

# Iraq

## Lies, Half-truths & Omissions

by  
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## Before the invasion, they said ...

I just think chemical weapons are goofy. ... Chemical weapons will just slow us down a little. We will batten up the tanks and drive through. I don't think Saddam will use biological weapons because they are not really suited for the battlefield. They take too long. Besides all of this shit can literally blow back on you. And nuclear, I don't think he has nuclear.

**Colin Powell, Chairman of the US Joint Chiefs, before the first Gulf War, *Against All Enemies* by Richard Clarke, p162**

We believe that the sanctions regime has effectively contained Saddam Hussein in the last 10 years. During this time he has not attacked his neighbours, nor used chemical weapons against his own people.

**Prime Minister Blair, House of Commons, 1 November 2000, see [here](#)**

And frankly they [economic sanctions] have worked. He [Saddam Hussein] has not developed any significant capability with respect to weapons of mass destruction. He is unable to project conventional power against his neighbors. So in effect, our policies have strengthened the security of the neighbors of Iraq, and these are policies that we are going to keep in place ...

**Secretary of State Powell, Press Conference in Cairo, 24 February 2001, see [here](#)**

The Iraqi threat does not keep me awake at night

**Israeli Chief of Staff Moshe Yaalon, 25 August 2002, see [here](#)**

**US Senator:** If (Saddam) didn't feel threatened, ... is it likely that he would initiate an attack using a weapon of mass destruction?

**CIA witness:** "... the likelihood I think would be low"

**US Senator:** If we initiate an attack and he thought he was in extremis or otherwise, what's the likelihood in response to our attack that he would use chemical or biological weapons?

**CIA witness:** "Pretty high, in my view"

**Evidence to US Senate Intelligence Committee, 2 October 2002, see [here](#)**

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## Foreword (Second Edition, May 2004)

### Government not cleared

This pamphlet is about the lies and half-truths we were told by the British Government in the lead up to the invasion of Iraq, and, more important, what we weren't told. It is based entirely on information that is in the public domain.

The first edition was published in November 2003. Nothing in it has been contradicted by the Hutton report published on 28 January 2004 or by other revelations since November 2003.

The Government has sought to imply that the Hutton report cleared it of all charges of mishandling intelligence in the lead up to the invasion of Iraq. As we shall see, it did not.

In a speech in his constituency on 5 March 2004, the Prime Minister [said](#):

“We have had three inquiries, including the one by Lord Hutton conducted over six months, with more openness by Government than any such inquiry in history, that have affirmed there was no attempt to falsify intelligence in the dossier of September 2002, but rather that it was indeed an accurate summary of that intelligence.”

That is simply untrue. The Prime Minister's ignorance about the 45-minute claim in the dossier proves that it is untrue. He would have known that the claim applied to battlefield weapons, and not to missiles capable of hitting Cyprus, if the dossier had been an accurate summary of the available intelligence.

It is true that there have been three inquiries of sorts, one by the Intelligence & Security Committee (ISC), another by the Foreign Affairs Committee (FAC) of the House of Commons and the third by Lord Hutton. But none of them “affirmed” that the September dossier was “an accurate summary” of the relevant intelligence.

### Intelligence & Security Committee Inquiry

Only the ISC had access to the relevant intelligence and only the ISC was therefore in a position to judge if the dossier was an accurate summary of that intelligence.

But, in its [report](#) of 11 September 2003, the ISC found that, in order to accurately reflect that intelligence, the dossier should have contained a number of important caveats (which are detailed in this pamphlet). A dossier with those caveats would not have made the “convincing” case the Government required, and would probably never have been published.

For example, the ISC said in its report (paragraph 110) that the “uncertainty” in the intelligence about current production of agents and weapons should have been “highlighted” in the dossier. According to the ISC, the Joint Intelligence Committee did not know what had been produced and in what quantities – it had merely assessed that some production of some kind had taken place at some time. On this flimsy basis, the Prime Minister made the confident assertion in his foreword that intelligence had “established beyond doubt” that “Saddam has continued to produce chemical and biological weapons”.

That is a very important issue. The dossier misled Parliament and the public by stating unequivocally that production of chemical and biological weapons was ongoing, and that therefore it was not just a matter of disarming Iraq of weapons manufactured before the Gulf War: Iraq was producing more weapons today, and the threat was increasing all the time. There was no intelligence justification for such a confident claim.

The Intelligence & Security Committee (ISC) is a Committee of MPs and peers appointed by the Prime Minister and reporting to the Prime Minister, which holds its proceedings behind closed doors. On the face of it, one would not expect it to go in for rigorous analysis of the Government's handling of intelligence.

In May 2003, the ISC decided to hold an inquiry “to examine whether the available intelligence, which informed the decision to invade Iraq, was adequate and properly assessed and whether it was accurately reflected in Government publications” (ISC report, paragraph 11). The September [dossier](#) is the most important of these. Its report is far from being a blanket endorsement of the Government’s handling of intelligence.

The ISC does not comment on who was responsible for the September dossier being flawed. According to the Government, the dossier was compiled by the Chairman of the Joint Intelligence Committee (JIC), John Scarlett, and approved by the JIC, and that they were free from political pressure in doing so. The dossier’s Executive Summary states that the “judgements” within it “reflect the views of the Joint Intelligence Committee (JIC)”.

But none of this matters: the Government published the dossier, its title is *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government* and it carries a foreword in the name of the Prime Minister. So, the Government is responsible for every word in it, no matter who wrote it, be it the Prime Minister himself, or Alistair Campbell, or the Chairman of the JIC, or the humblest civil servant. The dossier was a Government document, and the fact that it misled Parliament and the public is the Government’s responsibility.

Time has shown that the intelligence assessments themselves were seriously flawed, but that is a different matter, which the Butler Inquiry is supposed to address. The key fact is that the dossier was **not** an accurate summary of the (flawed) intelligence available at the time.

## Foreign Affairs Select Committee Inquiry

On 3 June 2003, the Foreign Affairs Committee of the House of Commons announced an inquiry into the Government’s decision to go to war in Iraq. Its stated terms of reference were to:

“consider whether the Foreign and Commonwealth Office, within the Government as a whole, presented accurate and complete information to Parliament in the period leading up to military action in Iraq, particularly in relation to Iraq’s weapons of mass destruction”.

Not much more than a month later, on 7 July 2003, the Committee published its [report](#) and found the Government not guilty:

“The central charge has been that Ministers misled Parliament. ... Consistent with the conclusions reached elsewhere in this Report, we conclude that Ministers did not mislead Parliament.” (paragraph 186)

To call this inquiry a whitewash is to praise it too highly. The Committee spent most of its time (and nearly half its report) trying to answer a question it wasn’t in a position to answer, namely, whether the claims in the September dossier were justified by the intelligence available at the time. It wasn’t in a position to answer that because the Government denied it access to the intelligence and to the people responsible for assessing the intelligence and drawing up the dossier.

The Committee complained about this in paragraph 90 of its report, which said:

“We conclude that without access to the intelligence or to those who handled it, we cannot know if it was in any respect faulty or misinterpreted.”

Nevertheless, the Committee made sweeping judgements about the dossier and concluded that it was “probably as complete and accurate as the Joint Intelligence Committee could make it” (paragraph 184). How it came to this conclusion without access to the relevant intelligence is a mystery. Three months later the ISC report showed that the dossier was neither complete nor accurate.

There was then plenty of evidence in the public domain that the Government had misled Parliament prior to invading Iraq, for example, in saying that France had ruled out taking military action against Iraq in all circumstances. I presented this evidence to the Committee, but the Committee ignored it. My evidence was published with the report (see [here](#)).

In November 2003, I submitted a [memorandum](#) to the Committee pointing out the shortcomings of its report, and submitting more evidence. And in a [letter](#) to the Chairman of the Committee, Donald Anderson, I asked that the Committee reopen its inquiry in the light of this evidence. It has yet to do so.

## The Hutton Inquiry

The Hutton Inquiry was established by the Government on 18 July 2003 and [reported](#) on 28 January 2004. Its terms of reference were "urgently to conduct an investigation into the circumstances surrounding the death of Dr Kelly".

Unlike the ISC, Hutton did not examine all the available intelligence on Iraq's "weapons of mass destruction", and he was therefore not in a position to make a general judgement about the Government's use or misuse of that intelligence. But he had access to a wide range of people who were involved in the drawing up of the September dossier, including John Scarlett.

Hutton was directly concerned only with the intelligence, such as it was, supporting the 45-minute claim in the dossier. He was concerned with this because Kelly was the source for Andrew Gilligan's allegation about the claim, first broadcast on *Today* on 29 May 2003, that the Government "sexed up" the dossier by inserting the claim, when it "probably ... knew that the forty five minute figure was wrong".

The ISC had found that the 45-minute claim was based on an MI6 report dated 30 August 2002, which was incorporated into a formal JIC assessment of 9 September 2002 (ISC report, paragraph 49). In other words, there was an intelligence basis of sorts for the claim, which was regarded as reliable at the time. Gilligan's allegation that the Government had inserted the claim knowing it to be wrong or unreliable was not supported by the evidence. Unsurprisingly, Hutton came to the same conclusion (paragraph 228(2)).

Hutton made more general conclusions about the preparation of the dossier. He accepted without question the thesis that John Scarlett and the JIC were free from political pressure in drawing up the dossier. He did so despite the fact that this thesis was contradicted by evidence to his inquiry, for example, by a last minute e-mail from the Prime Minister's Chief of Staff on 19 September 2002 (see Hutton document [CAB/11/103](#)) asking for a redraft because the Prime Minister had "a bit of a problem" with a passage in the current draft, which was about to be cleared for publication.

In paragraph 228(7), Hutton famously speculated about whether Downing Street's desire to have a dossier which was "as strong as possible" might have "subconsciously influenced Mr Scarlett and the other members of the JIC to make the wording of the dossier somewhat stronger than it would have been if it had been contained in a normal JIC assessment". However, he concluded:

"Although this possibility cannot be completely ruled out, I am satisfied that Mr Scarlett, the other members of the JIC, and the members of the assessment staff engaged in the drafting of the dossier were concerned to ensure that the contents of the dossier were consistent with the intelligence available to the JIC."

Three months before this was published, the ISC had shown that the contents of the dossier were **not** consistent with the intelligence available to the JIC at the time.

So, if Scarlett and the JIC were completely free from political pressure in drawing up the dossier, as Hutton says (and Scarlett himself agrees), the only possible conclusion is that they were grossly incompetent – since they made a pig's ear of a straightforward job of taking JIC assessments and turning them into a document that the public could understand. As a result, Parliament and the public (and, we now know, the Prime Minister) were misinformed on very serious matters relating to peace and war.

Yet these people are still in their jobs – unlike Gavyn Davies, Greg Dyke and Andrew Gilligan.

**First Edition (November 2003)**

## **Iraq: Lies, Half-truths & Omissions**

### **Summary**

This pamphlet is about the lies and half-truths we were told by the British Government in the lead up to the invasion of Iraq, and, more important, what we weren't told. It is based entirely on information that is in the public domain.

Many of these were on the public record before the invasion. Others have become public as a result of the Hutton Inquiry and the report of the Intelligence & Security Committee (ISC) published on 11 September 2003.

They are primarily concerned with the Government's claims about Iraq's so-called "weapons of mass destruction":

- (a) The Government's constant use of the term "weapons of mass destruction" to describe Iraq's chemical and biological weapons was grossly misleading. Iraq never had weapons of mass destruction, that is, nuclear weapons.
- (b) The Government omitted to tell us that Hussein Kamal, Saddam Hussein's son-in-law, told UN inspectors in 1995 that Iraq's chemical and biological weapons and proscribed missiles had all been destroyed on his orders.
- (c) The Government lied repeatedly that UN inspectors were expelled by Iraq in December 1998. In reality, they were forced out by President Clinton and Prime Minister Blair bombing Iraq.
- (d) The Government continually distorted UN inspectors' findings that weapons and related material were "unaccounted for" to imply (or assert) that the weapons actually existed.
- (e) The Government omitted to tell us that many of Iraq's chemical and biological agents produced before the Gulf War would be ineffective as warfare agents more than a decade later, if they hadn't already been destroyed.

As regards the September dossier:

- (a) The Prime Minister's claim in his foreword that it was "established beyond doubt" that Iraq was producing chemical and biological weapons was not warranted by the intelligence.
- (b) Nowhere in the dossier was it made clear that the most likely chemical and biological munitions to be used against Western forces were battlefield weapons rather than missiles capable of striking Cyprus.
- (c) On the 45-minute claim that Iraq was "able to deploy chemical or biological weapons within 45 minutes of an order to do so", the dossier did not make clear that the intelligence applied to (unknown) battlefield weapons, not to missiles capable of striking Cyprus.
- (d) When on 24/25 September 2002, it was widely reported as applying to such missiles, the Government made no effort to correct the misreporting, despite knowing it to be wrong.
- (e) The Prime Minister "sexed up" the dossier at the last minute by getting it redrafted to remove the impression that Saddam Hussein would use chemical and biological weapons, only if his regime was under threat.

The ISC report revealed that on 10 February 2003 the Prime Minister received an intelligence assessment on the impact of taking military action against Iraq on "international terrorism", which

- (a) said there was no evidence that Iraq had provided chemical or biological materials to al-Qaida or of Iraqi intentions to conduct chemical or biological terrorist attacks using Iraqi intelligence officials or their agents,
- (b) judged that any collapse of the Iraqi regime would increase the risk of chemical and biological warfare technology or agents finding their way into the hands of al-Qaida and associated groups, and
- (c) judged that al-Qaida and associated groups continued to represent by far the greatest terrorist threat to Western interests, and that the threat would be heightened by military action against Iraq.

The Prime Minister chose not to divulge any of this to Parliament before the vote on military action on 18 March 2003.

Finally, the Prime Minister lied when defending the decision to abandon a second UN Security Council resolution. He told the House of Commons that President Chirac had said, in a TV interview, that France would veto a second Security Council resolution in all circumstances.

But Chirac said no such thing. He actually stated in the interview that "war would be inevitable" if the UN inspectors reported that they couldn't achieve their goal of disarming Iraq.

This was a key lie by the Prime Minister, used to persuade Labour MPs to vote for war, despite his explicit promise not to take military action without, at the very least, majority support on the Security Council for a second resolution.

