CIA and Defense HUMINT recalled all of it.”²³³

600. A senior SIS officer replied to the questions raised by Mr Blair on 10 June.²³⁴ The senior SIS officer stated that, if intelligence from the sub-source were withdrawn, there was:

“... still a body of intelligence which consistently indicated that Saddam was considering using CBW; that he would be prepared to use it against advancing allied forces; and that he considered possession of CBW vital to the long term survival of his regime.”

601. The senior SIS officer also reported that:

- SIS had received a large amount of liaison reporting, “about deception of UNMOVIC and the concealment of CBW; and limited reporting on the military deployment of CBW”.
- SIS was validating other sources.
- The CIA had already formally withdrawn some reporting from Curve Ball but SIS continued to judge that it was “premature to conclude ... that all intelligence from the source must be discounted”.

602. The senior SIS officer added that, as a result of its discussions with Curve Ball earlier in 2004, the “most likely function” of the trailers he had described was “to provide a breakout production capability and not the continual production of material for stockpiling”.

603. Separately, Mr Tim Dowse, who succeeded Mr Miller as Chief of the Assessments Staff in November 2003, sent Sir Nigel Sheinwald an assessment of the impact of concerns about the reliability of the sourcing chain for the 45 minute report.²³⁵ Mr Dowse stated that there were doubts about the sourcing chain which SIS was still investigating.

²³² Letter [senior SIS officer] to Scarlett, 24 March 2004, ‘CIA Position on Iraqi TPS Source’.

²³³ The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, *Report to the President of the United States*, 31 March 2005, pages 106-108.

²³⁴ Letter [senior SIS officer] to Sheinwald, 10 June 2004, ‘Butler Review: Sourcing of 45 Minute Report’.

²³⁵ Minute Dowse to Sheinwald, 18 June 2004, ‘Intelligence on Iraqi WMD: [...]’.

604. The sub-source for the 45 minute report had provided five reports which were drawn on in the JIC Assessments of 21 August, 9 September, 11 October, 6 December 2002 and 19 February 2003. In addition, he had provided the reporting for the JIC Update of 27 November.

605. Mr Dowse wrote that, while the intelligence was not “crucial to key judgements” in the JIC Assessments, it had:

“... increased our confidence in judgements that Saddam possessed and was prepared to use chemical and biological weapons – but these also rested on other intelligence.”

606. Reporting from the sub-source was crucial on “one detailed point”, the statement in the 9 September Assessment that Iraq could deploy chemical and biological weapons within 45 minutes.

607. Mr Dowse added:

“However, this would not have materially affected the key JIC judgements on Iraqi capabilities: it was seen simply as extra detail supporting the picture of the Iraqi command and control structure that we already had, based on other intelligence. The prominence this point has received in the media since the conflict was not how it was seen by the JIC at the time.”

608. An internal SIS minute of 8 June also identified that the sub-source had provided a report in late 2002 that Iraq had an indigenous UAV programme capable of CBW delivery.²³⁶

609. Mr Dowse wrote to Sir Nigel Sheinwald again on 7 July, reporting that SIS had provided a more detailed summary of its work to validate the pre-conflict sources on Iraqi WMD, which was continuing.²³⁷

610. Mr Dowse concluded:

“... we see no reason at present to revise JIC judgements on Iraqi WMD beyond the (objectively minor, but presentationally very awkward) point over the ‘45 minutes’ claim ...”

611. The Butler Report published on 14 July stated that serious doubts had emerged about the reliability of intelligence from three sources.

612. The Butler Report recorded that SIS had:

“... provided a series of commentaries on the results of their post-war validation of the main sources of human intelligence ... on Iraqi chemical and biological

²³⁶ Minute SIS, 8 June 2004, ‘Butler Review/SIS: Sourcing of 45 Minute Report’.

²³⁷ Minute Dowse to Sheinwald, 7 July 2004, ‘Validation of Sources on Iraqi WMD’.

weapons, their use and their concealment ... [D]oubts – and in some cases serious doubts – have emerged about the reliability of intelligence from three sources whose intelligence helped to underpin JIC Assessments and the Government’s dossier of September 2002.”²³⁸

613. The withdrawal of intelligence in July 2003 from the source of the reports issued on 11 and 23 September 2002 is dealt with earlier in this Section.

614. The Butler Report stated that more than 80 percent of the human intelligence reports “which had had a material influence on JIC Assessments on Iraqi deception and concealment ... came from two principal sources”; and that one of those sources produced two-thirds of the reports.²³⁹ Because both sources were “believed at the time to be reporting reliably”, there would have been “a tendency for the intelligence community to assume that they were similarly reporting reliably on Iraqi concealment and deception”.

615. In a footnote, the Butler Report drew attention to the fact that, during SIS validation of its sources after the conflict, doubts had emerged about the reliability of reporting from the source providing the smaller proportion of the reports.

616. The Butler Report stated that two sources had produced “some two-thirds of all the intelligence reports” circulated in 2002. Those reports had “had a significant influence on intelligence assessments on Iraqi use of chemical and biological weapons”:

- One of those sources “reported accurately and authoritatively on some key issues”, but on the “production and stocks of chemical and biological weapons and agents, he could only report what he learned from others in his circle of high level contacts in Baghdad”.
- In 2002, SIS issued a number of reports from the second source “quoting a new sub-source on Iraqi chemical and biological programmes and intentions”. SIS considered the second source “to be an established and reliable source” whose “intelligence on other subjects had previously been corroborated”. SIS had also included a caution about the sub-source’s links to Iraqi opposition groups.²⁴⁰

617. The Butler Report stated that it had:

“... been informed by SIS that the validity of the intelligence report on which the 45-minute claim was based has come into question. Post-war source validation by

²³⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 398.

²³⁹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 355.

²⁴⁰ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 401-403.

SIS ... has thrown doubt on the reliability of one of the links in the reporting chain affecting this intelligence report.”²⁴¹

618. The third source about which doubts had arisen provided “the vast majority of the intelligence suggesting that Iraq had developed mobile facilities for the production of biological agent”.²⁴² Sir Richard Dearlove told the Butler Review in May 2004 that these reports had “been received through a liaison service” and SIS:

“... had been able to verify that he had worked in an area which would have meant that he would have had access to the sort of information he claimed to have. But they had not been able to question him directly until after the war.”

619. SIS told the Butler Review that, after their initial debrief of the source (Curve Ball):

- It had “become apparent that significant detail did not appear in the original liaison reports ... But based on the information derived from the limited access to date we continue to judge that it is premature to conclude ... that all the intelligence from the source must be discounted.”
- SIS had concluded that the trailers described by the source as part of the mobile facilities would have produced agent in the form of a slurry, which would have a limited life, and, therefore, that the “most likely function ... was to provide a breakout production capability and not the continued production of material for stockpiling”.
- SIS was continuing to debrief the source.²⁴³

620. The Butler Report concluded that the reports received in 2000 from this source, suggesting that Iraq had recently produced biological agent were “seriously flawed”; and that the grounds for the JIC Assessments drawing on these reports (see Section 4.1) “no longer exist”.²⁴⁴

621. The Butler Report stated that the source (Curve Ball) was “a refugee”, and that his reporting had been:

“... treated with some caution by the JIC until it appeared to be confirmed by other human intelligence. The subsequent need to withdraw a key part of the reporting received through the liaison service arose as a result of misunderstandings, not because of the source’s status.”²⁴⁵

²⁴¹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 512.

