

Were WMDs the Real Issue?

The International Community versus
Iraq 1991–2003

Målfrid Braut-Hegghammer

Olav Riste

Contents

Abbreviations	7
Introduction	9
Chapter 1	
Iraq's Weapons of Mass Destruction before the 1991 Gulf War	13
Chapter 2	
1991–98: The Role of UNSCOM	21
Economic sanctions and domestic developments	33
The Oil-for-Food programme	37
Chapter 3	
US Iraq Policy and the UN: Disarmament or Regime Change	47
From the Gulf War to 1998	47
After UNSCOM (1998–2001)	54
The George W. Bush Administration takes over	59
September 2001–September 2002	61
Pre-emptive or Preventive Action?	64
Chapter 4	
2002: Intelligence and Policymaking	71
The British Government's Dossier of September 2002	75
The debate on the British dossier	80
The United States dossier, October 2002	84
The debate on the US dossier	88
Lessons Learned?	90
Chapter 5	
Return to inspections	97
UNMOVIC in action	104
Behind the scene in Baghdad	111
Chapter 6	
Endgame in the Security Council	119
The role of France	121
Britain in the lurch	123
Epilogue	129
Bibliography	

Abbreviations

BW	Biological warfare/weapon
CAFCD	Currently Accurate, Full and Complete Declaration
CIA	Central Intelligence Agency
CW	Chemical warfare/weapon
CWC	Chemical Weapons Convention
DCI	Director of Central Intelligence
DNI	Director of National Intelligence
GRL	Goods Review List
HUMINT	Human intelligence
IAEA	International Atomic Energy Agency
IISS	International Institute for Strategic Studies
ISG	Iraq Survey Group
JIC	Joint Intelligence Committee
NBC	Nuclear, biological and chemical weapons
NIE	National Intelligence Estimate
OMV	Ongoing monitoring and verification
PDB	President's Daily Brief
PNAC	Project for the New American Century
SIS	Secret Intelligence Service
UAV	Unmanned aerial vehicle
UN	United Nations
UNMOVIC	United Nations Monitoring, Verification and Inspection Commission
UNSC	United Nations Security Council
UNSCOM	The United Nation's Special Commission

USUN

United States mission to the United Nations

WMD

Weapons of mass destruction

Introduction

“Recognizing the threat Iraq’s non-compliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security...”

(UN Security Council Resolution 1441, 8 November 2002.)

“The truth is that for reasons that have a lot to do with the U.S. government bureaucracy we settled on the one issue that everyone could agree on which was weapons of mass destruction as the core reason ...”

(Paul Wolfowitz in interview with Sam Tannenhaus of *Vanity Fair* 9 May 2003.)¹

For about fifteen years the international community has been struggling with the issue of Iraq’s actual or presumed weapons of mass destruction. At least ten Security Council resolutions have been devoted to the problem, and two governments have issued voluminous dossiers on the issue. After the 2003 war against Iraq, four commissions of investigation have published altogether about 2500 pages of findings about the topic. But were weapons of mass destruction the real issue? Was it perhaps, as Martin Woollacott wrote in the *Guardian Weekly* after the war, Saddam Hussein who in a sense came to be seen as “the weapon of mass destruction”?²

This study will attempt to retrace the story of Iraq’s weapons of mass destruction from the years before the first Gulf War, and the efforts of the international community

1 Reprinted by United States Department of Defense/News Transcripts [online 22 Aug 2005].

2 Martin Woollacott, “Spies obsessed by Saddam”, *Guardian Weekly*, 5–11 February 2004.

since 1991 to contain and eliminate the Iraqi regime's ability to develop and use such weapons.³ In so doing we shall also make an effort to look into the developing situation as seen from "the other side of the hill", by the regime in Iraq. To what extent did Iraq cooperate with the UN inspectors prior to the 2003 war? Why did Iraq not fully cooperate with the UN Security Council if they had nothing to hide? Was Saddam Hussein's power and prestige the stumbling block? Was the regime as monolithic as generally portrayed in western media? As intelligence played a crucial part by providing the groundwork for western assessments of the threat, we shall attempt to investigate what UN inspectors and the US and UK intelligence agencies knew or thought they knew about weapons of mass destruction in Iraq, and how that intelligence came to be used by their political masters. A central question in what follows will be whether or to what extent the overtly discussed issue of weapons of mass destruction became a foil for a determination to remove Saddam Hussein and his regime, and, if so, how far the leading member states of the international community were prepared to go for that purpose.