### **In the beginning ...**

"We believe that the sanctions regime has effectively contained Saddam Hussein in the last 10 years. During this time he has not attacked his neighbours, nor used chemical weapons against his own people." (Prime Minister Blair, Written Answer, House of Commons, 1 November 2000, see [here](#))

"And frankly they [economic sanctions] have worked. He [Saddam Hussein] has not developed any significant capability with respect to weapons of mass destruction. He is unable to project conventional power against his neighbors. So in effect, our policies have strengthened the security of the neighbors of Iraq, and these are policies that we are going to keep in place ..." (Secretary of State Powell, Press Conference in Cairo, 24 February 2001, see [here](#))

So in early 2001, when Bush succeeded Clinton in the White House, the common view in Washington and London was that Saddam Hussein's Iraq was little threat to its neighbours, and none at all to the US/UK.

Twelve months later, on 11 March 2002, at a joint press conference (transcript [here](#)) with US vice-President, Dick Cheney, in Downing Street, the Prime Minister told a very different story. He was asked:

"What evidence can you lay before the world that Saddam Hussein does have, or shortly will have, the capability to threaten not only his own people but countries in western Europe and indeed the United States itself?"

His reply was unequivocal:

"Let's be under no doubt whatever, Saddam Hussein has acquired weapons of mass destruction over a long period of time. ... that there is a threat from Saddam Hussein and the weapons of mass destruction that he has acquired is not in doubt at all."

Saddam Hussein had not acquired more "weapons of mass destruction", or more sophisticated means of delivering them, in the intervening twelve months. No, the events that triggered this "reassessment" did not take place in Iraq, but in New York and Washington on 11 September 2001.

(Not that Saddam Hussein had any part in those events, although 70% of Americans believe he had. However, we now have it on the authority of President Bush himself that he hadn't: in a strange outburst



of honesty on 17 September 2003, he [said](#): “We've had no evidence that Saddam Hussein was involved with September 11”. But he added: “There's no question that Saddam Hussein had al-Qaida ties”.)

### What are “weapons of mass destruction”?

Unlike the US/UK (and Israel), Iraq never had any weapons of mass destruction, that is, nuclear weapons. It had a nuclear weapons programme, but no nuclear weapons were ever produced. It only had chemical and biological weapons.

The inclusion of chemical and biological weapons within the term “weapons of mass destruction” is a propaganda device. It allows states possessing actual “weapons of mass destruction” capable of wiping out cities on the other side of the world at the touch of a button to accuse states with barely lethal mustard gas of having “weapons of mass destruction”. By this definition, Britain possessed, and used, “weapons of mass destruction” in the first World War. It is an absurdity, but it is an absurdity that played a vital part in convincing Parliament and the public that Iraq was a threat, which had to be eliminated by military action.

Dr Brian Jones gave evidence to the Hutton Inquiry on 3 September 2003 (transcript [here](#)). He was, until recently, head of the section in the Defence Intelligence Analysis Staff in the Ministry of Defence, concerned with chemical, biological and nuclear weapons. Asked by the Inquiry what weapons merited the description of “weapons of mass destruction”, he replied that almost all nuclear weapons fit that description, but few biological and almost no chemical weapons do (see Annex A). Asked if he would term a battlefield chemical shell as a weapon of mass destruction, he said:

“No, I think personally I would struggle to make that particular scenario really fit into an equivalence of them [soldiers] facing a nuclear blast. ... I think ‘weapons of mass destruction’ has become a convenient catch-all which, in my opinion, can at times confuse discussion of the subject.”

A convenient catch-all, when the objective is to portray a state equipped with World War I mustard gas as “a current and serious threat” to the most powerful, nuclear-armed, states in the world.

### Had Iraq any “weapons of mass destruction”?

After the Gulf War, on 3 April 1991, the Security Council passed resolution [687](#), which banned Iraq from possessing nuclear, chemical and biological weapons and missiles with a range greater than 150km. In accordance with that resolution, IAEA inspectors destroyed Iraq’s nuclear weapons programme and UNSCOM inspectors destroyed its chemical and biological weapons programmes, including its facilities for producing chemical and biological agents (see extracts from the [Amorim Report](#) in Annex B). UNSCOM also destroyed most of the chemical and biological weapons and weapons-related material and proscribed missiles arising from those programmes, which had not been used up in the Iran-Iraq war or been destroyed by Iraq itself.

When Clinton and Blair forced the UN inspectors out of Iraq in December 1998, the Iraqi regime had been saying for some time that it had destroyed all proscribed material. It was not the contention of UNSCOM in December 1998, or of UNMOVIC in March 2003, that Iraq was lying when it said this, merely that Iraq should provide documentary or other proof that the material had been destroyed. Until Iraq did so, UNSCOM inspectors deemed that material “unaccounted for”.

That did not mean that the material existed. As Hans Blix [told](#) the Security Council on 5 June 2003:

“As I have noted before, this does not necessarily mean that such items could not exist. They might – there remain long lists of items unaccounted for – but it is not justified to jump to the conclusion that something exists just because it is unaccounted for.”

In other words, neither UNSCOM in 1998, nor UNMOVIC in 2003, ruled out the possibility that Iraq had no proscribed weapons at all.

However, time and time again in the lead up to the invasion of Iraq, the Government jumped to this conclusion that Hans Blix warned against, and gave the impression that we had it on UN authority that

Iraq had an arsenal of chemical and biological weapons and weapons-related material, when all the UN inspectors had said was that material was “unaccounted for”.

For example, the Prime Minister [told](#) the House of Commons on 18 March 2003:

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

There, the Prime Minister obviously jumped to the conclusion that Hans Blix warned against. He assumed that material, which according to UN inspectors was merely unaccounted for in 1998, existed in 1998, and therefore must still exist in March 2003 – since, he says, it is palpably absurd to claim that Saddam Hussein had unilaterally destroyed it in the meantime.

### **Did Hussein Kamal tell the truth?**

Saddam Hussein’s son-in-law, Hussein Kamal, was the director of Iraq’s Military Industrialisation Corporation, which was responsible for Iraq’s proscribed weapons programmes. In August 1995, he defected to Jordan and was interviewed in Amman on 22 August 1995 by an IAEA/UNSCOM team led by the then head of UNSCOM, Rolf Ekeus. He later returned to Iraq and was executed.

In the months before the US/UK invasion of Iraq, the Government continually cited Kamal as a valuable source of information about Iraq’s programmes, and as proof that interrogation of Iraqis who participated in them, rather than detective work by UN inspectors, was the way to acquire a comprehensive picture of them.

For instance, the Prime Minister [told](#) the House of Commons on 18 March 2003:

“In August [1995], it [Iraq] provided yet another full and final declaration. Then, a week later, Saddam's son-in-law, Hussein Kamal, defected to Jordan. He disclosed a far more extensive biological weapons programme and, for the first time, said that Iraq had weaponised the programme—something that Saddam had always strenuously denied. All this had been happening while the inspectors were in Iraq.

“Kamal also revealed Iraq's crash programme to produce a nuclear weapon in the 1990s. Iraq was then forced to release documents that showed just how extensive those programmes were.”

The Prime Minister chose not to divulge to the House of Commons that Kamal also told UN inspectors that, on his orders, all Iraq’s proscribed weapons and weapons-related material had been destroyed in the summer of 1991. Understandably so, since it would have destroyed his case for military action.

This was first reported in Newsweek on 3 March 2003 (see [here](#)), which said that Kamal told the same story to the CIA and MI6. About the same time, notes of the IAEA/UNSCOM interview came into the public domain (see [here](#)). In that interview, he is reported as saying:

“I ordered destruction [sic] of all chemical weapons. All weapons – biological, chemical, missile, nuclear were destroyed” (p13).

Earlier (p7), he described anthrax as the “main focus” of Iraq’s biological programme and when asked “were weapons and agents destroyed?”, he replied: “nothing remained”.

Of missiles, he said: “not a single missile left but they had blueprints and molds [sic] for production. All missiles were destroyed.” (p8)

## UN inspectors forced out by Clinton and Blair

In December 1998, the UN weapons inspectors were forced out of Iraq by Clinton and Blair, without the knowledge or consent of the Security Council. The US/UK was about to launch yet another bombing campaign against Iraq, supposedly because of Iraqi obstruction of inspectors, and the inspectors had to be withdrawn for their own safety.

Clinton and Blair knew that by bombing Iraq they were terminating the inspection process, that Iraq would not let the inspectors back in again after the bombing. We have that on the authority of Robin Cook, the Foreign Secretary at the time, who [told](#) the Foreign Affairs Select Committee on 17 June 2003:

“It [the bombing campaign] was quite deliberately undertaken by us in the knowledge this would mean that the inspections regime would come to an end and would have to be replaced by a policy of containment.”

The Government lies continuously about what happened to the UN inspectors in December 1998. The most spectacular example of this was in the Prime Minister’s Newsnight interview on 6 February 2003 (transcript [here](#)), when Jeremy Paxman corrected him five times on this point (see Annex C for extract). There the lying followed a familiar pattern, beginning with the blunt assertion that Iraq expelled the inspectors; when that was refuted, the next assertion was that Iraq “effectively” expelled them by not allowing them to do their work. That is also a lie: in the month before they were forced out, UNSCOM performed around 300 site inspections, at only 5 of which was there any problem about access, and at none of which was access refused, and the IAEA had no problems at all (see UNSCOM document [S/1998/1172](#)).

It is understandable that the Government has lied continuously about this. The fact that the inspectors had been forced out by Clinton and Blair in December 1998 didn’t sit easily with complaints by Bush and Blair that Iraq was refusing to accept inspection and, in the absence of inspection, was manufacturing proscribed agents and weapons. Bush and Blair betrayed their real attitude to inspection in September 2002 when Iraq invited UNMOVIC back in, and they stopped it going in, and as a result over two months inspection time was lost.

Why did the US/UK deliberately terminate the inspection process in December 1998? They would say that it was because Iraq wasn’t co-operating. The truth is they terminated it in order to avoid having to lift economic sanctions against Iraq with Saddam Hussein still in power (see Annex D). They were not worried about the few old remnants of proscribed weapons, which were unaccounted for. They knew those didn’t amount to much, if they existed at all. They knew that Iraq had been severely weakened by the Gulf War, and, after the War, by severe economic sanctions, continuous US/UK bombing and disarmament under 687, and that it was no threat to anybody. Blair and Powell said so. So they were content to force the UN inspectors out, as long as economic sanctions were retained.

## The September dossier

On 24 September 2002, the Government published the [dossier](#) *Weapons of Mass Destruction: The Assessment of the British Government*.

This supposedly objective dossier was compiled by John Scarlett, the Chairman of the Joint Intelligence Committee (JIC). It made extravagant claims, not only that Iraq possessed chemical and biological weapons and weapons-related material, and various delivery systems, left over from before the Gulf War, but also that it had re-established facilities to produce these weapons, and was trying to re-establish its nuclear weapons programme. So, it was not just a matter of getting rid of the remnants manufactured before the Gulf War: Iraq was producing more weapons today, and therefore the threat from Iraq was increasing all the time.

The Government claimed that all this was soundly based on the existing intelligence, and there was no Government interference in its compilation by John Scarlett. This claim has been severely dented by (a) evidence given to the Hutton Inquiry and (b) the report of the Intelligence & Security Committee (ISC), which, unlike the Foreign Affairs Select Committee, had access to intelligence assessments.

At the Hutton Inquiry it was revealed that the Prime Minister intervened through his Chief of Staff to have excised from the dossier the suggestion that Saddam Hussein would, in all probability, use chemical and biological weapons only as a defensive measure, and therefore they were no threat to anybody. We describe this intervention in the following sections.

The ISC's report is revealing about the gaps and uncertainties in the intelligence, and the degree to which these gaps and uncertainties were glossed over in the September dossier to paint a much more coherent and threatening picture than was justified by intelligence. Specifically, the report was critical of the way the dossier presented information about:

- (a) Current chemical and biological weapons production
- (b) The strategic threat from Iraq
- (c) The 45-minute claim

In each case the Government's dossier exaggerated the threat from Iraq. The dossier also exaggerated the threat by failing to point out that pre-Gulf War stocks of many of chemical and biological agents, if they existed at all, would have degraded to such an extent that they would no longer be effective as warfare agents. We describe these exaggerations below.

Finally, we look at errors of fact in the dossier.

### **The Prime Minister's "bit of a problem"**

Even if Iraq had proscribed weapons, and the means of producing more, it didn't follow that it was a threat to its neighbours, let alone the UK or the US. We know from the Hutton Inquiry that this was a source of worry to the Prime Minister, since his Chief of Staff, Jonathan Powell, e-mailed John Scarlett on 17 September 2002 in the following terms:

"... the document does nothing to demonstrate a threat, let alone an imminent threat from Saddam Hussein. In other words, it shows he has the means but it does not demonstrate he has the motive to attack his neighbours, let alone the west." (Hutton document [CAB/11/77](#))

John Scarlett told the Hutton Inquiry on 26 August 2003 (transcript [here](#)) that he did not amend the dossier as a result of this e-mail.

But there was worse: up until the 19 September 2002 draft, the dossier came very close to saying that Saddam Hussein would use chemical and biological weapons, only if his regime was under threat. Under the heading "Saddam's willingness to use chemical and biological weapons", it said:

"Intelligence indicates that Saddam is willing to use chemical and biological weapons if he believes his regime is under threat. We also know from intelligence that as part of Iraq's military planning, Saddam is willing to use chemical and biological weapons against an internal uprising by the Shia population." ([BBC/29/19](#))

While that formulation by John Scarlett does not exclude the possibility that Saddam Hussein would use these weapons aggressively, it gives the strong impression that he would in all probability use them only as a defensive measure, which meant that they were little or no threat to Iraq's neighbours and even less to Britain or the US.

This assessment of "Saddam's willingness to use chemical and biological weapons" was contained in the 11 September 2002 draft of the dossier, and met with no objection from the intelligence professionals on the JIC, who read the draft. These included Sir Richard Dearlove, the head of MI6. It was repeated in the drafts of 16 and 19 September, again without objection from any JIC member.