²⁴² *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 406.

²⁴³ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 407-409.

²⁴⁴ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 409.

²⁴⁵ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 438.

622. The Butler Report also stated:

- **“We consider that it was reasonable for the JIC to include in its Assessments of March and September 2002 a reference to intelligence reports on Iraq’s seeking mobile biological production facilities. But it has emerged that the intelligence from the source, if it had been correctly reported, would not have been consistent with a judgement that Iraq had, on the basis of recent production, stocks of biological agent. If SIS had had direct access to the source from 2000 onwards, and hence correct intelligence reporting, the main evidence for JIC judgements on Iraq’s stocks of recently produced biological agent, as opposed to a break out capacity, would not have existed.”**²⁴⁶
- All JIC Assessments about the production of biological warfare agents were based on intelligence about mobile facilities.²⁴⁷

623. The Butler Report stated that reports from two further sources continued to be regarded as reliable, although it was “notable that their reports were less worrying than the rest about Iraqi chemical and biological weapons capability”.²⁴⁸

624. The Butler Report also stated that it had subsequently emerged that one of the sources on which US assessments of Iraqi ownership of mobile biological agent production facilities, including Secretary Powell’s presentation to the Security Council on 5 February 2003, had been based, a defector associated with the Iraqi National Congress, had already been retracted before the US National Intelligence Estimate was issued in October 2002.²⁴⁹ That report was not relied on by the UK.

625. On 30 January 2004, Mr Scarlett informed Sir Nigel Sheinwald of US concern about a “Notification to Congress that one piece of intelligence underpinning” Secretary Powell’s presentation to the UN on 5 February 2003 “came from an unreliable source”.²⁵⁰

626. Mr Scarlett commented:

“This discredited report was sent to SIS but not issued by them so it was not reflected in our classified assessments or in the dossier. There is one reference in the dossier (the Executive Summary) to mobile ‘laboratories’. This was a general term to cover mobile facilities and was not meant to be distinct from ‘production’ units. In terms of any press lines it will be sufficient to say that the discredited report was not issued by SIS.”

²⁴⁶ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 530.

²⁴⁷ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 523.

²⁴⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 410.

²⁴⁹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 521.

²⁵⁰ Minute Scarlett to Sheinwald, 30 January 2004, ‘Iraqi WMD: Update from CIA’.

627. Reporting from the sourcing chain which had produced the “45 minutes” report was withdrawn on 28 September.

628. On 28 September, a senior SIS officer wrote to Mr Straw’s Private Office formally withdrawing all the reporting from the sourcing chain that had produced the 45 minute report.²⁵¹ There were concerns that the source had coached the sub-source; that the sub-source had fabricated reports; and that the source might not have accurately reported the information from the sub-source.

629. The SIS officer stated that the assessment of the impact of withdrawing the reporting provided by Mr Dowse on 18 June still stood.

630. At the JIC meeting on 29 September, Mr Ehrman noted that SIS had circulated a letter withdrawing one of the lines of reporting on Iraq’s WMD:

“It would be drawn to ... [Mr Straw’s and Mr Blair’s] attention. After the work of the ISG was concluded, and SIS had completed validation of the sources, it would be necessary to review the JIC Assessments circulated in the run-up to the Iraq war. The results would be discussed at a future JIC meeting.”²⁵²

631. SIS formally withdrew the reporting from Curve Ball on 29 September 2004.

632. On 29 September, the same senior SIS officer wrote to Mr Straw’s Private Office stating that SIS had concluded that all the reporting from Curve Ball should formally be withdrawn.²⁵³ SIS and the DIS had reached a common position on the technical aspects of the reporting in May 2004, which had been submitted to the Butler Review. They continued to assess that the transportable production system described in the reporting was compatible with BW production.

633. The senior SIS officer also stated:

- It was now not clear whether Curve Ball had ever told the liaison service whose control he was under that he believed the system was BW-related.
- Substantial UK and ISG efforts to collect significant collateral to conclude that the system was BW-related had produced little that was concrete.
- There were “irreconcilable inconsistencies” in Curve Ball’s claims for the production process which meant that, notwithstanding its scientific coherence, SIS “now have some doubts about the overall veracity” of the story.
- Curve Ball had been a very difficult defector to handle and access to Curve Ball had proved challenging.

²⁵¹ Minute [senior SIS officer] to [Private Secretary/FCO], 28 September 2004, ‘Withdrawal of [name of source] CX’.

²⁵² Minutes, 29 September 2004, JIC meeting.

²⁵³ Letter SIS to Private Secretary [FCO], 29 September 2004, ‘CURVEBALL: Withdrawal of [...] reporting’.

634. The senior SIS officer concluded that the reporting was:

“... issued against a background of possible future military action in Iraq in which British Forces might participate. In these circumstances, and given [a liaison service’s] assessment of his reliability, the technical credibility of his story and the previously expressed Iraqi interest in a mobile CW production capability, it would have been difficult not to treat seriously ...”

635. Mr Ehrman wrote to the SIS senior officer on 1 October stating that, once the ISG had issued its report, he intended that the JIC “should conduct a comprehensive review of its past judgements”.²⁵⁴ He also asked SIS to confirm that there were no further questions about other sources.

636. Sir Nigel Sheinwald confirmed that Mr Blair had seen the senior SIS officer’s “submissions of 28 and 29 September” and was “content with the proposal to withdraw the intelligence concerned”.²⁵⁵

637. Following a conversation on 4 October, between Mr John Scarlett, who had succeeded Sir Richard Dearlove as Chief of SIS, and Mr Straw, Mr Scarlett’s Private Secretary wrote to Mr Straw’s Private Office about informing the ISC of the decision.²⁵⁶ Mr Scarlett intended to write to the Chair of the ISC informing the Committee that the two streams of reporting had been withdrawn. If Mr Straw remained of the view that there was “an imperative to report the fact of the withdrawals now and in public”, a Written Ministerial Statement could then, with the ISC Chair’s agreement, refer to the SIS correspondence with the Committee in the context of Lord Butler’s recommendations and the exceptional Parliamentary and public interest in the “45 minutes intelligence” in particular.

638. A draft Written Ministerial Statement was also provided for Mr Straw’s consideration.

639. The withdrawal of intelligence was announced by Mr Straw on 12 October:

“The House will recall that the Butler committee concluded ... that the validity of the line of reporting that included the 45-minute intelligence had come into question. It further concluded that reporting received from a liaison service on Iraqi production of biological agent was ‘seriously flawed’. The House will now wish to be aware that the Chief of the Secret Intelligence Service has written to ... the Chairman of the Intelligence and Security Committee, formally withdrawing those two lines of reporting.

²⁵⁴ Letter Ehrman to [Senior SIS Officer], 1 October 2004, ‘Withdrawal of [source] CX’.

