



Ninth Report
of the
Foreign Affairs Committee

Session 2002-03

The Decision to go to War in Iraq

Response of the Secretary of State for
Foreign and Commonwealth Affairs

*Presented to Parliament
by the Secretary of State for
Foreign and Commonwealth Affairs
By Command of Her Majesty
November 2003*

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**NINTH REPORT OF THE FOREIGN AFFAIRS COMMITTEE
SESSION 2002-03**

THE DECISION TO GO TO WAR IN IRAQ

**FOREIGN AND COMMONWEALTH OFFICE (FCO) RESPONSE TO THE
FOREIGN AFFAIRS COMMITTEE (FAC) REPORT S CONCLUSIONS**

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

The September Dossier was based primarily on British intelligence including human sources. Much of the intelligence came from within Iraq. Where US-derived intelligence was used, the UK made its own independent assessment of the content.

2. We conclude that the March 2002 assessment of Iraq's WMD was not "suppressed", as was alleged, but that its publication was delayed as part of an iterative process of updating and amendment, which culminated in the September dossier. (Paragraph 25)

We agree.

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

We note the conclusion and agree that the steps taken were justified. The evidence, a lot of it public at the time of military action, was overwhelming. This included United Nations Monitoring Verification and Inspection Commission's (UNMOVIC's) 173-page document on Unresolved Disarmament Issues. Saddam defied the UN for 12 years. The United Nations Security Council (UNSC) unanimously agreed that Iraq posed a threat to international peace and security, as was clearly set out in United Nations Security Council Resolution (UNSCR) 1441.

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

As explained in an FCO Memorandum to the FAC, ie The Decision to go to War in Iraq (HC 813-II), Volume II, Ev 75, several judgements in the Dossier have been borne out. These include:

- Iraq's illegal programme to extend the range of the Al Samoud missile. This was borne out by UNMOVIC findings. UNMOVIC subsequently instructed that the missiles should be destroyed.

- Iraq's illegal programme to produce even longer range missiles. UNMOVIC required Iraq to destroy refurbished casting chambers previously rendered unusable by United Nations Special Commission (UNSCOM) because they could be used for long range missile motors. It also acknowledged the excessive size of Iraq's engine test stand.
- Concealment of documents at the homes of personnel associated with WMD programmes.
- Undeclared Unmanned Aerial Vehicle (UAV) capabilities. A UAV with a range far in excess of that permitted by UNMOVIC was found.

In addition, all of the sites listed in the Dossier were visited by UNMOVIC Inspectors, and most revealed — to a greater or lesser extent — a dual-use capability as highlighted in the Dossier:

- The Dossier stated that Fallujah was a facility of concern which had been rebuilt since Desert Fox, though we did not claim there was specific evidence of Chemical Weapons (CW) precursor or agent production. Its production of chlorine and phenol could support CW agent and precursor production. UNMOVIC declared that equipment found at Fallujah — destroyed by UNSCOM and subsequently refurbished — should be destroyed. UNMOVIC also established that the castor oil production plant at Fallujah, which could have been part of a ricin production process, had been rebuilt and expanded.
- Refurbished equipment, proscribed by UNSCOM as being part of prohibited CW programme, was also found at al-Qa qa. This was slated for destruction by UNMOVIC.
- Iraq declared that it had restarted research and development of UDMH (a powerful, and prohibited, missile fuel) at the chemical research facility at Tarmiyah. UNMOVIC suggested that this could have been intended as part of a programme to develop a missile with a range far in excess of 150kms.

The progress report of the Iraq Survey Group presented in September reported the discovery, *inter alia*, of viable seed stocks of Clostridium botulinum organisms, which could produce botulinum toxin, and covert laboratories working on assassination techniques using WMD-related materials, all of which were concealed from the UN.

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

The UNMOVIC report on Unresolved Disarmament Issues of 6 March 2003 (pages 27-30) describes the Al Samoud 2 missile programme in detail. The Iraq Survey Group has reported the discovery of development programmes for missiles with ranges up to at least 1,000km, well beyond the UN's permitted range of 150km. We have seen nothing to disprove any of the points in the Dossier.

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

A number of the claims have already been proved accurate. The Iraq Survey Group has reported systematic Iraqi concealment of nuclear weapons-related materials, personnel and capabilities. In addition to documents found by UNMOVIC before the conflict, further documents and components relevant to Iraq's nuclear weapons programme were discovered in the house of an Iraqi nuclear scientist in June 2003. The media have reported that the scientist had been ordered to hide these things so as to be able to rebuild the bomb programme at some time in the future. The material should have been surrendered to UN Inspectors 12 years ago. The discovery shows the length to which Iraq went to retain components for a nuclear programme and to conceal material from UN Inspectors.