But, just before the dossier was cleared for publication, the Prime Minister intervened. His Chief of Staff, Jonathan Powell, e-mailed John Scarlett on 19 September 2002 in the following terms:

"I think the statement on page 19 that 'Saddam is prepared to use chemical and biological weapons if he believes his regime is under threat' is a bit of a problem. It backs up the ... argument that there is

no CBW [chemical and biological weapons] threat and we will only create one if we attack him. I think you should redraft the para.” ([CAB/11/103](#))

Note that Powell does not suggest that the assessment was not soundly based on intelligence, merely that it backs up an argument that the Prime Minister didn’t want to be backed up.

It is certainly true that the Prime Minister had a “bit of a problem”: it was difficult to reconcile his assertion in the dossier’s foreword that Iraq was “a current and serious threat to the UK national interest” with the assessment that, in all probability, Saddam Hussein would use chemical and biological weapons, only if his regime was under threat.

John Scarlett did as he was told and redrafted the paragraph to remove the Prime Minister’s “bit of a problem”. The amended assessment, which appears in the published dossier, is:

“Intelligence indicates that as part of Iraq’s military planning Saddam is willing to use chemical and biological weapons, including against his own Shia population.”

This is a major enhancement to the assessed threat from Iraq’s chemical and biological weapons. It was made at the instigation of the Prime Minister.

(It might be argued that the Prime Minister’s Chief of Staff, rather than the Prime Minister, was responsible. But it must be assumed that Jonathan Powell would no longer be in his job if he had not been acting in accordance with the Prime Minister’s wishes in this very important matter.)

So much for the Prime Minister’s [assurance](#) to the House of Commons on 4 June 2003:

“... I want to make it clear to the House—I have spoken and conferred with the chairman of the Joint Intelligence Committee—that there was no attempt, at any time, by any official, or Minister, or member of No. 10 Downing Street staff, to override the intelligence judgments of the Joint Intelligence Committee.”

## The CIA assessment

In early October 2002, the CIA provided the US Congress with an assessment of “Saddam’s willingness to use chemical and biological weapons”. This was that if Saddam Hussein didn’t feel threatened, the likelihood that he would use these weapons was “low”, but if the US attacked him the likelihood would be “pretty high”.

This assessment was contained in a letter dated 7 October 2002 from the CIA to Senator Bob Graham, Chairman of the Senate Intelligence Committee (see, for example, [here](#)). The letter declassified a small portion of CIA evidence to Graham’s committee at a closed session on 2 October 2002. This reads:

**Senator Levin:** . . . If (Saddam) didn't feel threatened, did not feel threatened [sic], is it likely that he would initiate an attack using a weapon of mass destruction?

**Senior Intelligence Witness:** . . . My judgment would be that the probability of him initiating an attack--let me put a time frame on it--in the foreseeable future, given the conditions we understand now, the likelihood I think would be low.

**Senator Levin:** Now if he did initiate an attack you've . . . indicated he would probably attempt clandestine attacks against us . . . But what about his use of weapons of mass destruction? If we initiate an attack and he thought he was in extremis or otherwise, what's the likelihood in response to our attack that he would use chemical or biological weapons?

**Senior Intelligence Witness:** Pretty high, in my view.

That assessment was, broadly speaking, in line with the draft dossier before it was changed at the instigation of the Prime Minister to remove the impression that “there is no CBW threat and we will only create one if we attack him”.

## Scarlett wriggles

John Scarlett gave evidence to the Hutton Inquiry on 23 September 2003 (transcript [here](#)). He was cross-examined by Andrew Caldecott for the BBC about the change made to the dossier as a result of Powell's e-mail. Annex E gives an extract from the cross-examination, from which readers can judge Scarlett's reliability as a witness: he asserted, repeatedly, that the change was made as a result of a reassessment of existing intelligence, which by sheer coincidence removed the Prime Minister's "bit of a problem".

Let's pretend to believe Scarlett for a moment. His account begs two very large questions:

- (a) At least three drafts of the dossier prepared by John Scarlett had, apparently, contained a highly inaccurate assessment of "Saddam's willingness to use chemical and biological weapons", and if it hadn't been for Powell's last minute e-mail this assessment would have been published as the official assessment of the British Government. Why did none of the intelligence professionals on the JIC, who read the drafts, not notice that this assessment was highly inaccurate?
- (b) Why was the revised assessment of "Saddam's willingness to use chemical and biological weapons" significantly different from the CIA assessment given to the US Congress a couple of weeks later, which was that if Saddam Hussein didn't feel threatened, the likelihood that he would use these weapons was "low", but if the US attacked him the likelihood would be "pretty high"?

One doesn't need to be an intelligence professional to see that the final assessment is fairly meaningless, and deliberately so. An assessment worthy of the name would have provided separate judgements, as the CIA did, for the two distinct circumstances (a) if the Iraqi regime was under threat, and (b) if it wasn't. But the assessment in the Government's dossier could not deal separately with those cases – because it could not have avoided the conclusion that the chances of chemical and biological weapons being used in case (a) were much greater than in case (b). However, in that event the Prime Minister's "bit of a problem" would have remained, and the public might have got the politically inconvenient impression that "there is no CBW threat and we will only create one if we attack him".

## Current agent/weapons production

The Prime Minister said in his foreword to the dossier:

"What I believe the assessed intelligence has established beyond doubt is that Saddam has continued to produce chemical and biological weapons ..."

The ISC [report](#) (paragraph 110) criticised this bald claim, saying this "could give the impression that Saddam was actively producing both chemical and biological weapons and significant amounts of agents". Indeed it could.

The reality, which the Prime Minister chose not to tell us, was very different. According to the ISC, the JIC did not know what agents had been produced and in what quantities, and what quantities, if any, had been put into weapons (in paragraph 58, the report says that "there was no evidence of munitions being filled with chemical agents since the first Gulf Conflict"). The JIC had merely assessed, based on intelligence, that production of some kind had taken place.

That, plus even more doubtful intelligence on the revival of Iraq's nuclear programme, was the flimsy basis for the Prime Minister's unequivocal [assertion](#) to the House of Commons on 24 September 2002 that:

"... [Saddam Hussein's] chemical, biological and nuclear weapons programme is not an historic left-over from 1998. The inspectors are not needed to clean up the old remains. His weapons of mass destruction programme is active, detailed and growing. The policy of containment is not working. The weapons of mass destruction programme is not shut down; it is up and running now."

The ISC concluded:

“We believe that this uncertainty should have been highlighted to give a balanced view of Saddam’s chemical and biological capacity.”

Indeed it should, but you don’t make a case for war by understating the threat.

### **The strategic threat from Iraq**

The dossier nowhere made clear that the strategic threat from Iraq was negligible, that if Iraq used chemical or biological weapons it would most likely be on the battlefield. One can understand why the Government chose not to disclose this, since it has the politically inconvenient implication that British citizens will most likely be safe from these weapons as long as Britain didn’t invade Iraq.

The ISC report (paragraph 111) criticised the dossier for this:

“Saddam was not considered a current or imminent threat to mainland UK, nor did the dossier say so. As we said ... , the most likely chemical and biological munitions to be used against Western forces were battlefield weapons (artillery and rockets), rather than strategic weapons. This should have been highlighted in the dossier.”

There was a vague possibility that Iraq could hit Cyprus. However, Iraq had at most 20 al Hussein missiles capable of doing that. This was the number unaccounted for by UN inspectors. But, if they existed at all, they had been hidden away since 1991, and therefore there was a large question mark over their operability.

There was no possibility at all that Iraq could hit London with a missile. The report reveals (paragraph 83) that the first draft of the foreword had made it clear that London could not be hit (at least not with a nuclear weapon). It contained the sentence:

“The case I make is not that Saddam could launch a nuclear attack on London or another part of the UK (He could not).”

That sentence did not appear in the published dossier. The ISC concludes:

“It was unfortunate that this point was removed from the published version of the foreword and not highlighted elsewhere.”

The September dossier claimed (page 22) that Iraq had a variety of delivery systems for chemical and biological agents, including free-fall bombs delivered from aircraft and aircraft/helicopter-borne sprayers. But, given the US/UK domination of the skies over Iraq, there was no possibility of munitions of any kind being delivered from the air. Nowhere, in the dossier does it make that clear either.

### **The 45-minute claim**

The dossier claimed that Iraq was “able to deploy chemical or biological weapons within 45 minutes of an order to do so”. It wasn’t until John Scarlett gave evidence to the Hutton Inquiry on 26 August 2003 (transcript [here](#)) that there was public confirmation that the claim referred to battlefield weapons, and not to strategic weapons capable of hitting Cyprus.

The ISC report reveals (paragraph 49) that this claim was derived from an MI6 report dated 30 August 2002, allegedly based on information from an Iraqi military officer, who was in a position to know, received by MI6 through a third party.

The information was that on average it took 20 minutes to move chemical and biological munitions into place for attack (the maximum response time was 45 minutes). But the information didn’t identify the munitions to which the 45-minute claim was supposed to apply, nor from where to where the munitions were supposed to be moved within 45 minutes (ibid, paragraph 52).

On this slim foundation the 45-minute claim was included in the dossier not once, but four times, and ended up in countless newspaper headlines on 24/25 September 2002. Of the claim, the ISC said:

“The fact that it was assessed to refer to battlefield chemical and biological munitions and their movement on the battlefield, not to any other form of chemical or biological attack, should have been highlighted in the dossier. The omission of the context and assessment allowed speculation as to its exact meaning. This was unhelpful to an understanding of this issue.” (ibid, paragraph 112)

Objectively, the 45-minute claim amounted to very little. As the ISC said:

“That the Iraqis could use chemical or biological battlefield weapons rapidly had already been established in previous conflicts and the reference to the 20–45 minutes in the JIC Assessment added nothing fundamentally new to the UK’s assessment of the Iraqi battlefield capability.” (ibid, paragraph 56)

The fact that a claim which “added nothing fundamentally new” appeared four times in the dossier is proof positive that objectivity was not uppermost in the mind of the compilers of the dossier. They were much more concerned with producing newspaper headlines implying an imminent threat from Iraq.

### **Misreporting of 45-minute claim not corrected**

The 45-minute claim was widely reported in the press on 24/25 September 2002 (see, for example, documents BBC/4/90-116 on the Hutton inquiry website). Not only that, it was wrongly reported as referring to strategic weapons capable of hitting Cyprus, rather than to battlefield weapons.

This had not been made clear in the dossier, but the Government knew it was so. However, despite knowing that the reporting was wrong, the Government chose not to correct it. This was in stark contrast to the huge amount of time and energy applied in attempting to correct the reporting of Andrew Gilligan on the claim.

At the Hutton Inquiry, the BBC were keen to highlight the fact that the Government complained about misreporting when it suited them, not out of a devotion to informing the public accurately. Geoff Hoon was cross-examined by Andrew Caldecott for the BBC on 22 September 2003 (transcript [here](#)). The portion concerned with this issue is reproduced in Annex F.

Hoon admitted that he knew at the time that the claim referred to battlefield weapons, but that neither he, nor anybody else in the Government, had made any effort to correct press reports that it referred to missiles. He said:

“... I was not aware of whether any consideration was given to such a correction. All that I do know from my experience is that, generally speaking, newspapers are resistant to corrections. That judgment may have been made by others as well.”

The proposition that the Government did not attempt to correct the misleading press reports because the press would not carry such a correction is risible. A simple press release in the Prime Minister’s name carrying a correction to the reporting of the dossier would have been headline news, not just in Britain, but also around the world.

Why did the Government make no effort to correct what it knew to be wrong? Because it was happy to have the threat from Iraq exaggerated, in order to enhance the case for taking military action against Iraq? Because issuing a correction would be an admission that the dossier was open to misleading interpretations, which would have undermined public confidence in the dossier?

Or was it because the misinterpretation came from the Prime Minister’s Communications Directorate in the first place, which made it impossible for the Government to correct it? There was a remarkable uniformity in the press reports of the dossier on 24/25 September 2002. In most reports, the following key points were identified:

- (a) Iraq has the ability to hit British bases in Cyprus with chemical and biological weapons within 45 minutes of Saddam Hussein giving the order to do so, and
- (b) that Iraq could have nuclear weapons in between one and two years.



The dossier did not say that the 45-minute claim applied to strategic missiles rather than battlefield weapons. So either the newspapers all guessed the same way or they were all steered the same way by Downing Street. (b) is not mentioned in the Prime Minister's foreword to the dossier, nor in its Executive Summary; it is mentioned once, and only once, on page 27 – which makes it highly unlikely that so many newspapers would have picked it out as a key point without a steer from Downing Street.

The line that Brits in Cyprus could be annihilated by Saddam within 45 minutes of his deciding to do so has Alistair Campbell's fingerprints all over it. In an e-mail to Campbell on 19 September 2002 (Hutton document [CAB/11/103](#)), Jonathan Powell, asked what do we want the headline in the Evening Standard to be on the day of publication. Unfortunately, there is no record of Campbell's reply in the public domain. Asked at the Hutton Inquiry on 19 August 2003 (transcript [here](#)) if he had any hand in the Evening Standard headline *45 Minutes From Attack* on the day of publication, Campbell replied, modestly, that he didn't write the headlines for the Evening Standard, but he didn't deny that he had a hand in that headline.

In any event, the public was given misleading information, which the Government knew to be wrong but chose not to correct.

Caldecott also asked Scarlett (on 23 September 2003, transcript [here](#)) if he had been concerned about press misreporting of the 45-minute claim. Scarlett wriggled uncomfortably, saying first that battlefield weapons killed a lot of people too, then that the misreporting only went on for a couple of days in a few newspapers, and he ended by saying that it wasn't his job to correct misreporting (see Annex F for extract).

One might have thought that a man who, by his own admission at the Hutton Inquiry, was absolutely scrupulous in making sure that everything in the dossier was precisely stated and justified by intelligence, would have been outraged that the public were given an inaccurate account of his meticulous work. But no, he seemed quite happy about it.

## **Agent degradation**

The Government chose not to disclose that much of Iraq's pre-Gulf War stocks of chemical and biological agents, if they existed at all, would have degraded to such an extent that they would no longer be effective as warfare agents.

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

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

The IISS assessment is as follows:

"As a practical matter, any nerve agent from this period [pre-1991] would have deteriorated by now ..." (p51)

"Any VX produced by Iraq before 1991 is likely to have decomposed over the past decade ..." (p52)

"Any G-agent or V-agent stocks that Iraq concealed from UNSCOM inspections are likely to have deteriorated by now." (p53)

And as regards botulinum toxin, the IISS dossier concluded:

"Any botulinum toxin produced in 1989-90 would no longer be useful" (p40).