²⁵⁵ Letter Sheinwald to [Senior SIS Officer], 11 October 2004, ‘Withdrawal of [sources] CX’.

²⁵⁶ Letter PS/C to Adams, 7 October 2004, ‘Withdrawal of Iraq WMD Reporting’ attaching draft Letter C to Taylor, ‘Withdrawal of Iraq WMD Reporting’ and draft Ministerial Statement.

“But I do not accept, even with hindsight, that we were wrong to act as we did in the circumstances that we faced at the time. Even after reading all the evidence detailed by the Iraq Survey Group, it is still hard to believe that any regime could behave in so self-destructive a manner as to pretend that it had forbidden weaponry, when in fact it had not.”²⁵⁷

JIC ASSESSMENT, 23 DECEMBER 2004: ‘IRAQI WMD – A REVIEW OF JIC JUDGEMENTS MADE IN 2002’

640. At the request of the JIC, its Assessments of Iraqi WMD programmes in 2002 were reviewed in December 2004.²⁵⁸

641. The minutes of the JIC discussion on 22 December of the draft paper on WMD recorded that the points made included:

- The paper had been produced at the JIC’s request and “reviewed the 2002 JIC judgements of Iraqi WMD programmes, capabilities and intentions, in the light of subsequent investigations, particularly the findings of the Iraq Survey Group”.
- The JIC’s 2002 judgements on ballistic missiles had been “partially substantiated”. Iraq “had developed missiles that exceeded the legal range of 150km, and had designs for missiles with ranges up to 1000km. The paper should not be so definitive in its conclusions. While our knowledge had been considerably enhanced, the ISG itself acknowledged that more information may yet come to light, and the picture was still incomplete”.
- The box on the intelligence base in the Assessment “should highlight the limited, fragmentary nature of the intelligence, and the fact that much of the CBW reporting had been withdrawn. But the paper should also point out that many of the JIC’s judgements were informed by UNSCOM reporting, and even without the withdrawn intelligence, would have remained reasonable judgements based on what we knew at the time”.
- The JIC “would discuss lessons learned as part of following up the Butler Review recommendations”.²⁵⁹

642. The Assessment, issued on 23 December, made clear that it was not examining the process through which assessments and judgements were made or attempting to analyse the findings of the ISG in detail.²⁶⁰ The ISG findings provided “a baseline against which to compare the pre-conflict JIC Assessments”. The ISG had “considerably enhanced” the UK’s knowledge, but it had “acknowledged” that its findings were “by no means definitive and new information may yet come to light”.

²⁵⁷ House of Commons, *Official Report*, 12 October 2004, columns 151-152.

²⁵⁸ JIC Assessment, 23 December 2004, ‘Iraqi WMD: Review of Judgements made in 2002’.

²⁵⁹ Minutes, 22 December 2004, JIC meeting.

²⁶⁰ JIC Assessment, 23 December 2004, ‘Iraqi WMD: Review of Judgements made in 2002’.

643. The Assessment stated:

“The ISG judged that Saddam wanted to recreate Iraq’s WMD capability, but only after sanctions were removed and the economy had stabilised. He aspired to develop a nuclear capability in an incremental fashion, and intended to focus on ballistic missile and tactical warfare capabilities. The ISG found that Iran was the prime motivator for this policy, with a secondary requirement to balance Israel and have influence in the Arab world.”

644. Against that background, and validation work on the intelligence on which its judgements had been based, the JIC reviewed its 2002 Assessments of Iraq’s activities:

“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” (CIG Assessment, 15 March 2002).

- The judgement “was wrong in that Iraq was not pursuing a nuclear weapons programme, but correct on Iraq’s nuclear ambitions and its inability to produce a nuclear weapon under sanctions”.
- “The ISG found no indigenous nuclear production capability or a reconstitution of effort to produce nuclear weapons.”
- “It did find evidence of efforts to preserve nuclear related intellectual capabilities post 1991, with the probable intention of restarting a nuclear programme once sanctions ended ...”
- “Intelligence dated June 2002 identified Iraqi interest in seeking uranium ore from Niger. The ISG has contested this, but it has not been possible for the UK to share the relevant intelligence [...] This intelligence stands.”

“Iraq retains up to 20 Al Hussein ballistic missiles” (CIG Assessment, 15 March 2002).

- The judgement had “not been substantiated”.
- “The ISG judges that Iraq probably did not retain any SCUD-variant missiles after 1991 ...”

“Iraq has begun development of medium range ballistic missiles over 1000km” (CIG Assessment, 15 March 2002).

- The judgement “had been partly substantiated: the ISG found that Iraq had authorised its scientists to develop missiles with ranges in excess of ... 150km ... and had designs for missiles with ranges up to 1000km”.

“Iraq may retain some stocks of chemical agents ... 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” (CIG Assessment, 15 March 2002).

- “Although a capability to produce some agents probably existed, this judgement has not been substantiated.”
- “The ISG judged that by 2003 Iraq probably had a capability to produce large quantities of mustard within three to six months. Saddam never abandoned his intention to resume a CW effort.”
- “... [T]he Iraqi Intelligence Service (IIS) may have maintained covert laboratories ... though this probably reflected requirements for small-scale operations by intelligence services and special forces, particularly for use against internal dissent.”
- “The ISG judged that Iraq unilaterally destroyed its undeclared CW stockpile in 1991, although a small number of weapons either escaped destruction or suffered only partial damage.”

“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” (CIG Assessment, 15 March 2002).

- “The ISG found no direct evidence of a BW programme after 1996. It concluded, however, that Saddam probably intended to resume a BW programme if the opportunity arose.”
- “The ISG found that Iraq had dual-use facilities which could have allowed BW production to resume, but not within the timeframe judged by the JIC, and found no evidence that production had been activated.”
- The “judgements on Iraq’s ability to produce biological agent within days were based on reporting of a TPS [transportable production system] which has been subsequently withdrawn, and evidence (largely imagery) of the refurbishment of a facility involved in BW research and production before the first Gulf war. While acknowledging the possibility that a TPS capability did exist, the ISG uncovered no evidence of such systems.”
- “... the IIS may have had a series of small laboratories conducting small scale BW work ... The ISG was not able to establish the full scope and nature of the laboratory work.”

“Recent intelligence indicates that production of chemical and biological weapons is taking place” (JIC Assessment, 9 September 2002).

- “The ISG found that, while there were no credible indications that Baghdad resumed production of chemical munitions post-1991, Iraq did conserve intellectual CW capability, and enhanced its chemical infrastructure in the mid-1990s.”

- The reporting on which the assessment was based had “not been subsequently substantiated by the ISG”.

“Intelligence [also] indicates that chemical and biological munitions could be with military units and ready for firing within 20-45 minutes” (JIC Assessment, 9 September 2002).

- The reporting had been withdrawn.

“Iraq has a chemical and biological weapons capability and Saddam is prepared to use it” (JIC Assessment, 9 September 2002).

“Saddam has already taken the decision that all resources, including CBW, be used to defend the regime from attack. One report states that Saddam would not use CBW during the initial phase of any military campaign, but would use CBW once a ground invasion of Iraq has begun” (paragraph 4, JIC Assessment, 9 September 2002).