7. We recommend that the Foreign Secretary provide the Committee with the date on which the British intelligence community were first informed by the CIA that forged documentation in relation to Iraqi purchases of uranium from Niger existed, as soon as he has found this out. (Paragraph 57)

As explained to the FAC in response to their questions of 15 July, the first indications we had that the International Atomic Energy Agency (IAEA) had suspicions about the authenticity of some of the documents was in late February. This did not come from the CIA. We had no confirmation of IAEA suspicions until Dr el Baradei's report to the Security Council on 7 March.

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

We believe the claims made in the Dossier that Iraq had sought to obtain yellow cake from Africa were reliable. The Dossier statement was based on reliable intelligence that we had not shared with the US for reasons that have been explained to the FAC in private session. In addition we have pointed out to the Committee that in October 2002 a US National Intelligence Estimate was drawn up supporting our view that Iraq had sought to acquire yellow cake from Africa. We have also explained to the Committee that the report of US Ambassador Wilson noted that in 1999 an Iraqi delegation sought the expansion of trade links with Niger — and that former Niger government officials believed that this was in connection with the procurement of yellow cake.

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

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

11. We conclude that Alastair Campbell did not play any role in the inclusion of the 45 minutes claim in the September dossier. (Paragraph 77)

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

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

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

The Government will await Lord Hutton's report before responding on these points.

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

We have shown the FAC unprecedented openness. We welcome the Committee's confidence in those who serve in the agencies. The Intelligence and Security Committee (ISC) have published their own report on Iraqi Weapons of Mass Destruction - Intelligence and Assessments .

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

The September Dossier was a different type of document from intelligence assessments used internally in Whitehall. Nevertheless, the language in it was equally carefully considered and reflected the authors' assessment of the relevant information. When judgements were offered, the dossier described them accordingly (for example in the opening paragraph 6 of the Executive Summary).

17. We conclude that continuing disquiet and unease about the claims made in the September dossier are unlikely to be dispelled unless more evidence of Iraq's weapons of mass destruction programmes comes to light. (Paragraph 108)

We note the Committee's view.

18. We conclude that the degree of autonomy given to the Iraqi Communications Group chaired by Alastair Campbell and the Coalition Information Centre which reported to him, as well as the lack of procedural accountability, were contributory factors to the affair of the 'dodgy dossier'. (Paragraph 122)

The Iraq Communications Group (ICG) and the Coalition Information Centre (CIC) were operationally quite distinct, although the ICG on occasion commissioned work from the CIC. The ICG is a high-level group of officials from across Whitehall providing strategic guidance on communication work linked to our policy on Iraq. The CIC consisted of a team of information and communication specialists, from different departments, reporting to Alastair Campbell as the Prime Minister's Director of Communications. Its job was not to make policy nor to deliver messages, but to collate and co-ordinate information from different departments to ensure coherence and consistency. It also provided raw materials for articles, speeches, press releases etc which were placed in the public domain by the appropriate Departmental Press Offices. Both the ICG and the CIC worked within the overall strategy decided by the Prime Minister and other Ministers. Ministers do not see every document produced by officials and would not normally clear background briefing papers. This sort of paper is produced fairly regularly by Government departments.

19. The Committee also concludes that the process of compiling the February dossier should have been more openly disclosed to Parliament. (Paragraph 123)

We believe we have been open about the process of compiling the dossier. We acknowledged our mistake in not accrediting external sources as soon as we realised this had happened. We have never sought to hide the fact that mistakes were made. The Prime Minister has explained the composition of the Dossier to the House, including the fact that the first and third parts of the document were drawn largely from intelligence whilst the second section was not, and that proper accreditation for external sources should have been made.

20. We recommend that the Government offer every assistance to Mr Marashi in tracing his relatives in Iraq. (Paragraph 131)

If Mr al Marashi were to make a request for assistance in tracing his relatives, we would consider carefully what help we could offer to him.

21. We conclude that the effect of the February dossier was almost wholly counter-productive. By producing such a document the Government undermined the credibility of their case for war and of the other documents which were part of it. (Paragraph 138)

We disagree that the document undermined the case for war. As the FAC itself says, the information in the February document was important. The overall accuracy of the document has never been challenged.

22. We further conclude that by referring to the document on the floor of the House as "further intelligence" the Prime Minister—who had not been informed of its provenance, doubts about which only came to light several days later—misrepresented its status and thus inadvertently made a bad situation worse. (Paragraph 139)

The Prime Minister did not misrepresent the status of the document. It did contain intelligence material. This came from a range of sources and was regarded by the Services involved as reliable and significant. The introduction to the document makes clear that the document draws on a number of sources, of which intelligence material was one.

23. We conclude that it is wholly unacceptable for the Government to plagiarise work without attribution and to amend it without either highlighting the amendments or gaining the assent of the original author. We further conclude that it was fundamentally wrong to allow such a document to be presented to Parliament and made widely available without ministerial oversight. (Paragraph 140)

We acknowledge that mistakes were made and lessons have been learned. Amendments made to the text were in line with information obtained from other sources and did not undermine the accuracy of the document.