The Government's dossier, published a couple of weeks later, gives (on page 16) a list of chemical and biological weapons and weapons-related material that were deemed unaccounted for by UNSCOM in 1998. On page 23, the dossier says that Iraq has:

“chemical and biological agents and weapons available, both from pre-Gulf War stocks and more recent production”

But nowhere in the dossier does it say that any pre-Gulf War stocks of G-agents (tabun, sarin and cyclosarin) and V-agents (VX) and of botulinum toxin would have degraded by September 2002.

By this omission, yet again the Government exaggerated the threat from Iraq.

## Errors of fact

The September dossier has at least two errors of fact in it, both in Part 2 (*History of UN Weapons Inspections*).

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

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

It is simply untrue that UNSCOM were denied access to presidential sites. Access was granted under rules agreed between Kofi Annan and Tariq Aziz in February 1998, and access to all 8 sites took place from 25 March to 4 April 1998 (see UNSCOM document [S/1998/326](#)). The Foreign Office confirmed this in a written [answer](#) to Paul Flynn MP on 4 February 2003:

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

“Mr. Mike O'Brien: Yes.”

This error is of some importance, since the alleged exclusion of the inspectors from these sites gives credence to the view that Iraq was hiding something there that it didn't want inspectors to see. To reinforce this proposition, the next page of the dossier (p35) contains a map of an unnamed presidential site with Buckingham Palace and its grounds superimposed on it, allegedly to the same scale. The purpose of the map was, obviously, to convey the impression that there is more to this presidential site than just serving the needs of a head of state. And there are 8 presidential sites in Iraq. Of course, had an outline of Balmoral been superimposed instead, the impression would have been entirely different.

The Government has known about this error since the day the dossier was published, when Labour MP, John McDonnell, pointed it out in a [question](#) to the Prime Minister in the House of Commons. But the Prime Minister chose not to correct the error, understandably so, since to do so would have undermined the credibility in the dossier. If its compilers couldn't get facts right, what confidence could the public have in their ability to get intelligence based claims right?

The second error of fact is on page 39, paragraph 13. There the dossier speaks of “the effective ejection of UN inspectors” from Iraq in December 1998. As we have seen, the inspectors were “effectively ejected” by Clinton and Blair – but we suspect that the compilers of the dossier didn't mean that.

## “Sexing up” the dossier to parliament

As we have said, the dossier made extravagant claims, not only that Iraq possessed proscribed material left over from before the Gulf War, but also that it had re-established manufacturing facilities and was trying to re-establish its nuclear weapons programme. In other words, Iraq had currently operational production facilities for agents and weapons and not just remnants left over from the old programmes dismantled by UNSCOM in the 1990s.

However, the claims in the dossier about the re-establishment of production facilities were not expressed as known facts (except in the Prime Minister's foreword), but as judgements based on intelligence. But,

when the Prime Minister [presented](#) the dossier to the House of Commons on 24 September 2002, he left no doubt that these programmes were operational and producing agents and weapons:

“... [Saddam Hussein’s] chemical, biological and nuclear weapons programme is not an historic left-over from 1998. The inspectors are not needed to clean up the old remains. His weapons of mass destruction programme is active, detailed and growing. The policy of containment is not working. The weapons of mass destruction programme is not shut down; it is up and running now.”

“On chemical weapons, the dossier shows that Iraq continues to produce chemical agents for chemical weapons; has rebuilt previously destroyed production plants across Iraq; has bought dual-use chemical facilities; has retained the key personnel formerly engaged in the chemical weapons programme; and has a serious ongoing research programme into weapons production, all of it well funded.”

“In respect of biological weapons, again, production of biological agents has continued; facilities formerly used for biological weapons have been rebuilt; equipment has been purchased for such a programme; and again, Saddam has retained the personnel who worked on it prior to 1991.”

Those assertions by the Prime Minister have a certainty about them that isn’t present in the dossier itself. He overstated the dossier’s more tentative claims that after 1998 Iraq had re-established production facilities (claims which the ISC have now said were themselves not justified by intelligence).

And so did the Foreign Secretary when he opened the adjournment debate that followed. There he [declared](#) without a hint of uncertainty:

“Since then [1998], Iraq has continued to produce chemical and biological agents and their means of delivery ... .”

Adam Ingram was equally certain when he closed the debate, [saying](#):

“He [Saddam Hussein] has continued to produce chemical and biological weapons; tried covertly to acquire technology and materials that could be used in the production of nuclear weapons; sought significant quantities of uranium from Africa, despite having no active civil nuclear programme that would require it; recalled specialists to work on his nuclear programme; commenced a comprehensive weapons development programme across a range of capabilities to deliver his future and current weapons of mass destruction;”

This certainty about the re-constitution of Iraq’s production facilities is not justified by the dossier. The Government “sexed up” the dossier in presenting it to Parliament.

## Only old remains

The Government’s message on Iraq’s proscribed weapons shifted dramatically in the period leading up to the invasion of Iraq. **It stopped claiming that Iraq was currently manufacturing chemical and biological agents and weapons.**

To the best of my knowledge, the Prime Minister never repeated his confident assertion of 24 September 2002 that Iraq’s “weapons of mass destruction programme is active, detailed and growing” and producing agents and weapons, and that it is not just a matter of inspectors cleaning up the “old remains” from previous programmes.

Certainly, you will search in vain in the Prime Minister’s [speech](#) in the House of Commons on 18 March 2003 for any hint that Iraq had operational production facilities in March 2003. All he spoke about then was “old remains” manufactured before the Gulf War, which UN inspectors deemed unaccounted for in December 1998.

Since the Prime Minister was no longer saying that Iraq was manufacturing new agents and weapons, this was a much less threatening picture of Iraq’s capabilities than the one he described six months earlier, particularly since the shelf life of much of the “old remains” was over long ago.

So, why did the Prime Minister feel unable to restate in March 2003 his certainty of six months earlier that Iraq had current production facilities and not merely “old remains” from previous programmes?

Most or all of the sites named in the September dossier as possibly being used for agent production were visited by journalists shortly after the dossier was published, and were found to be derelict, or near derelict. My guess is that after that the Government took a decision to cease claiming that Iraq was producing agents.

UNMOVIC inspectors visited these sites in December 2002 and January 2003 and found no evidence of current, or recent, production activity, which made it even more difficult for the Government to claim that Iraq was still producing agents and weapons. The inspectors’ findings didn’t rule out the possibility that proscribed activity was going on at these sites in September 2002 as claimed in the dossier, but by January 2003 it was no longer going on, and the information in the dossier was therefore out of date.

One might have thought that this change would have merited a statement to Parliament from the Prime Minister revising his confident assertion of the previous September that Iraq had “active, detailed and growing” weapons programmes and was currently producing agents. But no such statement took place: he merely ceased making the claims, and justified military action against Iraq because it allegedly possesses a few “old remains” from the early 1990s, “old remains” which, if they existed at all, were in many cases no longer effective warfare agents.

## Unresolved disarmament issues

On 6 March 2003, UNMOVIC published a 173-page [document](#) entitled *Unresolved Disarmament Issues: Iraq’s Proscribed Weapons Programmes*. This originated as an internal working document prepared by UNMOVIC identifying the “key remaining disarmament tasks” that Iraq had to complete. The preparation of such a document was a requirement of paragraph 7 of Security Council Resolution [1284](#), under which UNMOVIC was established in December 1999. Unusually, for such a document, it was declassified and published.

The document contains a comprehensive survey of Iraq’s proscribed weapons programmes (apart from its nuclear programme, which was the business of the IAEA) and the subsequent use and/or destruction of weapons and weapons-related material, based on information assembled by UN inspectors from 1991 onwards. It ends with an assessment of unresolved issues for each agent and weapon, and a statement of what Iraq needs to do to resolve them.

The Foreign Secretary, Jack Straw, often refers to the existence of this 173-page UNMOVIC document entitled *Unresolved Disarmament Issues*, which he describes as “chilling” without saying anything about its contents. His listeners are meant to infer from the size of the document that there are a lot of these issues, and therefore the invasion of Iraq was justified.

In fact, like the UNSCOM report published after the inspectors left in December 1998, it does not claim that Iraq possesses proscribed weapons or weapons-related material, merely that certain material is unaccounted for. Nor does it suggest that Iraq has currently operational agent or weapon production facilities. Unlike that UNSCOM report, it confirms that many of the agents manufactured before the Gulf War would have degraded by now, and is therefore much less “chilling” than the UNSCOM report. The Foreign Secretary has chosen not to divulge that important piece of information to the public.

The Prime Minister [described](#) the UNMOVIC report as a “remarkable document” in the House of Commons on 18 March 2003, and quoted from it, for example, on mustard gas:

“Mustard constituted an important part . . . of Iraq’s CW arsenal . . . 550 mustard filled shells and up to 450 mustard filled aerial bombs unaccounted for”

It would be more accurate to say he misquoted from it. You will indeed find those words on page 76 of the document, but they do not give the sense of the text from which they were extracted. That text is as follows (with the Prime Minister’s extract in bold):

“... Judging by the quantities produced, weaponized and used, **Mustard constituted an important part (about 70%) of Iraq’s CW arsenal.**

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

That gives a very different impression to that conveyed by the Prime Minister’s extract, and his other extracts are also misleading.

More crucially, he told the House of Commons that day:

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

But he did not mention that the remarkable UNMOVIC document made it clear that any unaccounted for sarin, VX and botulinum toxin would no longer be effective as warfare agents:

“There is no evidence that any bulk Sarin-type agents remain in Iraq - gaps in accounting of these agents are related to Sarin-type agents weaponized in rocket warheads and aerial bombs. Based on the documentation found by UNSCOM during inspections in Iraq, Sarin-type agents produced by Iraq were largely of low quality and as such, degraded shortly after production. Therefore, with respect to the unaccounted for weaponized Sarin-type agents, it is unlikely that they would still be viable today.” (Unresolved Disarmament Issues, p73)

“VX produced through route B [the method used by Iraq in 1990] must be used relatively quickly after production (about 1 to 8 weeks), which would probably be satisfactory for wartime requirements.” (ibid, p82)

“Any botulinum toxin that was produced and stored according to the methods described by Iraq and in the time period declared is unlikely to retain much, if any, of its potency. Therefore, any such stockpiles of botulinum toxin, whether in bulk storage or in weapons that remained in 1991, would not be active today.” (ibid, p101)

Without that information, the Prime Minister’s list of unaccounted for warfare agents is highly misleading.

## Links to Al-Qaida et al

A major part of the Prime Minister’s case for taking military action against Iraq was that there was “a real and present danger” that chemical and biological weapons would find their way from Iraq to al-Qaida or associated groups. For example, on 18 March 2003 he [told](#) the House of Commons:

“The key today is stability and order. The threat is chaos and disorder—and there are two begetters of chaos: tyrannical regimes with weapons of mass destruction and extreme terrorist groups who profess a perverted and false view of Islam. ...

“Those two threats have, of course, different motives and different origins, but they share one basic common view: they detest the freedom, democracy and tolerance that are the hallmarks of our way of life. At the moment, I accept fully that the association between the two is loose—but it is hardening. The possibility of the two coming together—of terrorist groups in possession of weapons of mass destruction or even of a so-called dirty radiological bomb—is now, in my judgment, a real and present danger to Britain and its national security.”

When he said that, the Prime Minister was aware that the intelligence services had no evidence that Iraq had considered using chemical and biological agents in terrorist attacks or had passed such agents on to al-Qaida. He was also aware that, in the judgment of the intelligence services, a collapse of the Iraqi regime would **increase** the risk of chemical and biological warfare technology or agents finding their way into the hands of al-Qaida or associated groups, whether or not as a deliberate Iraqi regime policy.

This information was made public in the ISC [report](#) (paragraphs 125-127, see Annex G). But the Prime Minister chose not to divulge this information to Parliament. Understandably so, since it would have destroyed an important part of his case for taking military action.

The intelligence services also judged that al-Qaida and associated groups continued to represent by far the greatest terrorist threat to Western interests, and that threat would be **heightened** by military action against Iraq (ibid, paragraph 126). The latter view was advanced by most opponents of military action against Iraq. The Prime Minister chose not to divulge to Parliament that the intelligence services shared their view.

The ISC say (paragraph 128) they discussed these risks with the Prime Minister, who said that he had exercised his judgment and time will tell if he was right. That is, of course, beside the point: for better or worse, he devolved the decision on military action to Parliament, and therefore he was under an obligation to tell Parliament all the intelligence assessments relevant to that decision, not just the ones that bolstered his case.

But, had he provided Parliament with complete information about the relevant intelligence assessments, it might not have voted for the invasion of Iraq.

### What President Chirac actually said

The Government [motion](#) passed by the House of Commons on 18 March 2003 contained a reference to the behaviour of France:

“That this House ... regrets that despite sustained diplomatic effort by Her Majesty's Government it has not proved possible to secure a second Resolution in the UN because one Permanent Member of the Security Council made plain in public its intention to use its veto whatever the circumstances;”

In [proposing](#) the motion, the Prime Minister identified the Permanent Member as France, which, he said, had undermined support for a second resolution:

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

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

In fact, France said no such thing. On the contrary, in the interview that Monday night, President Chirac made it very clear that there were circumstances in which France would **not** veto a resolution for war (see English translation of interview [here](#)). Early in the interview, he identified two different scenarios, one when the UN inspectors report progress and the other when the inspectors say their task is impossible – in which case, in his words, “regrettably, the war would become inevitable”. That portion reads:

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

From that, it is plain as a pikestaff that there were circumstances in which France would **not** have vetoed military action, namely, if the UN inspectors reported that they couldn't do their job. The Prime Minister lied to the House of Commons on 18 March 2003 about the attitude of France to taking military action against Iraq.

It was not as if Chirac was stating a new French position in that interview. All he did was restate the consistent French position over many months that disarmament through inspection should be replaced by disarmament through military action only if inspectors reported failure, and then only with the authority of the Security Council. That was the French position in the autumn of 2002 during the negotiations about resolution 1441, when France forced the US/UK to amend their draft to remove their right to take military action against Iraq without further recourse to the Council.