“Intelligence indicates that Saddam has identified Bahrain, Jordan, Qatar, Israel and Kuwait as targets” (paragraph 6, JIC Assessment, 9 September 2002).

- The reporting specifically referred to in paragraph 4 had been withdrawn; as had the report on which paragraph 6 was based. “However, other intelligence on Iraqi CBW programmes and activities, and on Israel and Kuwait as possible targets, supported the Key Judgement and elements of the detail quoted.”
- The ISG findings did “not support the JIC judgement that Saddam would use all resources, including CBW”.

“Saddam ... might use CBW ... against coalition forces, neighbouring states and his own people. Israel could be his first target” (JIC Assessment, 6 December 2002).

- Based on Iraq’s actions pre-1991 and during the first Gulf Conflict, the judgement would have remained a reasonable one although reporting which had been used in compiling the Assessment had subsequently been withdrawn.
- An Assessments Staff Intelligence Update on 27 November 2002 referred to recent intelligence that Saddam Hussein had reiterated his intention to use CBW to defend his regime “if allied forces approached Baghdad, if Basra, Kirkuk or Mosul fell to Allied control, or if Iraqi units rebelled”. He “would wait and see how neighbouring countries reacted to an allied attack, and whether they allowed their territory to be used by Allied forces, before deciding whether to use CBW against them”. His initial targets would be “Israel, Kuwait and Jordan”. That reporting was withdrawn.

645. The Assessment stated:

“The JIC’s judgements on Iraq’s production, retention and the availability of chemical and biological agents in 2002/3 cannot currently be substantiated.”

JIC DISCUSSION, 9 FEBRUARY 2006

646. In an “open discussion” of the lessons learned on Iraq in the JIC on 9 February 2006, the minutes record that the following points were made:

i. the more important a subject became, the more rigorously checks and balances needed to be applied to JIC product;

ii. peer review of work was vital for some, but not all Assessments. This was particularly so when, in fast changing situations, the JIC was subject to an upward pressure of increased intelligence flow and a downward pressure of demand from senior readers; and

iii. it was vital that the knowledge base within the Assessments Staff was not allowed to atrophy in lower priority subject areas ...²⁶¹

Reliability of intelligence

647. Iraq was undoubtedly a difficult intelligence target and the UK had no sources of human intelligence with reliable first-hand knowledge of Iraq’s WMD capabilities or Saddam Hussein’s intentions.

648. The ISC stated that Iraq was a hard target but SIS “successfully ran a number of agents against Iraq and Saddam’s regime” who “provided intelligence over a wide range of topics, although the SIS acknowledged that coverage on some subjects was stronger than on others”.²⁶²

649. The ISC described the SIS process of issuing intelligence reports in the following terms:

“The SIS collects human intelligence (HUMINT) when agents, who can also be known as sources, report back to their case officer. Sources either operate on their own or quote a sub-source, who may be quoting another sub-source of their own. After a meeting or communication between agent and [SIS] case officer, the information is checked by the SIS who, after consulting experts as necessary, issue an intelligence report. This report contains the information provided by the agent (who by definition is the single source for the information) and an assessment of the reliability of the agent and any sub-sources, as appropriate, together with SIS comments. The SIS comments will refer the reader of the report to any other

²⁶¹ Minutes, 9 February 2005, JIC meeting.

²⁶² Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 32.

intelligence that either confirms or conflicts with the information provided by the agent and will put the report in context where required. This is to ensure that the reader is able to make the best judgement on the veracity of the intelligence.”²⁶³

650. Addressing comments “about the unreliability of ‘single-source reporting’”, the ISC added:

“Some ... intelligence that agents produce cannot be verified or corroborated by intelligence from other sources. The professional judgement of the agent’s reliability is based on all that is known about the agent and their circumstances, including the reliability of information that can be verified. It is possible to recruit a reliable agent with exceptional access to high-grade intelligence. Examples ... are amongst the most valuable agents that the UK has ever had. Each was the origin of ‘single-source’ reporting from SIS. For much of the reporting there was no collateral from other sources.”²⁶⁴

651. The Butler Report stated:

“Validation of human intelligence sources after the war has thrown doubt on a high proportion of those sources and of their reports, and hence on the quality of the intelligence assessments received by Ministers and officials in the period from summer 2002 to the outbreak of hostilities. Of the main human intelligence sources described above:

- **One SIS main source reported authoritatively on some issues, but on others was passing on what he had heard within his circle.**
- **Reporting from a sub-source to a second SIS main source that was important to JIC assessments on Iraqi possession of chemical and biological weapons must be open to doubt.**
- **Reports from a third SIS main source have been withdrawn as unreliable.**
- **Reports from two further SIS main sources continue to be regarded as reliable, although it is notable that their reports were less worrying than the rest about Iraqi chemical and biological weapons capabilities.**
- **Reports received from a liaison service on Iraqi production of biological agent were seriously flawed, so that the grounds for JIC assessments drawing on those reports that Iraq had recently-produced stocks of biological agent no longer exist.”²⁶⁵**

²⁶³ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 25.

²⁶⁴ Intelligence and Security Committee, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, September 2003, Cm5972, paragraph 26.

²⁶⁵ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 436.

652. In its consideration of the reasons why “such a high proportion of the human intelligence reports should have been withdrawn or subsequently be subject to doubt”, the Report’s conclusions included:

“... **the length of the reporting chains.** Even when there were sources who were shown to be reliable in some areas of reporting ... in other areas ... where they did not have direct knowledge [they had] to draw on sub-sources or sub-sub-sources. This was the case with the first of the two dominant sources [in the previous paragraph].

“... **agents who were known to be reliable were asked to report on issues going well beyond their usual territory,** leading to intelligence reports which were more speculative than they would have provided on their own specialisms. We believe this to have been the case with some aspects of the reporting of the second of the two dominant sources.

“... because of the scarcity of sources and the urgent requirement for intelligence, more credence was given to untried agents than would normally be the case. This was the case with the report received between the JIC assessment of 9 September 2002 and the publication of the Government’s dossier in September 2002.”²⁶⁶

653. Asked about the difficulty of obtaining intelligence on Iraq’s weapons of mass destruction programmes and capabilities, Sir John Scarlett told the Inquiry:

“... when we are talking about the nuclear or chemical or biological or missile programmes, we are talking about the most secret parts of what is already a highly secretive state. We are talking about secret parts which are highly compartmented. So you might achieve access to somebody who knows a lot about a particular ... programme, but by definition they are not going to have a broader picture.

“So you need a lot of such sources at a ground level to really get detailed information about the programme. And, of course, with WMD you have ... dual-use, where it is very difficult to interpret any information or intelligence that you acquire as to whether it is relevant to the programmes ...”²⁶⁷

654. Asked about intelligence on the thinking of the leadership and military commanders, Sir John stated:

“They were both very difficult ... [W]e did have ... some insight, we believed into the thinking of the leadership and the work done subsequently in Iraq after the conflict by the Iraq Survey Group would suggest that some of those insights were not far off reality.

²⁶⁶ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraphs 440-442.