It is necessary, when reviewing the process that led to the war, to avoid reading history backwards. Comments and discussions in the media and among the public after the event have inevitably been coloured by what we now know or think we know. We now know, or think we know, that there were no stocks of weapons of mass destruction in Iraq. We also know that there was a disastrous lack of planning for the post-campaign phase, whose bloody and violent aspects have since dominated the media. In spite of isolated warnings, nothing of this was known or assumed by those who participated in the process that led to the decision for war. Wisdom after the event is difficult to avoid. But unless one

3 For a more detailed analysis of the experiences of the work of the United Nations Special Commission 1991–1998 see Málfrid Braut-Hegghammer, "Disarming Iraq? The United Nations Special Commission 1991–98", *Forsvarsstudier*, no. 4 (Oslo: The Norwegian Institute for Defence Studies, 2004).

makes an effort to enter into the situation as it presented itself to the decision-makers at the time, the account becomes skewed – or more skewed than it has to be.

Chapter 1

Iraq's Weapons of Mass Destruction before the 1991 Gulf War

Before Iraq's invasion of Kuwait in 1990, the international community saw Iraq's development and use of non-conventional warfare capabilities as a regional problem and treated it accordingly. One important reason for this was that during the 1980s, the Iraqi Baathist regime was considered an extremely valuable ally in US-led efforts to contain the revolutionary Iranian regime. During the Iran-Iraq war, Iraq's use of chemical weapons and ballistic missiles was a crucial element in its efforts to resist the Iranian forces. Iraq's systematic use of these weapons ensured that these capabilities and their role in Iraqi military strategy during the 1980s was known by the outside world. Despite Iranian protests, the international community, including the United Nations, failed to punish Iraq's use of chemical weapons although this violated the 1925 Geneva Convention. During the 1980s, several countries supplied Iraq with equipment and materials used to develop its ballistic missile and chemical warfare capabilities. This process went largely unnoticed, partly because neither the Chemical Weapons Convention (CWC) nor any international control system capable of systematically detecting and tracking suspect exports had been established.

Existing information and analyses offer several clues to why Iraq was pursuing non-conventional weapons capabilities. Although the question why the Iraqi regime sought to acquire WMD cannot be answered in full, it is possible to identify important elements in its motivations, key triggering events and reasons for the use and deployment of these weapons. Iraq's early efforts to pursue non-conventional warfare capabilities appear to have been motivated by political ambitions inspired by Nasserite pan-Arabism and the desire to draw on technology to create "modern" warfare capabilities.⁴ Between 1980 and 1988, the Iran-Iraq war transformed Iraq's view of the potential role of chemical and biological weapons. This war became the catalyst that triggered the establishment of an industrial-scale chemical warfare production capability, efforts to develop large-scale production of biological weapons agents, and indigenous "reverse engineering" to create long-range ballistic missiles that enabled the Iraqis to strike directly at Teheran.

Iraq's efforts to develop chemical and biological weapons capabilities were fundamentally motivated by the objective of securing the regime's survival against domestic and regional threats. One of the main lessons that the Iraqi regime drew from the Iran-Iraq war was that chemical warfare capabilities and ballistic missiles would play a key role in any future efforts to counter the numerically superior Iranian forces. Iraqi documentation suggests that an important longer-term objective for obtaining biological and chemical weapons was that they could serve as a deterrent against Israel and its nuclear weapons.⁵ In interviews with UNSCOM, Iraqi officials admitted that chemical and biological weapons were viewed as "interim" deterrents until Iraq obtained a nuclear

4 For example, Charles Duelfer, *Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD*. Central Intelligence Agency, Washington D.C.: 30 September 2004, vol. 3, p. 5.