### **Blair breaks a promise**

Why did the Prime Minister lie? It's obvious: he lied to cover up a broken promise. He had promised that he wouldn't take military action against Iraq without a second Security Council resolution, or at least without a majority of the Security Council backing such a resolution, but being overridden by an "unreasonable" veto from France (and/or Russia). He made this promise on several occasions, for example, on Newsnight on 6 February 2003 (see Annex C). On each occasion, the promise was precisely stated: he had no wriggle room.

After Hans Blix's relatively positive inspection report on 14 February 2003, Britain began the quest for a second resolution with the lukewarm help of the US. On that day, only two other members of the Security Council – Bulgaria and Spain – were willing to vote for the second resolution proposed by the US/UK (which in fact did not explicitly sanction military action against Iraq). A month later on 17 March, when Britain finally gave up its quest for a second resolution, nothing had changed.

Britain hadn't come within an ass's roar of convincing a majority on the Security Council to vote for war. That presented the Prime Minister with a difficulty: how could his explicit promise not to take military action without, at the very least, majority support on the Council for a second resolution be reconciled with the fact that only 4 out of the 15 members of the Council supported a second resolution?

The solution was to blame France, to claim that France had said that she was opposed to military action in all circumstances and, by threatening to use her veto, had sabotaged support for a second resolution on the Council.

The Downing Street Communications Directorate injected this lie into the media in the days following Chirac's interview on 10 March 2003. The media responded, as they were meant to do, by whipping up very unpleasant anti-French hysteria, which was maintained up to the crucial vote on 18 March 2003 – and the Prime Minister's promise was forgotten about.

### **France responsible for war?**

A few days later British forces supported the US invasion of Iraq. And the Government peddled the absurd notion that France was responsible for the war because it opposed it. A year later, the Prime Minister is still peddling this notion: for example, in his Sedgefield [speech](#) on 5 March 2004 he said:

“My view is that if the UN had come together and delivered a tough ultimatum to Saddam, listing clearly what he had to do, benchmarking it, he may have folded ...”

This proposition is risible. It begins with the assumption that, if France agreed to vote for military action, there would have been a majority on the Security Council for the second resolution, and no veto from Russia or China. It continues with Iraq, faced with this united front in the Council, proving to the satisfaction of the US/UK within days that it had no proscribed material, when it had tried, and failed, to do that for years.

But let us suppose that this highly unlikely sequence of events did occur. To believe that war could have been avoided, we have to believe that at this point George Bush would have reversed gear, and taken his troops home, leaving Saddam Hussein in power, having spent the past year telling the American people

that he was an awful threat to the US and convincing 70% of them that he had a part in 9/11. It's a cast iron certainty that Bush wouldn't have done that.

Yet the Prime Minister is still peddling this absurd notion today.

## Upholding UN authority?

Officially, Britain took military action to uphold the authority of the Security Council by disarming Iraq as prescribed by Security Council resolutions, beginning with resolution 687. The [motion](#) passed by the House of Commons on 18 March 2003 said:

“That this House ... believes that the United Kingdom must uphold the authority of the United Nations as set out in Resolution 1441 and many Resolutions preceding it, and therefore supports the decision of Her Majesty's Government that the United Kingdom should use all means necessary to ensure the disarmament of Iraq's weapons of mass destruction;”

This is restated in the opening paragraph of a Government paper, entitled [IRAQ: MILITARY CAMPAIGN OBJECTIVES](#), published just before military action began:

“The prime objective remains to rid Iraq of its weapons of mass destruction and their associated programmes and means of delivery, including prohibited ballistic missiles, as set out in relevant United Nations Security Council Resolutions (UNSCRs).”

This sounds like a worthy objective, until you remember that in mid-March 2003 the Security Council was, by 11 to 4, opposed to military action to enforce its disarmament resolutions against Iraq. The US/UK took it upon themselves to enforce the will of the Security Council – by overriding the will of the Security Council.

(Another objective stated in *IRAQ: MILITARY CAMPAIGN OBJECTIVES* was to “work with UNMOVIC/IAEA to rid Iraq of its weapons of mass destruction and their means of delivery”. But the US insisted that the CIA be in charge of that.)

## No Security Council resolution

What is more, the US/UK pretended they had Security Council authority to override the will of the Security Council. In fact, **no** Security Council resolution ever authorised military action to enforce the disarmament of Iraq.

The first disarmament resolution, [687](#), passed on 3 April 1991 after Iraq had been expelled from Kuwait, did authorise military action, but only to expel Iraq from Kuwait if it entered Kuwait again. Economic sanctions were imposed on Iraq on 6 August 1990, a few days after it invaded Kuwait: resolution 687 continued those economic sanctions to enforce disarmament.

There could hardly be a clearer indication that the Security Council was not of a mind in 1991 to authorise military action to enforce disarmament – and it didn't change its mind in the succeeding 12 years, despite several attempts by the US/UK to get it to do so. For example, they tried to include explicit authorisation of the use of force in resolution 1154 of 2 March 1998 and in resolution 1205 of 5 November 1998, but on both occasions they failed.

Nevertheless, the US/UK pretended in March 2003 that they had Security Council authority to take military action to enforce disarmament. The source of this authority lay, they said, in resolution [678](#) passed on 29 November 1990, which authorised the use of force to expel Iraqi forces from Kuwait.

It is not obvious why this resolution, passed for an entirely different purpose before any disarmament resolution was passed, could be said to authorise military action to enforce disarmament 12 years later – especially since, at that time, military action was opposed by 11 out of the 15 members of the Council. Nevertheless, the Attorney General, Lord Goldsmith, insulted our intelligence by telling us that it did, in his written [answer](#) to Baroness Ramsey on 17 March 2003 in the House of Lords on 17 March 2003.



His argument, for want of a better word, was that resolution 687 laid down the conditions for the ceasefire at the end of the Gulf War and therefore, by failing to comply with the disarmament and other terms of 687, Iraq had broken the conditions of the ceasefire, thus reviving the authorisation for the use of force in 678.

In fact, a permanent ceasefire came into force with Iraq's acceptance of 687 on 6 April 1991 and, with that, the authorisation for the use of force in 678 died.

Resolution [686](#), passed a month earlier, established a provisional ceasefire, but explicitly stated that the authorisation for the use of force in 678 should remain in effect, pending Iraqi acceptance of the terms of 686. No similar provision is present in 687. Obviously, therefore, the Security Council did **not** intend that the authorisation of force in 678 remain in effect until Iraq fulfilled the disarmament provisions of 687 – which is the crux of the Attorney General's case.

This is confirmed in the final paragraph of 687 where the Security Council reserved unto itself the responsibility for overseeing its implementation:

“[The Security Council] Decides to remain seized of the matter and to take such further steps as may be required for the implementation of the present resolution and to secure peace and security in the area.”

In March 2003, the US/UK arbitrarily seized the responsibility for implementing this and other disarmament resolutions from the Security Council.

### **Inspections could have continued**

In his “address to the nation” on 20 March 2003, announcing the start of British military action, the Prime Minister [said](#):

“For 12 years, the world tried to disarm Saddam ... . UN weapons inspectors say vast amounts of chemical and biological poisons, such as anthrax, VX nerve agent, and mustard gas remain unaccounted for in Iraq.

“So our choice is clear: back down and leave Saddam hugely strengthened; or proceed to disarm him by force. Retreat might give us a moment of respite but years of repentance at our weakness would I believe follow.”

The alternative to military action in March 2003 was **not** “to back down and leave Saddam hugely strengthened”: it was to continue inspections. Even if one shared the Prime Minister's apparent belief that Iraq had an arsenal of proscribed weapons and was manufacturing more, there was no need to invade Iraq, and overthrow the regime, in order to disarm it.

Inspection could have continued indefinitely and it stands to reason that, while inspection and other forms of surveillance were going on, Iraq's ability to manufacture agents and weapons and deploy them, assuming it had a mind to, was greatly inhibited.

The Government had intelligence to that effect – the Government's official [response](#) to the Intelligence & Security Committee report of September 2003 said so:

“The Government accepts that the inhibiting effect of the UN inspections was relevant ... . The JIC Assessments produced in October and December 2002 and again in March 2003 reflected this point. In December 2002 the JIC specifically pointed out that Iraq's ability to use CBW might be constrained by the difficulty of producing more whilst UN inspectors were present.” (paragraph 21)

Understandably, the Prime Minister did not share that intelligence with the House of Commons, lest MPs got the impression that the continuation of inspections was an effective alternative to military action.

## Annexes

### A What are “weapons of mass destruction”?

Dr Brian Jones gave evidence to the Hutton Inquiry on 3 September 2003 (transcript [here](#)). At the time the dossier was drawn up in September 2002, he was a branch head in the Defence Intelligence Analysis Staff in the Ministry of Defence, but he has since retired from the civil service. He held that position since 1996, when analysis activities on chemical, biological and nuclear weapons were drawn together in one branch.

It isn't obvious what relevance the meaning of the term “weapons of mass destruction” has to the death of Dr David Kelly, nevertheless, Dr Jones was questioned about it by James Dingemans for the Inquiry:

**Q.** If you have chemical, biological and nuclear, are those the weapons of mass destruction?

**A.** That is a term that is often applied to them, yes. I have some problems with the term myself. ...

**Q.** What is your personal opinion about weapons of mass destruction?

**A.** My personal opinion is that almost all -- almost all -- nuclear weapons truly fit this concept of being a weapon of mass destruction, that some biological weapons are perhaps reasonably described in that way because they could be used to produce very large numbers of casualties on the same sort of scale perhaps even as nuclear weapons, but there are many biological weapons that struggle to fit into that. Some are incapacitants for example rather than lethal.

**Q.** What is an incapacitant?

**A.** An incapacitant is something in a weapon sense designed to make someone unable to conduct their duties rather than to actually kill them.

**Q.** Making them sick or giving them diarrhoea et cetera?

**A.** Exactly so.

**Q.** Those are biological weapons you think do not fit into that character [category?]. What about the chemical weapons?

**A.** I think chemical weapons almost [all] struggle to fit into that category. There are certain agents and certain scenarios where I would think that chemical weapons truly are describable as weapons of mass destruction. ... I think the sort of scenarios where I think that chemical weapons might be described as a weapon of mass destruction are where they might be used in enclosed spaces. An example might be the somewhat unsuccessful attempt to use them in that way by Aum Shinri-kyo on the Tokyo underground in the mid 1990s, where if large amounts of the nerve agent they tried to use had entered the atmosphere then many more people would have died. But it is rather more difficult to think of them in those terms really on the battlefield perhaps where to produce large numbers of casualties you need very large amounts of material.

**Q.** Obviously if you are an infantry soldier in the front line and subject to a nerve agent artillery attack you have to put on your gas mask, if you get it on in time. Is that sort of artillery shell delivery of chemical weapons something you would term a weapon of mass destruction?

**A.** No, I think personally I would struggle to make that particular scenario really fit into an equivalence of them facing a nuclear blast. ... I think “weapons of mass destruction” has become a convenient catch-all which, in my opinion, can at times confuse discussion of the subject.

## **B Extracts from the Amorim Report**

After the UN inspectors were forced out of Iraq by Clinton and Blair in December 1998, as a preliminary step to re-establishing an inspection regime in Iraq, the Security Council set up a panel, chaired by Ambassador Amorim of Brazil, to assess the degree to which Iraq had been disarmed as prescribed by resolution 687. The following extracts from the panel's report ([S/1999/356](#), dated 27 March 1999) give some idea of the success of the IAEA and UNSCOM from 1991 to 1998.

### **Nuclear weapons**

"On the basis of its findings, the [International Atomic Energy] Agency is able to state that there is no indication that Iraq possesses nuclear weapons or any meaningful amounts of weapon-usable nuclear material or that Iraq has retained any practical capability (facilities or hardware) for the production of such material." (paragraph 14)

### **Proscribed Missiles**

"With regard to items selected as key for the purpose of the verification of the material balance of proscribed missiles and related operational assets, UNSCOM was able to destroy or otherwise account for: (a) 817 out of 819 imported operational missiles of proscribed range; (b) all declared mobile launchers for proscribed Al Hussein class missiles, including 14 operational launchers; the disposition of 9 of the 10 imported trailers used for the indigenous production of mobile launchers; and the destruction of 56 fixed missile launch sites; (c) 73 to 75 chemical and biological warheads of the declared 75 operational special warheads for Al Hussein class missiles; 83 of the 107 imported and some 80 of the 103 indigenously produced conventional warheads declared by Iraq to be in its possession at the time of the adoption of resolution 687." (paragraph 16)

### **Chemical weapons**

"UNSCOM has supervised or been able to certify the destruction, removal or rendering harmless of large quantities of chemical weapons (CW), their components and major chemical weapons production equipment as follows: (a) over 88,000 filled and unfilled chemical munitions; (b) over 600 tonnes of weaponized and bulk CW agents; (c) some 4,000 tonnes of precursor chemicals; (d) some 980 pieces of key production equipment; (e) some 300 pieces of analytical instruments. The prime CW development and production complex in Iraq was dismantled and closed under UNSCOM supervision and other identified facilities have been put under monitoring. It was pointed out that UNSCOM has been able to establish material balances of major weapon-related elements of Iraq's CW programme only on the basis of parameters as declared by Iraq but not fully verified by UNSCOM." (paragraph 19)

### **Biological weapons**

"UNSCOM ordered and supervised the destruction of Iraq's main declared BW production and development facility, Al Hakam. Some 60 pieces of equipment from three other facilities involved in proscribed BW activities as well as some 22 tonnes of growth media for BW production collected from four other facilities were also destroyed. As a result, the declared facilities of Iraq's BW programme have been destroyed and rendered harmless." (paragraph 23)

### **Conclusions**

"The elements presented above indicate that, in spite of well-known difficult circumstances, UNSCOM and IAEA have been effective in uncovering and destroying many elements of Iraq's proscribed weapons programmes in accordance with the mandate provided by the Security Council. It is the panel's understanding that IAEA has been able to devise a technically coherent picture of Iraq's nuclear weapons programme. UNSCOM has achieved considerable progress in establishing material balances of Iraq's proscribed weapons. Although important elements still have to be resolved, the bulk of Iraq's proscribed weapons programmes has been eliminated." (paragraph 25)

## C The Prime Minister with Jeremy Paxman

The Prime Minister was interviewed by Jeremy Paxman about Iraq on Newsnight on 6 February 2003 (transcript [here](#)). Here are the opening shots, which cover:

- (a) The abandonment of the policy of “containment”, which the Prime Minister specifically endorsed in November 2000
- (b) The “expulsion” of the UN inspectors from Iraq in December 1998
- (c) The Prime Minister’s promise not to take military action without, at the very least, majority support on the Security Council for a second resolution

**JP:** Prime Minister, for you to commit British forces to war there has to be a clear and imminent danger to this country - what is it?