²⁶⁷ Public hearing, 8 December 2009, page 31.

“The problem was ... that ... this was a highly autocratic state, where almost everybody revolved around the person, the thinking the behaviour and whims of the leader. So it was what was going on in his mind which was critical, and that was very difficult to fathom. And by his [Saddam Hussein’s] nature such a society generates, deliberately or not, obfuscation and uncertainty. Nobody quite knows what about what. There is a great deal of uncertainty of knowledge.

“So an individual, maybe a very senior military or civilian commander who you would normally expect to have quite a confident view of a particular issue or capability ... might not ... might say ... I don’t know about this, but ... a friend who does ... tells me ... and you wouldn’t really know whether that was true or not.”²⁶⁸

655. Sir John subsequently told the Inquiry:

“... taken overall, I think as of mid-March 2003 ... I think we said five lines [of HUMINT] by that stage ... [T]hat was a general statement which we were given by the agency [SIS]. It wasn’t something that reflected research and real knowledge on our part.”²⁶⁹

656. SIS1 told the Inquiry:

“I think there was a sense in Iraq where the leader wished to convey to a fearful regime and the people that he was powerful, that he had things up his sleeve, and that those who were responsible for various programmes wanted to convince the leader that work was continuing and that there were capabilities. It was not a well organised place. It was extremely repressive.

...

“And it was corrupt. So people told people up and down what they wanted to hear, and things which suited their ends.”²⁷⁰

657. The Inquiry asked SIS1 whether SIS sources and Iraqis in direct contact, for example, with the UN and Sir Jeremy Greenstock, who were saying, “we don’t have anything”, were telling the truth as they knew it then, or whether he thought some of them did suspect they had something but that was the party line. SIS1 replied:

“Many of them believed they had it, and in a way that was part of the picture that we were getting [...].”²⁷¹

658. Asked whether he thought there were any lessons, SIS1 observed, “we based a lot on not enough”.²⁷²

²⁶⁸ Public hearing, 8 December 2009, pages 32-33.

²⁶⁹ Private hearing, 5 June 2010, page 31.

²⁷⁰ Private hearing, 2010, pages 57-58.

²⁷¹ Private hearing, 2010, page 58.

²⁷² Private hearing, 2010, page 82.

659. In response to a question about the extent to which SIS had been obliged to rely on sources who were not WMD experts and the implications of that position, SIS4 confirmed SIS did not generally have agents with first-hand, inside knowledge of Iraq's nuclear, chemical, biological or ballistic missile programmes.²⁷³

660. Sir David Omand told the Inquiry:

“I think there were certainly people in the intelligence community, and there are still some, who believe that something will turn up in Syria, and I am certainly not going to break my own rules and say categorically that won't happen. We could all still be surprised. But there was a sense in which, because of past successes – very, very considerable successes supporting this Government, that SIS overpromised and underdelivered, and when that became clear that the intelligence was very hard to find ... they really were having to bust a gut to generate the intelligence.

“I think the Butler Committee really uncovered that the trade craft at that point wasn't as good as it should have been for validation ... that's one of the background reasons why people were very unwilling to actually conclude: no ... we may have miscalculated, or misassessed this.”²⁷⁴

A LESSON LEARNED?

661. As the current version of *National Intelligence Machinery* explains, JIC Assessments put intelligence in the context of wider knowledge available and past judgements and historic evidence.²⁷⁵ They also need to try to understand, drawing on all sources at their disposal, the motivations and thinking of the intelligence targets and sources.

662. Reflecting the findings and recommendations of the Butler Review in relation to the nature of intelligence and the way in which it was used before the conflict in 2003, the document also states:

“Intelligence ... may by its nature be fragmentary or incomplete. It needs to be analysed in order to identify significant facts, and then evaluated in respect of the reliability of the information in order to allow a judgement to be made about the weight to be given to it before circulation either as single source reports or collated and integrated with other material as assessments.

“SIS and GCHQ evaluate and circulate mainly single source intelligence. The Security Service also circulates single source intelligence although its primary product is assessed intelligence. Defence Intelligence produces mainly assessed reports on an all-source basis ...

²⁷³ Private hearing, Part 1, page 68.

²⁷⁴ Public hearing, 20 January 2010, pages 63-64.

²⁷⁵ Cabinet Office, 19 November 2010, *National Intelligence Machinery*, page 24.

“Assessment should put intelligence into a sensible real-world context and identify elements that can inform policy-making. Evaluation, analysis and assessment thus transform the raw material of intelligence so that it can be assimilated in the same way as other information provided to decision-makers at all levels of Government.”²⁷⁶

663. The Cabinet Office document also states:

“Intelligence collected by the three [intelligence] Agencies is passed directly in the form of reports to customer departments in Government, where it informs and assists decision-making. It contributes with other sources of information to threat assessment work and other longer-term analysis and assessment. Intelligence reporting from the Agencies is also used to support field operations by the Armed Forces and the law enforcement agencies.”

“You can’t take good decisions unless you have good information and can separate facts from opinion and speculation.”²⁷⁷

Conclusions

664. The core construct 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, underpinned the UK Government position that Iraq was a threat that had to be dealt with and it needed to disarm or be disarmed.

665. That remained the case up to and beyond the decision to invade Iraq in March 2003.

666. As the Report of the *Review of Intelligence on Weapons of Mass Destruction* (the Butler Report) stated:

“Intelligence on Iraqi nuclear, biological, chemical and nuclear programmes was used in support of the execution of ... [Government] policy on Iraq for three main purposes:

- **To inform planning for a military campaign** if that should be necessary, in particular in relation to unconventional weapons, for providing the necessary safeguards for coalition troops, diplomatic personnel and others; and for targeting.
- To inform domestic and international opinion of the UK’s assessment of Iraq’s holdings, programmes and intentions, **in support of the Government’s advocacy of its changing policy towards Iraq.**

²⁷⁶ Cabinet Office, 19 November 2010, *National Intelligence Machinery*, page 36.

²⁷⁷ Cabinet Office, 19 November 2010, *National Intelligence Machinery*, page 20.

- **To obtain and provide information to United Nations inspectors** about the likely locations of weapons and programmes which contravened the terms of United Nations Security Council resolutions.”²⁷⁸

667. From October 2002 onwards, the JIC focused on two main themes:

- **Iraq’s attitude to the return of the inspectors and, from 8 November, its compliance with the specific obligations imposed by resolution 1441.**
- **Iraq’s options, diplomatic and military, including the possible use of chemical and biological weapons and ballistic missiles against Coalition Forces or countries in the region in either pre-emptive attacks or in response to a military attack.**

668. The way in which the assessments and intelligence on Iraq’s WMD were used in pursuit of the UK’s strategy towards Iraq is considered in Section 3.

669. In its Assessment of 18 December, the JIC made the judgements in the UK Government September dossier part of the test for Iraq.

670. The judgements about Iraq’s capabilities and intentions relied heavily on Iraq’s past behaviour being a reliable indicator of its current and future actions.

671. There was no consideration of whether, faced with the prospect of a US-led invasion, Saddam Hussein had taken a different position.