24. We recommend that any paper presented to Parliament—whether laid on the Table, made available in the Vote Office or placed in the Library—for the purpose of explaining the Government's foreign policy be signed off by an FCO Minister. We further recommend that any FCO document presented to Parliament which draws on unofficial sources should include full transparency of sources, and attribution where appropriate. (Paragraph 141)

Ministers take full responsibility for all papers presented to Parliament that explain the Government's foreign policy. This includes all papers laid on the Table, made available in the Vote Office or placed in the Library. In the great majority of cases, such papers will be produced by the FCO and thus approved by FCO Ministers. But there may be occasions when Ministers other than FCO Ministers - such as the Prime Minister - will wish to make papers relating to foreign policy available to Parliament.

As noted in the response to Recommendation 23, attribution to external sources will be explicit in future documents.

25. We recommend that there should be clarity over which Department has lead responsibility for groups such as the CIC. That Department should then be accountable to the relevant select committee. This would avoid the situation where nobody is prepared to take responsibility for certain interdepartmental groups. (Paragraph 149)

We agree. As previously explained, the CIC was designed to help implement an agreed communication strategy, not to make policy. In so far, however, as its work has always been in support of our foreign policy objectives, the Foreign Secretary is accountable to the FAC for the CIC — as we agreed in February.

26. We recommend that Andrew Gilligan's alleged contacts be thoroughly investigated. We further recommend that the Government review links between the security and intelligence agencies, the media and Parliament and the rules which apply to them. (Paragraph 154)

Andrew Gilligan's contacts are among the subjects being investigated by Lord Hutton's Inquiry. We note the Committee's further recommendation.

27. We conclude that the continuing independence and impartiality of the Joint Intelligence Committee is of utmost importance. We recommend that Ministers bear in mind at all times the importance of ensuring that the JIC is free of all political pressure. (Paragraph 159)

We agree. The JIC plays a crucial role in providing the Government with objective assessments on a range of issues of importance to national interests.

28. We recommend that the Intelligence and Security Committee be reconstituted as a select committee of the House of Commons. (Paragraph 167)

The Government sees no reason to change the current arrangements. Parliament recognised, in approving the Intelligence Services Act 1994, the difficulties of handling intelligence within the normal Select Committee procedures. After considerable Parliamentary discussion at the time it was decided that the best way to impart proper authority and ensure effective oversight of the Intelligence Agencies was by establishing the ISC and by laying down the Committee's duties and obligations in separate legislation. The ISC has wide access to sensitive material, far more than any Select Committee. Any move to change the status of the ISC would need to take careful account of the need to maintain proper security for the Agencies' work. A Select Committee on the intelligence Agencies would have to operate under similar conditions to the ISC.

29. We conclude that continued refusal by Ministers to allow this committee access to intelligence papers and personnel, on this inquiry and more generally, is hampering it in the work which Parliament has asked it to carry out. (Paragraph 170)

It is the ISC, established under the Intelligence Services Act 1994, that is charged by Parliament with the oversight of the work of the intelligence Agencies. It would not be appropriate to establish competing jurisdictions. Where a specific enquiry conducted by the FAC has needed to be illuminated by an understanding of the intelligence that underlay policy-making, the Government has been ready — as in this case — to offer the FAC appropriate briefing. That will remain the case.

30. We recommend that the Government accept the principle that it should be prepared to accede to requests from the Foreign Affairs Committee for access to intelligence, when the Committee can demonstrate that it is of key importance to a specific inquiry it is conducting and unless there are genuine concerns for national security. We further recommend that, in cases where access is refused, full reasons should be given. (Paragraph 171)

As noted above it is the role of the ISC to oversee the intelligence Agencies. Where there is a need for the FAC to have an insight into the intelligence underlying policy, the Government will consider how to offer appropriate briefing. But the Government expects that such cases will remain exceptions.

31. We conclude that the September dossier was probably as complete and accurate as the Joint Intelligence Committee could make it, consistent with protecting sources, but that it contained undue emphases for a document of its kind. We further conclude that the jury is still out on the accuracy of the September dossier until substantial evidence of Iraq's weapons of mass destruction, or of their destruction, is found. (Paragraph 186)

See above answers to 3, 4, 5, 6.

32. We conclude that the February dossier was badly handled and was misrepresented as to its provenance and was thus counter-productive. The furore over the process by which the document was assembled and published diverted attention from its substance. This was deeply unfortunate, because the information it contained was important. (Paragraph 187)

See above answers to 19, 21, 22, 23.

33. Consistent with the conclusions reached elsewhere in this Report, we conclude that Ministers did not mislead Parliament. (Paragraph 188)

We agree.



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