**TB:** The danger is that if we allow Iraq to develop chemical, biological, and nuclear weapons they will threaten their own region. There is no way that we would be able to exclude ourselves from any regional conflict there was there, as indeed we had to become involved last time they committed acts of external aggression against Kuwait.

**JP:** But right now there is no danger, it’s a danger some time in the future.

**TB:** I’ve never said that Iraq was about to launch an attack on Britain, but if you look at the history of Saddam Hussein there is absolutely no doubt at all that he poses a threat to his region. If he was to use chemical, biological and nuclear weapons in the rest of his region, there is no way that Britain could stand aside from that, or indeed the rest of the world. And that is precisely why we have had 12 years of United Nations resolutions against him.

**JP:** Well you said of those UN resolutions and the sanctions which followed them in the year 2000, you said that they had contained him. What’s happened since?

**TB:** I didn’t actually. I said they’d been contained him up to a point and the fact is -

**JP:** I’m sorry Prime Minister - we believe that the sanctions regime has effectively contained Saddam Hussein in the last ten years, you said that in November 2000.

**TB:** Well I can assure you I’ve said every time I’m asked about this, they have contained him up to a point and the fact is the sanctions regime was beginning to crumble, it’s why, it’s subsequent in fact to that quote we had a whole series of negotiations about tightening the sanctions regime, but the truth is the inspectors were put out of Iraq so -

**JP:** They were not put out of Iraq, Prime Minister, that is just not true. The weapons inspectors left Iraq after being told by the American government that bombs will be dropped on the country.

**TB:** I’m sorry, that is simply not right. What happened is that the inspectors told us that they were unable to carry out their work, they couldn’t do their work because they weren’t being allowed access to the sites. They detailed that in the reports to the Security Council. On that basis, we said they should come out because they couldn’t do their job properly.

**JP:** That wasn’t what you said, you said they were thrown out of Iraq -

**TB:** Well they were effectively because they couldn’t do the work they were supposed to do

**JP:** No, effectively they were not thrown out of Iraq, they withdrew.

**TB:** No, I’m sorry Jeremy, I’m not allowing you away with that, that is completely wrong. Let me just explain to you what happened.

**JP:** You’ve just said the decision was taken by the inspectors to leave the country. They were therefore not thrown out.

**TB:** They were effectively thrown out for the reason that I will give you. Prior to them leaving Iraq they had come back to the Security Council, again and again, and said we are not being given access to sites. For example, things were being designated as presidential palaces, they weren't being allowed to go in there. As a result of that, they came back to the United Nations and said we can't carry out the work as inspectors; therefore we said you must leave because we will have to try and enforce this action a different way. So when you say the inspectors, when you imply the inspectors were in there doing their work, that is simply not the case.

**JP:** I did not imply that, I merely stated the fact that they were not thrown out, they were withdrawn. And you concede they were withdrawn.

**TB:** They were withdrawn because they couldn't do their job. I mean let's not be ridiculous about this, there's no point in the inspectors being in there unless they can do the job they're put in there to do. And the fact is we know that Iraq throughout that time was concealing its weapons.

...

**JP:** OK, so they [the UN inspectors] report back next week. Will you give an undertaking to this audience, and indeed to the British people that before any military action you will seek another UN Resolution, specifically authorising the use of force.

**TB:** We've said that that's what we want to do.

**JP:** But you haven't given an explicit commitment that those are the only circumstances under which British forces will be used.

**TB:** I haven't but what I've said is this - those are the only circumstances in which we would agree to use force except for one caveat that I've entered. And I'll explain exactly why I've done this. If the inspectors do report that they can't do their work properly because Iraq is not co-operating there's no doubt that under the terms of the existing United Nations Resolution that that's a breach of the Resolution. In those circumstances there should be a further Resolution. If, however, a country were to issue a veto because there has to be unanimity amongst the permanent members of the Security Council. If a country unreasonably in those circumstances put down a veto then I would consider action outside of that.

**JP:** But Prime Minister, this is, you say, all about a man defying the wishes of the United Nations. You cannot have it both ways. If one of the permanent five members of the Security Council uses its veto and you, with your friend George Bush, decide somehow that this is unreasonable, you can't then consider yourself absolutely free to defy the express will of the Security Council. What's it for otherwise?

**TB:** First of all, let me make two points in relation to that. Firstly you can't just do it with America, you have to get a majority in the Security Council. Secondly, because the issue of a veto doesn't even arise unless you get a majority in the Security Council. Secondly, the choice that you're then faced with is this. If the will of the UN is the thing that is most important and I agree that it is, if there is a breach of Resolution 1441 which is the one that we passed. If there is a breach and we do nothing then we have flouted the will of the UN.

**JP:** We have flouted the will of the UN ?

## D UN inspectors forced out by Clinton and Blair

Clinton and Blair knew when they bombed Iraq in December 1998 that they were terminating the UN inspection regime. That has been confirmed by Robin Cook in [evidence](#) to the Foreign Affairs Select Committee on 17 June 2003. Why did they do it? They would say they did it because Iraqi obstruction made inspections pointless.

That is simply untrue: immediately before they pulled the plug, inspections were less subject to obstruction than they had been for months. As we will see, there was a good reason for this.

In the 12 months or so prior to that, Iraq **had** engaged in obstruction. But it was obstruction to a purpose, the purpose being to bring about a final settlement with the Security Council in accordance with paragraph 22 of resolution 687, which specified that economic sanctions would be lifted, if Iraq fulfilled its disarmament obligations.

Throughout the 1990s, the US made it absolutely clear that it would not honour that obligation in resolution 687, saying publicly and explicitly on many occasions that sanctions would not be lifted as long as Saddam Hussein remained in power. For example:

**20 May 1991:** President George Bush:

“At this juncture, my view is we don’t want to lift these sanctions as long as Saddam Hussein is in power”.

**20 May 1991:** Secretary of State, James Baker:

“We are not interested in seeing a relaxation of sanctions as long as Saddam Hussein is in power.”

**13 January 1993:** President Bill Clinton (when he was about to take office):

“I am a Baptist. I believe in death-bed conversions. If he [Saddam Hussein] wants a different relationship with the United States and the United Nations, all he has to do is change his behavior.” (New York Times, 14 January 1993)

**14 January 1993:** In the face of criticism, particularly from the New York Times, that he might lift sanctions and even normalise relations with Iraq, President Clinton backtracked:

“There is no difference between my policy and the policy of the present Administration.... I have no intention of normalizing relations with him.” (New York Times, 15 January 1993)

**January 1993:** Incoming Secretary of State, Warren Christopher:

“I find it hard to share the Baptist belief in redemption.... I see no substantial change in the position and continuing total support for what the [Bush] administration has done.”

**26 March 1997:** New Secretary of State, Madeleine Albright:

“We do not agree with the nations who argue that if Iraq complies with its obligations concerning weapons of mass destruction, sanctions should be lifted. Our view, which is unshakable, is that Iraq must prove its peaceful intentions. It can only do that by complying with all of the Security Council resolutions to which it is subjected.

“Is it possible to conceive of such a government under Saddam Hussein? When I was a professor, I taught that you have to consider all possibilities. As Secretary of State, I have to deal in the realm of reality and probability. And the evidence is overwhelming that Saddam Hussein’s intentions will never be peaceful.”

On 31 October 1998, “regime change” in Iraq became the official policy of the US. On that day President Clinton signed the Iraq Liberation Act (see, for example, [here](#)). Section 3 of it states:

“It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime.”

Donald Rumsfeld headed the commission that drew up and lobbied Congress for the Act, which was passed by 360 votes to 38 in the House of Representatives on 5 October 1998 and unanimously in the Senate two days later.

The Act authorised the US President to provide arms and military training up to value of \$97m to “Iraqi democratic opposition organizations” designated under the Act:

“The President is authorized to direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training for such organizations” (section 4).

Clinton designated the Iraqi National Congress (INC) under the Act as an appropriate organisation to arm and train for the purposes of overthrowing Saddam Hussein.

Faced with US determination not to lift sanctions while he was in power, Saddam Hussein’s only option was to provoke crises until the Security Council established a process that stood a chance of delivering the lifting of sanctions in exchange for disarmament. Iraq had some success: in the middle of 1998 Kofi Annan proposed, with the support of France, Russia and China, that a sustained period of Iraqi co-operation with the inspectors would lead to a “comprehensive review”, which it was understood would lead to the lifting of sanctions in exchange for disarmament. The US/UK were less than happy with this and tried to thwart it and/or render it meaningless. But they didn’t entirely succeed.

In the middle of November 1998, the US/UK aborted a bombing campaign against Iraq at the last minute, because Iraq promised to resume co-operation with the inspectors if a comprehensive review was in prospect. In a press statement on 15 November 1998 ([SC/6596 IK/258](#)), the president of the Security Council (who in that month happened to be the US Permanent Representative, Peter Burleigh) noted the Iraqi decision to allow the return of inspectors and went on:

“Council members reaffirmed their readiness to proceed with a comprehensive review, once the Secretary-General has confirmed, on the basis of reports from the Special Commission [UNSCOM] and the IAEA, that Iraq has returned to full cooperation ...”

So the Council held out the prospect of a comprehensive review when Kofi Annan confirmed that Iraq was co-operating. Inspections by UNSCOM and the IAEA went ahead from 17 November 1998. The Council didn’t set a date for assessing whether the level of Iraqi co-operation met the standard required for the initiation of a comprehensive review but Richard Butler, the head of UNSCOM, chose to make a report to the Secretary-General on 14 December 1998.

UNSCOM inspectors had visited some 300 sites in the previous month, at only 5 of which was there any problem about access, and at none of which was access refused. IAEA inspectors had no trouble at all: to quote from their report, dated 15 December 1998, in [S/1998/1172](#), Iraq “provided the necessary level of cooperation to enable ... activities to be completed efficiently and effectively”. Iraqi co-operation had been unprecedented – because a comprehensive review leading to the lifting of sanctions was promised. There was good reason to believe that this co-operation would continue as long as the lifting of sanctions was the probable outcome of that co-operation.

It is true that Richard Butler, the head of UNSCOM, produced a negative final paragraph to his report, which stuck out like a sore thumb, but that was not because of a lack of Iraqi co-operation, but because the US Government was pulling his strings.

Kofi Annan forwarded the two reports to the Security Council the next day with a covering letter, which put forward three options with regard to the comprehensive review (see UNSCOM document [S/1998/1172](#)). These were:

“1. That the experience over the period since 17 November 1998 does not provide a sufficient basis to move forward with a comprehensive review at this time.

“2. That Iraq has not provided full cooperation but that it should be permitted additional time to demonstrate its commitment to do so.

“3. That the Council may wish to proceed with a comprehensive review on the premise that it is sufficiently important to know precisely what has been achieved in the area of disarmament over the entire period since 1991.”

Meanwhile, Butler ordered the withdrawal of the UNSCOM inspectors from Iraq. In his book *Saddam Defiant* published in 2000, he describes how he received word from Washington on 15 December 1998 to do this:

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

As Butler makes clear, the inspectors were withdrawn by him at the request of President Clinton, no doubt with the approval of Prime Minister Blair. The safety and security of UNSCOM staff in Iraq was about to be threatened by a US/UK bombing campaign.

The inspectors were withdrawn without the approval of the Security Council. The report of the Presidency of the Council for December 1998, held that month by Bahrain, makes this clear (see, for example, [here](#)):

“On 15 December UNSCOM published its report (S/1998/1172, annex II), and on 16 December the members of the Council met in order to discuss the latest developments in Iraq in view of the sudden withdrawal from that country of UNSCOM and IAEA personnel. The members of the Council expressed their concern at this development and at the fact that it had not been consulted when the decision to withdraw UNSCOM personnel had been taken.”

During the Council meeting on 16 December 1998, word reached it that the US/UK bombs were falling on Iraq. The comprehensive review was aborted – and the inspection process was terminated. The danger of having to concede the lifting of sanctions to Saddam Hussein had been averted.

On 12 May 1996, when she was US Ambassador to the UN, Madeleine Albright was interviewed on the CBS 60 Minutes programme. It was put to her that half a million children had died in Iraq because of sanctions. “That’s more children than died in Hiroshima. Is the price worth it?” she was asked. She didn’t question the figure, but replied: “I think this a very hard choice, but the price – we think the price is worth it.”

The price continued to be paid.



## **E On redrafting the dossier to get rid of the Prime Minister's 'bit of a problem'**

**Hutton Inquiry (23 September 2003, transcript [here](#))**

### **Cross-examination of John Scarlett by Andrew Caldecott for the BBC**

John Scarlett was cross-examined by Andrew Caldecott for the BBC about his redrafting of the dossier at the request of the Prime Minister. The following is an extract:

**Q.** The suggestion there, is it not, is that the dossier should be redrafted to remove an express suggestion that Saddam Hussein is a defensive threat? ... And leave an implication that, in fact, he is an offensive threat; is that right?"

**A.** No. It is not right. It is not to leave the implication that he is an offensive threat, it is to take away the explicit, as it were, limitation that it is a defensive -- not a defensive threat, but it is a defensive sort of point.

**Q.** Do you accept you can transform a dossier by omission, Mr Scarlett?

**A.** Well, omission is --

**Q.** Taking out what was in it before?

**A.** Of course, that is -- it is important what you take out as well as what you put in.

**Q.** You see, such a change would make a great effect, would it not, on the threat in fact presented by Saddam Hussein in the eyes of the public?