672. Mr Scarlett wrote on 30 January 2003 that Saddam Hussein had “followed essentially the same strategy and tactics as during the 1990s”.²⁷⁹

673. Mr Scarlett told No.10 on 17 March that the JIC was clear that Iraq possessed chemical and biological weapons, the means to deliver them, and the capacity to produce them.²⁸⁰ He stated that the starting point for those judgements was the “knowledge of Iraq’s past WMD programmes” which demonstrated “not only large-scale possession of these weapons, and the readiness to use them, but also Saddam’s determination to retain WMD”.

674. The absence of evidence of proscribed programmes and materials relating to the production or delivery of chemical, biological or nuclear weapons was attributed to Iraq’s ability to conceal its activities and deceive the inspectors and the difficulties which it had been anticipated the inspectors would encounter.

²⁷⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 431.

²⁷⁹ [Minute Scarlett to Manning, 30 January 2003, ‘Iraq: JIC Assessment and Personal Observations’.](#)

²⁸⁰ [Minute Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’.](#)

675. Many of Iraq’s perceived capabilities, such as relatively small, transportable or mobile facilities to produce chemical and biological agents or documentation left over from past programmes, were seen as likely to be difficult to find in a country the size of Iraq.

676. The JIC Assessment of 11 October 2002 stated that a good intelligence flow from inside Iraq, supporting tougher inspections, would be “central to success”.²⁸¹

677. On 30 January 2003, Mr Scarlett wrote that it was odd that the Iraqi regime did not appear “to be worried about the obvious risk of leaks from the thousands of people aware of this concealment activity”.²⁸² Mr Scarlett attributed that success to the “brutal discipline” of the regime.

678. Mr Scarlett stated that he continued:

“... to be struck by the regime’s ability to conduct complex surveillance and deception operations without unforced errors or major slip ups. Co-ordinating the dispersal of materials and associated documentation around the country and fielding surprise UNMOVIC and IAEA visits to hundreds of sites in a few weeks is a complex undertaking and evidence of the regime’s continuing grip on the population at least of central Iraq.”

679. A key element of the Assessments was the reporting and intelligence on Iraq’s intentions to conceal its activities, deceive the inspectors and obstruct the conduct of inspections, particularly Iraq’s attitudes to preventing interviews with officials who were identified as associated with its proscribed programmes or who had been involved in Iraq’s unilateral destruction of its weapons and facilities.

680. The large number of intelligence reports about Iraq’s activities were interpreted from the perspective that Iraq’s objectives were to conceal its programmes.

681. For instance, reporting in late November 2002 that Saddam Hussein was confident that inspectors would not find anything was interpreted as confidence that Iraq’s policy of concealment would work, not as an indication that there was nothing to find.

682. In his minute to Sir David Manning of 17 March 2003, Mr Scarlett described UNMOVIC’s failure to uncover significant chemical and biological weapons as “disappointing”, but “not wholly unexpected”.²⁸³

²⁸¹ [JIC Assessment, 11 October 2002, ‘Iraq: The Return of UN Inspectors’.](#)

²⁸² [Minute Scarlett to Manning, 30 January 2003, ‘Iraq: JIC Assessment and Personal Observations’.](#)

²⁸³ [Minute Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’.](#)

683. Intelligence of 17 March 2003, that Saddam Hussein had not asked about chemical weapons or ordered their reassembly, was viewed in the context of a policy of concealment and the absence of chemical warheads for missiles rather than as an absence of the capability.

684. Similarly, Iraq’s actions were consistently interpreted as indicative of deceit.

685. The ability to interview scientists and engineers involved in past programmes or involved in Iraq’s unilateral destruction of weapons and materials was increasingly seen as the key to identifying Iraq’s deception and the litmus test for Iraqi co-operation.

686. As Mr Straw told the FAC on 4 March 2003, interviews would “expose the regime’s deception and its stockpile of weapons”.²⁸⁴

687. The Government’s focus on this issue intensified in early 2003 with the failure to find evidence of Iraqi chemical, biological and nuclear programmes.

688. The decision to include provision for interviews inside and outside Iraq in resolution 1441 (2002), and the subsequent discussion about the conduct of such interviews, are described in Sections 3.5 to 3.8. These Sections show the UK recognised that a policy of interviews outside Iraq would be difficult to implement.

689. Dr Blix had initially expressed reservations about interviewing Iraqi personnel outside Iraq but on 7 March he told the Security Council that he would be requesting such interviews “shortly”.

690. Mr Blair told the Inquiry that Saddam Hussein:

“... was deliberately concealing documentation, and ... he was deliberately not allowing people to be interviewed properly.

“In December 2002 ... we received information, and this information remains valid, that Saddam called together his key people and said that anybody who agreed to an interview outside of Iraq was to be treated a spy.”²⁸⁵

691. Mr Blair added:

“... the reason for that is very simple, and it emerges from the Iraq Survey Group report. He retained full intent to restart his programme, and, therefore, it was very important for him that interviews did not take place, because the interviews with senior regime members were precisely what would have indicated the concealment and the intent.”²⁸⁶

²⁸⁴ Minutes, Foreign Affairs Committee (House of Commons), 4 March 2003, [Evidence Session].

²⁸⁵ Public hearing, 29 January 2010, page 104.

²⁸⁶ Public hearing, 29 January 2010, pages 104-105.

692. There were, of course, other reasons why an insecure regime, convinced that past inspections had been used for espionage and facing military attack, would want to limit the conversations key personnel were having with foreigners while military action was threatened.

693. Asked whether the intelligence on Saddam Hussein's strategy for dealing with inspections reinforced the view that there really was something to hide, SIS1 told the Inquiry:

"I think they looked guilty as hell. In a way it's a sort of spectacular miscalculation, and I think it's partly because of their paranoia about being open to hostile scrutiny, and partly because they had stuff to hide, but not necessarily what the inspectors were looking for. From military secrets to, as I mentioned before, embargo breaking, but on things that would not have been prohibited as part of the programmes.

"So there was quite a lot of evidence of the unco-operative and mule-headed and crude efforts to make the inspectors' life more difficult. Demonstrations, car crash, you know, traffic problems and heavy surveillance.

...

"Yes, and it seemed to form part of a consistent picture, allowing for the fact that there was a certain assumption in the first place about what that picture was."²⁸⁷

694. From early 2003, the Government drew heavily on the intelligence reporting of Iraq's activities to deceive and obstruct the inspectors to illustrate its conclusion that Iraq had no intention of complying with the obligations imposed in resolution 1441.

695. The Government also emphasised the reliability of the reporting.

696. The briefing provided by SIS1 for Mr Blair to use in his interview on *BBC's Breakfast with Frost* programme on 26 January was one instance. Much of the same material was used in the No.10 dossier published on 3 February.

697. Mr Straw set out similar arguments in his statement to the FAC on 4 March in which he referred to an "elaborate screen of concealment based on intimidation and deception".

698. In conversations with key allies and public statements by both Ministers and senior officials, including Sir Jeremy Greenstock's presentations to the Security Council in February and March 2003 and the visit by Sir David Manning and Mr Scarlett to Mexico and Chile which are described briefly in this Section, the UK emphasised that its intelligence on Iraq's capabilities and intentions was reliable and well sourced.