**A.** Shall I say what I did about this?

**Q.** Yes, please do

**A.** This e-mail did prompt me and the assessment staff to look again at that particular passage. Now, we were acting under the instructions from the JIC to keep what we were writing in line with standing JIC assessments and also with recent intelligence. As I recall this particular paragraph -- obviously this particular paragraph was under the heading of what recent intelligence was showing. Now, there had been an intelligence report which made that point, I mean a recent intelligence report which is why it was phrased like this. When we looked at it again, we also realised two things: first of all, that there was no standing JIC assessment which made it clear whether we were defining Saddam's threat, if you like, as defensive or C[B]W posture as defensive or offensive. More to the point, there was recent reporting, in addition, which was not reflected here, but which was quite clear reporting, which placed his attachment to CBW and the importance that he placed on it very much in the context of his perception of his regional position, his plans to acquire and maintain regional influence and, as one report, and maybe more, put it: dominate his neighbours. In other words, the recent intelligence was more complex than that phrase implied. Bearing those points in mind, we concluded that this was not right, the way this was phrased; and therefore we took that out. That is what I did.

**Q.** This formula had appeared in the draft of the 11th September, circulated to JIC members and approved. It had appeared in the draft of the 16th September, circulated to JIC members and approved. It appeared in the draft of the 19th September, circulated to JIC members and approved. Why the change? Only the reason you have given.

**A.** Well that is an important reason and I was acting under JIC instructions, and within our authority and delegated authority, as I have explained, in basing what we did on the recent intelligence.

**Q.** Can we just finish this by looking at the changes that were made in the dossier as a result of this intervention from Downing Street at BBC/29/19?

**A.** Sorry, can I just interrupt to say, before I forget, that it was not as a result of the interventions from Downing Street, it was as a result of the exercise of my professional judgment and that of my colleagues in assessment staff for the reasons I have just given.

**Q.** It would not have occurred without Mr Powell's memorandum, would it?

**A.** I said we were prompted to look again at this by the memorandum. I was exercising my judgment as I was authorised to do entirely in line with the existing intelligence -- the recent intelligence which indeed had come in and which was not taken into account properly by that phrase.

## **F On the Government's failure to correct the misreporting of the 45-minute claim**

### **Hutton Inquiry**

#### **Cross-examination of Geoff Hoon & John Scarlett by Andrew Caldecott for the BBC**

**Geoff Hoon (22 September 2003, transcript [here](#))**

**Q.** So you knew, did you, that the munitions referred to were only battlefield munitions?

**A.** I was certainly aware that that was one suggestion, yes.

**Q.** Was there any other suggestion that they were not battlefield munitions but strategic munitions?

**A.** I recall asking what kind of weapons would be deployable within 45 minutes; and the answer is the answer that I have just given to you.

**Q.** Which was shells, battlefield mortars, tactical weapons of that kind?

**A.** Yes.

**Q.** Would your Department be responsible for correcting any false impression given by the press on an issue of this importance?

**A.** I think on an issue of this importance it would not simply have been the Ministry of Defence that was solely responsible. There would have been an effort across Government.

**Q.** Are you aware that on 25th September a number of newspapers had banner headlines suggesting that this related to strategic missiles or bombs?

**A.** I can recall, yes.

**Q.** Why was no corrective statement issued for the benefit of the public in relation to those media reports?

**A.** I do not know.

**Q.** It must have been considered by someone, must it not?

**A.** I have spent many years trying to persuade newspapers and journalists to correct their stories. I have to say it is an extraordinarily time consuming and generally frustrating process.

**Q.** I am sorry, are you saying that the press would not report a corrective statement that the dossier was meant to refer, in this context, to battlefield munitions and not to strategic weapons?

**A.** What I am suggesting is that I was not aware of whether any consideration was given to such a correction. All that I do know from my experience is that, generally speaking, newspapers are resistant to corrections. That judgment may have been made by others as well.

**Q.** But, Mr Hoon, you must have been horrified that the dossier had been misrepresented in this way; it was a complete distortion of what it actually was intended to convey, was it not?

**A.** Well, I was not horrified. I recognised that journalists occasionally write things that are more dramatic than the material upon which it is based.

**Q.** Can we forget journalists for the moment and concentrate on the members of the public who are reading it? Will they not be entitled to be given the true picture of the intelligence, not a vastly inflated one?

**A.** I think that is a question you would have to put to the journalists and the editors responsible.

**Q.** But you had the means to correct it, not them. They could not correct it until they were told, could they?

**A.** Well, as I say, my experience of trying to persuade newspapers to correct false impressions is one that is not full of success.

**Q.** Do you accept that on this topic at least you had an absolute duty to try to correct it?

**A.** No, I do not.

**Q.** Do you accept that you had any duty to correct it?

**A.** Well, I apologise for repeating the same answer, but you are putting the question in another way. I have tried on many, many occasions to persuade journalists and newspapers to correct stories. They do not like to do so.

**Q.** Can I suggest to you a reason why this was not done? It would have been politically highly embarrassing because it would have revealed the dossier as published was at least highly capable of being misleading.

**A.** Well, I do not accept that.

**Q.** So your suggestion is that this was a disgraceful exaggeration by the press of what was clear in the dossier as a reference to battlefield munitions?

**A.** I am certainly suggesting that it was an exaggeration, but it is not unusual for newspapers to exaggerate.

**Q.** Can you tell me, if you happen to have it to hand, where in the dossier it is made clear that the CBW weapons which were the subject of the 45 minute claim were only battlefield munitions

**A.** Well, I do not have it to hand; and I do not know whether it was made clear.

**John Scarlett (23 September 2003, transcript [here](#))**

Andrew Caldecott had pointed to the ISC criticism of the dossier that it did not make clear that the weapons systems most likely to be used to deliver chemical and biological weapons were battlefield rather than strategic weapons which could reach, for example, Cyprus. Scarlett was irritated by this and went on at length about the killing power of battlefield weapons, ending with "I just thought I would say that". Caldecott then said:

**Q.** Mr Scarlett, I totally take the point, but you are well aware, are you not, of the distinction between range and casualty?

**A.** Yes.

**Q.** Yes. Strategic weapons have a far longer range, they could reach British bases in Cyprus, for example, which is what the newspaper[s] said on 25th September.

**A.** A small number of newspapers said it on 25th September and not thereafter.

**Q.** A small number of newspapers with a readership of 15 millions.

**A.** On the 25th September there were a small number of headlines about that; and afterwards virtually no reference to it.

**Q.** Were you concerned that that should be corrected, Mr Scarlett?

**A.** No, I was not and I will tell you why not. First of all, as regards my own assessment staff, we were ready to field enquiries from the press offices of No. 10, the MoD, the FCO with anything relating to issues of this kind. We received no enquiries whatsoever about the 45 minute point. The second point was I was of course following the press coverage of the dossier and I was interested to note that immediately after the headline flurry on various points on the 24th and 25th September the press coverage fell quickly into assessing the dossier as a sober and cautious document that most explicitly did not make a case for war, if

anything it made a case for the return of the inspectors and it focused in particular, quite rightly in my view, on the importance of what the dossier had to say about the nuclear issue. I was content with the way that coverage came out; and that is -- that was my attitude over many months indeed.

**Q.** Do I understand you to say that you do not correct it because no questions had been asked about it?

**A.** No, you may understand it but that would be wrong, but I have explained that the reason why that was not an issue in my mind was because of the very sober and sensible way in which media coverage of the dossier fell into place immediately after the 25th September.

**Q.** Well, what about the 25th September itself? This is the day it is announced in the House of Commons by the Prime Minister, and certainly a number of newspapers, with mass readerships throughout the country, have misunderstood it. Why was it not put right and why were you not concerned to put it right?

**A.** Because it was a fleeting moment and then the underlying assessment by the media of the dossier was as I have just described, and beyond that, of course, it is not my immediate responsibility to correct headlines and if I did that, I certainly would not have time to do my job.

## G Iraq & al-Qaida: Extract from ISC Report

The ISC [report](#) (paragraphs 125-127) put into the public domain intelligence assessments about Iraq and al-Qaida, and the possibility of chemical and biological weapons passing from Iraq to al-Qaida. Paragraph 128 reports the Prime Minister's comment on why he went ahead with military action against Iraq despite the risk.

Paragraphs 125-128 of the ISC report are as follows:

125. The 27 November 2002 intelligence update reported that although there was no intelligence to indicate that Iraq had considered using chemical and biological agents in terrorist attacks, it could not rule out the possibility.

126. In their assessment *International Terrorism: War with Iraq*, dated 10 February 2003, the JIC reported that there was no intelligence that Iraq had provided CB materials to al-Qaida or of Iraqi intentions to conduct CB terrorist attacks using Iraqi intelligence officials or their agents. However, it judged that in the event of imminent regime collapse there would be a risk of transfer of such material, whether or not as a deliberate Iraqi regime policy. The JIC assessed that al-Qaida and associated groups continued to represent by far the greatest terrorist threat to Western interests, and that threat would be heightened by military action against Iraq.

127. The JIC assessed that any collapse of the Iraqi regime would increase the risk of chemical and biological warfare technology or agents finding their way into the hands of terrorists, not necessarily al-Qaida.

128. We discussed this risk with the Prime Minister, who said:

“One of the most difficult aspects of this is that there was obviously a danger that in attacking Iraq you ended up provoking the very thing you were trying to avoid. On the other hand I think you had to ask the question, ‘Could you really, as a result of that fear, leave the possibility that in time this developed into a nexus between terrorism and WMD in an[y] event?’. This is where you’ve just got to make your judgement about this. But this is my judgement and it remains my judgement and I suppose time will tell whether it’s true or it’s not true.”

## Afterword (Second Edition, May 2004)

### The incredible ignorance of Blair

Since the first edition of this pamphlet was published, the Prime Minister has “confessed” that in March 2003, when he sent British troops into Iraq to kill and be killed, he didn’t know that the 45-minute claim in the September dossier referred to battlefield weapons, and not to missiles capable of hitting Cyprus. There could hardly be better proof that the dossier was misleading.

The Prime Minister [confessed](#) his ignorance to the House of Commons during the debate on the Hutton report on 4 February 2004. He was asked by Conservative MP, Richard Ottaway, when he became aware that the claim applied to battlefield weapons and, in particular, if he knew this when the House voted for war on 18 March 2003. He said he didn’t.

It is very difficult to believe that the Prime Minister, with his army of advisers to keep him right, remained in ignorance for so long. Perhaps, he was merely in “official” ignorance. Certainly, his ignorance was politically very convenient. The 45-minute claim generated a marvellously frightening crop of misleading headlines when the dossier was published, headlines which Downing Street made no attempt to correct. Parliament and the public were misled: luckily for the Prime Minister, he was misled too, otherwise he could be accused of being party to a grave deception.

It wasn’t until John Scarlett gave evidence to the Hutton Inquiry on 26 August 2003 (transcript [here](#)) that there was public confirmation that the 45-minute claim referred to battlefield weapons. Then, when confronted with the deception, the Government’s line was that the claim was “not a significant issue” (to use the Geoff Hoon’s [words](#) to the Defence Select Committee on 5 February 2004), which was scarcely mentioned in the debates leading up to the war.

That is true, but it begs two important questions:

1. Why did an issue that was not significant appear, not once, but four times in the dossier?
2. Why did Downing Street cease mentioning the claim shortly after the dossier was published?

There must have been a very good reason for the latter. Why would Alistair Campbell cease mentioning a claim that had produced such a bumper crop of frightening headlines on 24/25 September 2002?

John Scarlett knew the headlines were wrong at the time: he said as much to the Hutton inquiry on 23 September 2003 (transcript [here](#)). He is bound to have made sure that Campbell knew that they were wrong, since it would have been a disaster for the Government if it became public knowledge that they were wrong. Did Campbell tell Blair at that point? Probably, but not “officially”, so he wouldn’t be party to the continuation of the deception.

My guess is that at this point a decision was taken to cease mentioning the claim, so that public discussion of it, and therefore the risk of the deception becoming public knowledge, was kept to a minimum. That would explain why the claim was barely heard of again until Andrew Gilligan’s broadcast on 29 May 2003.

Keeping quiet about the claim was the only course of action open to Downing Street. Correction of the misleading headlines was politically impossible.

If Campbell had supplied the incorrect information in the first place, it was impossible to correct it without it becoming public knowledge that he had done so – which would have made him, and the dossier, a laughing stock.

Even if one assumes that the newspapers all got it wrong without his help, correction was impossible. It would have led to a ferocious public controversy in Britain and around the world, in which all the good work done by the frightening headlines would have been undone with interest. The public might even have got the politically inconvenient impression that if British forces stayed away from Iraq, they would most likely be safe from Iraq’s chemical and biological weapons. The drive for war against Iraq would have lost momentum – perhaps fatally.

In either case, there was no choice but to let the hare sit, and to continue to deceive Parliament and the public about the claim.

### **The real significance of the 45-minute claim**

The ISC report said that the intelligence behind the 45-minute claim “added nothing fundamentally new to the UK’s assessment of the Iraqi battlefield capability”. But it now appears that the intelligence added something fundamentally new in another sense: according to Dr Brian Jones, it was the only up to date intelligence that Iraq had chemical and biological weapons.

Dr Jones was formerly head of the branch within the Defence Intelligence Analysis Staff in the Ministry of Defence, responsible for analysis activities on intelligence on nuclear, biological and chemical warfare. He gave evidence to the Hutton Inquiry (see Annex A). In an article in the Independent on 4 February 2004, he wrote:

“The problem was that the best available *current* evidence that Saddam actually had chemical and biological weapons (CW and BW) was the inference that this must be so from the claim of an apparently unproven original source that such weapons could be ‘deployed’ within 45 minutes.”

So, the significance of the claim was the inference from it that, if Iraq had current plans to deploy chemical and biological weapons, then it must have chemical and biological weapons to deploy.

The 45-minute claim was therefore of great importance to the compilers of the dossier. It was not only new, and therefore likely to generate press interest, but it also “proved” that Iraq still possessed chemical and biological weapons. Without it, there might not have been a dossier at all.

### **ISC report: Government response**

The Government produced its official [response](#) to the Intelligence & Security Committee (ISC) report in February 2004. In it, the Government makes no attempt to counter the ISC’s criticisms of the September dossier. Instead, its defence is, believe it or believe it not, that the dossier didn’t seek to give a complete picture.