²⁸⁷ Private hearing, 2010, page 56.

699. The Butler Report stated:

“... there was throughout this period a substantial volume of intelligence reports on Iraqi deceptions and concealment activities, coupled with – as UNMOVIC reported – a lack of active co-operation with the inspectors. There were also the UNMOVIC discoveries ... Even so, we are surprised that neither policy-makers nor the intelligence community ... conducted a formal re-evaluation of the quality of the intelligence and hence of the assessments made on it. We have noted in departmental papers expressions of concern about the impact on public and international opinion of the lack of strong evidence of Iraqi violation of its disarmament obligations. But those involved seem to have operated on the presumption that the intelligence was right, and that it was because of the combination of Iraqi concealment and deception activities and perceived UNMOVIC weaknesses that such evidence was not found.”²⁸⁸

700. In his minute of 11 February issuing guidance on the use of intelligence in CIC products, Sir David Omand pointed out that “the reputation of the intelligence community” was “at risk” whenever intelligence material and judgements were “attributed to the Government”.²⁸⁹

701. The reputation of the Government was equally at risk whenever it used material from the intelligence community as evidence in support of its policy.

702. The JIC’s judgement from August 2002 until 19 March 2003 remained that Iraq might use chemical and biological weapons in response to a military attack.

703. Despite the lack of firm intelligence about Iraqi plans, the JIC continued to judge that Iraq might use chemical and biological weapons. The JIC did not, however, address the tension between that judgement and its judgement that Saddam Hussein’s primary objective was the survival of his regime.

704. In addition, although the quantity of chemical and biological weapons and material which was unaccounted for, or could have been produced, since 1998 was significant, it was much less than Iraq had possessed in 1991 and would have been of limited utility on the battlefield against the Coalition, as the evidence on military planning set out in Sections 6.1 to 6.3 demonstrates.

705. Iraq’s ability to use chemical or biological weapons to pose a threat to countries in the region would have depended on having an effective means of delivery, which was questionable.

²⁸⁸ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 362.

²⁸⁹ Minute Omand to Campbell, 11 February 2003, ‘The Use of Intelligence in CIC Products’.

706. The JIC Assessment of 19 March 2003 recognised that Iraq’s ability to use chemical or biological weapons was likely to be limited.

707. Iraq’s statements that it had no weapons or programmes were dismissed as further evidence of a strategy of denial.

708. In addition, the extent to which the JIC’s judgements depended on inference and interpretation of Iraq’s previous attitudes and behaviour was not recognised.

709. At no stage was the hypothesis that Iraq might not have chemical, biological or nuclear weapons or programmes identified and examined by either the JIC or the policy community.

710. After its 9 September 2002 Assessment, the JIC was not asked to review its judgements on Iraq’s capabilities and programmes which underpinned UK thinking. Nor did the JIC itself suggest such a review.

711. As a result there was no formal reassessment of the JIC judgements, and the 9 September Assessment and the 24 September dossier provided part of the baseline for the UK Government’s view of Iraq’s capabilities and intentions on its chemical, biological, nuclear and ballistic missile programmes.

712. The inspections revealed in early 2003 that Iraq had undoubtedly been pursuing a range of proscribed activities which it was keen to conceal, including enhancements to its ballistic missile capabilities and procurement or attempted procurement of dual-use items that could have had a use in the production of chemical and biological agents. It also wanted to preserve its conventional capabilities.

713. But the inspectors were also reporting that they had not found any evidence of current chemical, biological or nuclear weapons programmes in Iraq.

714. Dr Blix reminded Mr Blair on 6 February that UNSCOM had said material was unaccounted for, not that it was present in Iraq. He made the same point in his report to the Security Council on 14 February, adding that if the material did not exist, “credible evidence to that effect” was needed.

715. The dismissal of Iraq’s persistent denials that it had retained weapons of mass destruction has to be considered in the context that past Iraqi statements had often been shown to be untrue. The evidence of other proscribed activities may have served to reinforce confidence in the intelligence and in UK assessments about Iraq’s other activities.

716. Given the weight which rested on the JIC’s judgements about Iraq’s possession of WMD and its future intent for the decision in March that military action should, if necessary, be taken to disarm Iraq, a formal reassessment of the JIC’s judgements should have taken place.

717. This might have been prompted by Dr Blix’s report to the Security Council on 14 February 2003, which demonstrated the developing divergence between the assessments presented by the US and the UK. Dr Blix’s report of 7 March, which challenged the view that Iraqi behaviour was preventing UNMOVIC from carrying out its tasks, should certainly have prompted a review.

718. Mr Scarlett and Sir David Manning discussed the JIC’s priorities and the need to retest the standing judgements on 3 January 2003.²⁹⁰ They did not include Iraq’s WMD programmes and its intentions to use WMD.

719. Sir David Manning rightly sought advice on the strength of the evidence showing Saddam Hussein’s possession of WMD, to which Mr Scarlett responded on 17 March.

720. But as the Butler Report stated, after the JIC’s initial assessment of Iraq’s declaration on 18 December:

“Thereafter, despite its importance to the determination of whether Iraq was in further material breach of its disarmament obligations ... the JIC made no further assessment.”²⁹¹

721. The Butler Report added:

“The JIC’s attitude will have been shaped by intelligence received in late-November that Iraq’s declaration would omit references to its prohibited programmes and more generally would seek to overload the United Nations with information. Predictions on the extreme length and nature of the declaration were subsequently borne out. Even so, we find it odd that ... the JIC produced no further assessment.”²⁹²

722. Mr Tim Dowse, Head of the FCO Non-Proliferation Department, from January 2001 to November 2003, told the Inquiry:

“... from the end of 2002 ... almost up until the invasion, we were getting a fairly steady stream of quite sort of low level intelligence, operational reports, reports coming from military sources ... about Iraqi concealment activities ... which ... had we subjected them to the JIC analytical process might have been regarded as not very strong. Collectively ... every few days getting more of this rather confirmed us in our view that, if the inspections could be pursued with a little more vigour, a little more skill, that things were there and could be found.”²⁹³

²⁹⁰ [Minute Scarlett to Miller, 3 January 2003, ‘Iraq: Questions for the JIC’.](#)

²⁹¹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 363.

²⁹² *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 364.

²⁹³ Public hearing, 25 November 2009, pages 94-95.

723. Asked whether there had been a challenge to the intelligence and if he was absolutely sure that there was not another way of explaining the material, Mr Blair told the Inquiry:

“When you are Prime Minister and the JIC is giving this information, you have got to rely on the people doing it, with experience and with commitment and integrity, as they do. Of course, now, with the benefit of hindsight, we look back on the situation differently.”²⁹⁴

724. Responding to a question about why there might have been an unwillingness to conclude the intelligence had been misassessed, Sir John Scarlett told the Inquiry:

“I think ... the situation in January and February 2003, when UNMOVIC were not finding things, and so the reaction might have been: well, why is that? But the reaction was: well it’s there. This just goes to show that UNMOVIC aren’t much use and we will find it.”²⁹⁵

725. Mr Miller acknowledged that the 18 December 2002 Assessment of the Iraqi declaration was “rooted in the intelligence view about the extent of his possession and continuing programme”.²⁹⁶ If the Assessments Staff had known then what they knew about the reliability of the intelligence reporting in July 2004, Mr Miller thought “there would still have been some serious reservations ... but that they would have been less pronounced than they were at the time.”