The response summarised the ISC’s criticisms of the dossier accurately as follows:

“[The ISC] believes (paragraphs 110 and 111) that the uncertainty over Saddam’s chemical and biological capacity should have been highlighted to give a balanced view; that the nature of the threat should have been more clearly spelt out, in particular that Saddam was not considered a current or imminent threat to mainland UK; and that the most likely chemical and biological munitions to be used against Western forces were battlefield weapons (artillery and rockets) rather than strategic weapons. The Committee also notes (paragraph 112) that, as the dossier was for public consumption and not for experienced readers of intelligence material, the context of the intelligence on the 45 minutes claim should have been explained, in particular the fact that it was assessed to refer to battlefield chemical and biological munitions and their movement on the battlefield.” (paragraph 12)

#### **CBW capability**

As regards Iraq’s current CBW capability, remember that there was no available intelligence about what agents had been produced and in what quantities, and what quantities, if any, had been put into weapons. Yet, the Prime Minister asserted in his foreword that “the assessed intelligence has established beyond doubt is that Saddam has continued to produce chemical and biological weapons”.

To the ISC’s criticism that this uncertainty should have been highlighted in order to give the public a balanced view, the Government responded:

“The Government believes that the dossier did present a balanced view of Iraq’s CBW capability based on the intelligence available.” (paragraph 12)

So that’s all right then.



The Government response goes on:

“The dossier made clear (paragraph 14, page 16) that the withdrawal of the United Nations Special Commission (UNSCOM) had greatly diminished the ability of the international community to monitor and assess Iraq’s continued efforts to reconstitute its programmes.”

Indeed, it had, but that’s beside the point. The ISC did not criticise the lack of intelligence, or the accuracy of the intelligence as of September 2002. It criticised the fact that the dossier did not reflect accurately the intelligence that did exist.

It’s also a bit rich for the Government to be complaining about the lack of intelligence from Iraq after the withdrawal of UNSCOM, since Clinton and Blair caused UNSCOM to be withdrawn so that they could bomb Iraq.

### **Military scenarios**

Paragraph 14 of the response says:

“The dossier did not seek to address military scenarios in which Saddam Hussein might consider the use of CBW.”

The obvious question is: why not? How could the dossier give a complete picture to the public without doing so? A key question always was: in what circumstances would Saddam Hussein use his chemical and biological weapons, if he had any? In particular, would he use them only if his regime was threatened?

In fact, as revealed by the Hutton inquiry, earlier drafts of the dossier did “seek to address military scenarios in which Saddam Hussein might consider the use of CBW”, and gave the strong impression that he would use them only if his regime was threatened. However, understandably, the Prime Minister had “a bit of a problem” with that, since it gave the politically inconvenient impression that Saddam Hussein would only use chemical and biological weapons if he was attacked. And, at the request of his Chief of Staff, John Scarlett excised that bit (having reviewed the intelligence, of course).

### **Battlefield weapons**

Paragraph 14 continues:

“[The dossier] accurately reflected the intelligence available at the time, which indicated that Iraq could deliver CBW by a variety of means including battlefield munitions, such as artillery, mortars and rockets, as well as by ballistic missiles. It did not seek to address which method of delivery Iraq was most likely to use.”

Again, the obvious question is: why not? Iraq had thousands of battlefield weapons, capable theoretically of projecting munitions filled with chemical and biological agents, and at most 20 al-Hussein ballistic missiles capable of hitting Cyprus. Wouldn’t the public have been better informed if, as the ISC suggested, the dossier has made it clear that the most likely chemical and biological munitions to be used against Western forces were battlefield weapons rather than strategic weapons?

### **45-minute claim**

In paragraph 15, the Government responds to the ISC’s criticism that the dossier should have made it clear that the 45-minute claim applied to battlefield weapons. It says:

“The Government understands the reasoning behind the Committee’s view (paragraph 112) that the presentation of the 45 minutes issue in the dossier, which was compiled for the public and not for experienced readers of intelligence material, allowed speculation as to its exact meaning. However, the Government notes that the dossier did not say that Iraq could deliver chemical or biological weapons by ballistic missiles within 45 minutes.”

Indeed, and nor did it accurately reflect the intelligence, such as it was, that the claim referred to battlefield weapons only, which was the reason why there was speculation, and why the Prime Minister got the wrong impression (he says).

## Access to presidential sites

The September dossier stated erroneously that “Iraq consistently refused to allow UNSCOM inspectors access to any of these eight Presidential sites”. However, we now know that what the Government actually meant by this sentence was that the inspectors were allowed access once.

We have that in black and white in a letter from the Foreign Secretary, Jack Straw, to Labour MP, Paul Flynn dated 7 November 2003. Paul Flynn had written to Straw querying the inconsistency between what the dossier said about UNSCOM entry to Presidential sites and the contents of a written [answer](#) he had received from Foreign Office Minister, Denis MacShane, on 16 September 2003. This admitted that access had been granted to all 8 presidential sites:

”A special team of inspectors, with 20 senior diplomats acting as observers, was established in March 1998 to carry out inspections at eight presidential sites. The inspection mission, UNSCOM 243, visited the sites on the following dates: Radwaniya on 26 and 27 March; Tikrit on 28 March; Mosul and Jabal Makhul on 29 March; Tharthar and Basrah on 30 March; and the Republican Palace and Sijood sites in Baghdad on 1 and 2 April.”

Straw responded as follows:

“Thank you for your letter of 15 October. You raised an apparent discrepancy in information about the inspection of Presidential Sites in Iraq given in the Government publication “Iraq’s Weapons of Mass Destruction” and an answer given in the House by Denis MacShane on 16 September this year.

“Only on one occasion, and then only under exceptional circumstances accompanied by a large group of observers, following the personal intervention of the UN Secretary General, did Iraq allow inspectors to make a brief visit to these sites. The inspectors carried out “baselining” at the sites, and took some soil samples, but did not carry out full inspections of all buildings and grounds. At no time thereafter were inspectors allowed to return to any of these sites to follow up on their initial visit.

On the basis of this Straw concluded that the dossier gave an accurate account of UNSCOM’s access to presidential sites. He continued:

“It is, therefore, fair to say that Iraq “consistently” refused inspectors access.”

So, there you have it: when this Government says “consistently refused access”, it means “allowed access once”. When Blair and Straw told us over and over again that Saddam Hussein possessed “weapons of mass destruction”, perhaps they meant that he had none, or that he had some in the past, or that he had plans on the back of an envelope to produce some sometime. How can you tell?

## Humanitarian intervention

The Prime Minister continues to defend the invasion of Iraq by saying that Iraq was in breach of Security Council disarmament resolutions, and that Britain was justified in taking military action in order to uphold the authority of the Security Council. To accept this justification for the invasion, we must forget that, as of March 2003, 11 out of 15 members of the Council were opposed to its authority being upheld by military action.

However, anybody who dares to suggest that the invasion was launched on a false premise – since Iraq had no proscribed weapons in March 2003 – is accused of wanting the tyrant Saddam Hussein to be restored to power. The Prime Minister’s humanitarian concern for the Iraqi people was, apparently, the real reason for the invasion after all. At this point, we must forget that, time without number, the Prime Minister made it clear that, if Iraq gave up its proscribed weapons, the tyrant Saddam Hussein would be allowed to remain in power.

Unlike the Prime Minister, Labour MP, Ann Clwyd, has consistently argued for the overthrow of Saddam Hussein on humanitarian grounds, and she is now the Prime Minister’s special envoy on human rights in Iraq. In an article in the Guardian on 30 March 2004, entitled [Iraq is free at last](#), she attempted to justify the invasion because, she said, Saddam Hussein’s regime “cost the lives of 2 million people in wars and internal oppression”.

Let us for the sake of argument not quarrel this wildly exaggerated figure. The vast majority of the deaths occurred more than a decade before the invasion, which they are now being used to justify – in the Iran-Iraq war and its aftermath, and in the Iraq-Kuwait war and its aftermath. No such killing was going on in March 2003.

It is absurd to argue that military action to overthrow the regime was justified on humanitarian grounds in March 2003 because of what happened more than a decade earlier, but was no longer happening. Predictably, military action in March 2003 has merely added greatly to the toll of Iraqi (and other) deaths.

The US human rights organisation, Human Rights Watch (HRW), published a document last January by its director Kenneth Roth, entitled [War in Iraq: Not a humanitarian Intervention](#). This attempted to lay down ground rules by which to judge when military intervention is justified on humanitarian grounds, and applied those ground rules to the intervention in Iraq in March 2003.

Its overall conclusion is that “despite the horrors of Saddam Hussein’s rule, the invasion of Iraq cannot be justified as a humanitarian intervention”.

The document starts from the obvious premise that military action inevitably results in death and destruction, and may make matters a great deal worse, and that therefore military intervention for humanitarian purposes should only be contemplated in extreme circumstances to prevent actual, or imminent, killing on a grand scale:

“To state the obvious, war is dangerous. In theory it can be surgical, but the reality is often highly destructive, with a risk of enormous bloodshed. Only large-scale murder, we believe, can justify the death, destruction, and disorder that so often are inherent in war and its aftermath. Other forms of tyranny are deplorable and worth working intensively to end, but they do not in our view rise to the level that would justify the extraordinary response of military force. Only mass slaughter might permit the deliberate taking of life involved in using military force for humanitarian purposes.”

The HRW ground rules exclude military intervention as a punishment for past atrocities:

“‘Better late than never’ is not a justification for humanitarian intervention, which should be countenanced only to stop mass murder, not to punish its perpetrators, desirable as punishment is in such circumstances.”

This principle is manifestly reasonable since the net result of military action in such circumstances is bound to be the deaths of even more innocent people.

Iraqis, both military and civilian, were inevitably going to get killed in an invasion of Iraq. That is true whether the civilian population as a whole greeted the invaders with flowers, or resisted militarily, or the reaction was mixed. And whether Saddam Hussein was responsible for the deaths of 2 million people over a decade ago, or a tiny fraction of that number, is immaterial to that conclusion. More Iraqis (and others) were going to die as a result of the invasion than would otherwise have done – and therefore it is impossible to justify the invasion on humanitarian grounds.

### **The Prime Minister’s false premise**

The Prime Minister took Britain to war on the false premise that Iraq possessed chemical and biological weapons. But, despite all the evidence, he stubbornly refuses to acknowledge that he did so. Instead, he takes refuge in the notion that Iraq was, he says, in breach of Security Council disarmament resolutions, as if that was a sufficient reason for war. For example, in his Sedgefield [speech](#) on 5 March 2004, he said:

“Actually, it is now apparent from the Survey Group that Iraq was indeed in breach of UN Resolution 1441. It did not disclose laboratories and facilities it should have; nor the teams of scientists kept together to retain their WMD including nuclear expertise; nor its continuing research relevant to CW and BW.”

The plain fact is that in March 2003 he justified military action, not because of Iraq's "research relevant to CW and BW", but because Iraq possessed an arsenal of CW and BW and the means of delivering them, and was actively pursuing a nuclear weapons programme. All this was plainly false.

David Kay went to Iraq in June 2003 as the head of the Iraq Survey Group. Before he went, he was convinced that Iraq had proscribed weapons and the means of making many more. The experience of the Iraq Survey Group convinced him otherwise, and he has had the honesty to acknowledge that he was wrong, unlike the Prime Minister.

The following is a portion of an interview with David Kay by Jonathan Dimpleby on 18 April 2004:

**DK:** My mission as charged by the President directly ... was to find the truth about the weapons programmes. So I was out seeking the truth. But my personal belief, like most people, was weapons must be there.

**JD:** And after the work you did there, you came unambiguously to the conclusion that in so far as weapons of mass destruction mean anything, there are none, there were none in Iraq at the time of the war?

**DK:** That's correct, I believe there were no weapons of mass destruction produced after the inspectors left in 1998. Now, could there be one or two, three or four, five or six even left over weapons from the 80s, discarded some place in Iraq? Sure there could be. There was not a weapons programme producing weapons of mass destruction throughout the 1990s, nor in the late 2000 period. ...

[T]here are things certainly hidden that we couldn't discover. ... What we did was to go after the production centres, go after the scientists that must have been involved, the security personnel that would have protected and moved those weapons.

And I came to the conclusion, and the team working for me [did also], that in fact there were no production centres, there was no security apparatus protecting and moving weapons around, there were no military units charged with using those weapons.

It is now virtually certain that all Iraq's proscribed weapons and weapons-related material were destroyed in the summer of 1991. Saddam Hussein's son-in-law, Hussein Kamal, told UN inspectors this in August 1995, when he defected to Jordan.

In an article in the Washington Post on 7 January 2004, entitled [Iraq's Arsenal Was Only on Paper](#), Barton Gellman reports on documentary evidence from 1995 about the Kamal defection, which came into his possession, evidence he believes to be authentic. This took the form of a letter written to Saddam's son Qusay, just after Kamal's defection, by Hossam Amin, the person responsible for liaison with UNSCOM. The letter listed the matters known to Kamal and not declared to UNSCOM, which would now have to be declared. Gellman claims that this shows that Kamal told the truth, and also that he held back nothing that he knew.

The unanswered question is why Kamal's statement was not taken seriously by UNSCOM in 1995, since there was no obvious reason why he should lie. Since then, tens of thousands of Iraqis have died through sanctions and war to force Iraq to give up weapons it didn't possess, and it repeatedly said it didn't possess.

There is no doubt that the Prime Minister grossly misled Parliament when he said on 18 March 2003 that Iraq had an arsenal of chemical and biological weapons, and the means of delivering them. Kind people will say he didn't know any better. But that doesn't alter the fact that Parliament was grossly misled and that, as a result, it voted to join the US in taking military action against Iraq, action which has led to the deaths of many thousands of people. And there is no end to the carnage in sight.

On 31 March 2004, Beverly Hughes resigned from the Government. She had been a Home Office minister responsible for asylum and immigration matters. She resigned because a couple of days earlier she had given a misleading impression in TV interviews – she denied having seen correspondence expressing concern about the operation of clearance controls from Romania and Bulgaria, when she had.

In a [personal statement](#) in the House of Commons the next day, she said:

“Although I did not intentionally mislead anyone I have decided that I cannot in conscience continue to serve as immigration Minister”.

The Prime Minister accepted her resignation and commended her for behaving “with integrity”.

Beverly Hughes did mislead, but her misleading was trivial, as well as unintentional. And no blood was shed as a result of it.

The same cannot be said of the Prime Minister’s misleading of the House of Commons on 18 March 2003: without it, the House would not have voted to take military action against Iraq. The Prime Minister cannot be accused of behaving “with integrity”.