726. Sir John Scarlett took a more cautious view, pointing out the nature of the requirements on Iraq and its failure to address in the declaration that it had unilaterally destroyed its agent stockpile in 1991 without telling anyone or that it had destroyed the Al Hussein missiles in 1992. They had also said nothing about the work on missiles:

“So there would have been a whole series of points where the declaration would have been found to be ... not conforming with resolution 1441.”²⁹⁷

727. Sir John told the Inquiry that his:

“... own mindset ... up until early March at least, was that intelligence was being borne out by what was being found by UNMOVIC. My state of mind wasn’t: oh gosh, UNMOVIC aren’t finding things, therefore there’s something big that is wrong.

“Now, if we had continued and had more time, and this hadn’t all come to an end in the middle of March, of course that would have changed.”²⁹⁸

²⁹⁴ Public hearing, 2 February 2010, page 82.

²⁹⁵ Private hearing, 5 May 2010, page 36.

²⁹⁶ Private hearing, 5 May 2010, page 37.

²⁹⁷ Private hearing, 5 May 2010, pages 37-38.

²⁹⁸ Private hearing, 5 May 2010, page 39.

728. Mr Miller added:

“... there was a flow of intelligence to the inspectors which in some cases ... led to discoveries ... and in cases where it didn't, it simply wasn't possible for us to reach a firm view on whether the deficiency was in the intelligence or in the ability to move fast enough in Iraq to have uncovered what was said to have been concealed.”²⁹⁹

729. The problems were not confined to the UK. The US Senate Select Committee on Intelligence report on the *U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*, published on 9 July 2004, concluded:

“The intelligence community suffered from a collective presumption that Iraq had an active and growing WMD program. This “group think” led intelligence community analysts, collectors and managers to both interpret ambiguous evidence as conclusively indicative of a WMD program and to ignore or minimise evidence that Iraq did not have active and expanding weapons of mass destruction programs. This presumption was so strong that formal mechanisms established to challenge assumptions and group think were not used.”³⁰⁰

730. In the context of the lessons from the preparation of the September 2002 dossier, the Inquiry identified in Section 4.2 the benefits of separating the responsibility for assessment of intelligence from the responsibility for setting out the arguments in support of a policy.

731. The evidence in this Section reinforces that lesson. It shows that the intelligence and assessments made by the JIC about Iraq's capabilities and intent continued to be used to prepare briefing material to support Government statements in a way which conveyed certainty without acknowledging the limitations of the intelligence.

732. In the context of its examination of the role of the JIC in the preparation of the September 2002 dossier, the Butler Review commented:

“The JIC, with commendable motives, took responsibility for the dossier in order that its content should properly reflect the judgements of the intelligence community. They did their utmost to ensure that this standard was met. But this will have put a strain on them in seeking to maintain their normal standards of neutral and objective assessment. Intelligence assessment is necessarily based heavily on judgement, relying on such material as intelligence has provided. It is not simply a matter of

²⁹⁹ Private hearing, 5 May 2010, page 39.

³⁰⁰ Select Committee on Intelligence, 9 July 2004, *Report of the Select Committee on Intelligence on the U.S. Intelligence Community's Prewar Intelligence assessments on Iraq*.

reporting this material but of presenting the judgements which flow from it to an experienced readership. Explaining those judgements to a wider public audience is a very different and difficult presentational task.”³⁰¹

733. The Inquiry asked Sir David Omand whether the involvement of Mr Scarlett and Sir Richard Dearlove, as part of Mr Blair’s circle of close advisers, had risked breaching the distinction between provision of intelligence and the formulation of policy, and whether they had become too involved in the making and selling of policy.

734. Sir David Omand told the Inquiry that the “golden rule” for the Chairman of the Joint Intelligence Committee should be that: “he would deliver the views of the Joint Intelligence Committee, he would never venture a view on the policy even if asked”.³⁰²

735. Asked if it had been difficult to maintain the separation between intelligence and policy, Sir John Scarlett replied:

“I cannot recall worrying about this at the time in a deep way. Obviously I, we worried about it because we understood that it was necessary to ensure that the public assessment was consistent with what was being said in the classified assessments, and so that discipline was very strong within us, and in ways that have been discussed many times, we sought to protect ourselves against ...”³⁰³

736. Sir John added:

“So I do not recall worrying about it in a deep way or in the sense that it was something which I or we couldn’t control. It was something to which we had to pay very close attention, both through the procedures and processes we followed, and by the way we reached our judgments. But I never felt that I was not in control of the process, and I have said that on quite a number of occasions.”

737. The independence and impartiality of the JIC remains of the utmost importance.

738. As the FAC report in July 2003 pointed out, the late Sir Percy Cradock, Chairman of the JIC from 1985 to 1992, wrote in his history of the JIC that:

“Ideally, intelligence and policy should be close but distinct. Too distinct and assessments become an in-growing, self-regarding activity, producing little or no work of interest to the decision-makers ... Too close a link and policy begins to play back on estimates, producing the answers the policy makers would like ... The

³⁰¹ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, paragraph 327.

³⁰² Public hearing, 20 January 2010, pages 61-62.

³⁰³ Private hearing, 5 May 2010, page 44.

analysts become courtiers, whereas their proper function is to report their findings ... without fear or favour. The best arrangement is intelligence and policy in separate but adjoining rooms, with communicating doors and thin partition walls ...”³⁰⁴

739. Mr Straw told the FAC in 2003:

“The reason why we have a Joint Intelligence Committee which is separate from the intelligence agencies is precisely so that those who are obtaining the intelligence are not then directly making the assessment upon it. That is one of the very important strengths of our system compared with most other systems around the world.”³⁰⁵

740. The FAC endorsed those sentiments.³⁰⁶ It stated that the JIC has a “vital role in safeguarding the independence and impartiality of intelligence”; and that the “independence and impartiality of its own role” was “of the utmost importance”. It recommended that Ministers should “bear in mind at all times the importance of ensuring that the JIC is free of all political pressure”.

741. In its response to the FAC, the Government stated:

“We agree. The JIC plays a crucial role in providing the Government with objective Assessments on a range of issues of importance to national interests.”³⁰⁷

³⁰⁴ Cradock, Sir Percy. *Know your enemy – How the Joint Intelligence Committee saw the World*. John Murray, 2002.

³⁰⁵ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, 7 July 2003, *The Decision to go to War in Iraq*, HC 813-1, paragraph 153.

³⁰⁶ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, 7 July 2003, *The Decision to go to War in Iraq*, HC 813-1, paragraphs 156-157.

³⁰⁷ Foreign Secretary, *The Decision to go to War in Iraq. Response of the Secretary of State for Foreign and Commonwealth Affairs*, November 2003, Cm6062, paragraph 27.