5 Note from "senior Iraqi official" to Saddam Hussein written in 1988, quoted in UNMOVIC Twelfth quarterly report (2003), p. 5.

weapons capability. Iraq also used chemical weapons repeatedly against domestic rebellions, particularly during the final stages of the Iran–Iraq war.

The biological weapons programme began as a small, highly compartmentalized effort. Despite having been initiated years earlier, it was not until the mid-1980s that the biological weapons programme became a serious undertaking. The use of chemical weapons in the Iran–Iraq war was judged a success, and this may have been an important factor behind Iraq’s reinforced efforts in the biological weapons programme.⁶ In 1986, Iraq initiated a “5-year plan” to become able to weaponize biological agents.⁷ The following year, after Iran’s refusal of Iraq’s offer of a cease-fire, attempts were made to move towards large-scale production of biological agents.⁸ In the same year Iraqi scientists also investigated the potential of developing biological agents as an economic weapon, capable of damaging an opponents’ (presumably Iranian) wheat harvests.⁹

It is difficult to identify an exact starting point for the Iraqi efforts to acquire nuclear weapons. According to one former Iraqi nuclear scientist, from the early 1970s individuals were playing with the idea of “going nuclear”. In the 1970s, certain countries became increasingly alarmed by the Iraqi civilian nuclear programme and feared that this could be a cover for an effort to develop a clandestine nuclear weapons capability. Since 1979 Israel had been undertaking a number of efforts to prevent Iraq from acquiring a nuclear reactor. This campaign culminated in June 1981 when Israeli strikes destroyed Iraq’s nearly completed nuclear research reactor, dubbed Osiraq.¹⁰ After the attack, a clandestine programme to develop nuclear weapons through uranium enrichment was established.¹¹ These efforts were based on indigenous resources and

6 Duelfer, *Comprehensive Report...*, Vol. 3, “Biological Warfare”, p. 8.

7 Ibid.

8 UNMOVIC twelfth quarterly report (2003), p. 6.

9 UNMOVIC twelfth quarterly report (2003), p. 152.

10 Jafar D. Jafar and Lars Sigurd Sunnanå, *Oppdraget : innsidehistorien om Saddams atomvåpen* (Oslo: Spartacus forlag 2005), pp. 52–53.

11 Duelfer, *Comprehensive Report...*, vol. 2, “Nuclear”, p. 3.

capabilities. This reduced the risk of detection as well as Iraqi reliance on external actors to obtain the necessary items and know-how to proceed with the nuclear weapons programme.

Iraq's subsequent efforts to develop uranium enrichment were not uncovered by other countries. The destruction of Osiraq denied Iraq the option of pursuing a nuclear weapon via the plutonium route, and the outside world seemingly did not believe that nuclear weapons programme could emerge in Iraq under such circumstances. Some countries also tended to underestimate Iraq's scientific ingenuity and achievements in the area of NBC (nuclear, biological and chemical) weapons programmes. Iraq's attempts to develop a nuclear weapon through indigenous resources, and their efforts at concealment, ensured that the programme was successfully kept secret from the outside world for several years. For example, Iraq successfully managed to conceal "telltale" signs of its uranium enrichment activities at the facilities where this was being carried out.¹² It was only in the late 1980s that some procurement activities began to raise suspicions about developments in the nuclear field in Iraq.

During and after the Iran–Iraq war, the outside world knew little about Iraq's capabilities, efforts and achievements in its pursuit of non-conventional warfare. Although the war had demonstrated that Iraq could develop indigenous industrial-scale chemical warfare capabilities and increase the range of their SCUD missiles, Western intelligence underestimated Iraq's efforts to establish indigenous biological warfare capabilities. Western intelligence also remained largely oblivious regarding the direction, scope and achievements of the Iraqi nuclear weapons programme.

After the Iran–Iraq war ended, Iraq endeavoured to further develop its chemical, biological and nuclear weapon programmes in order to establish a retaliatory capability that could deter its regional enemies and enhance its status in the Middle East. From 1988 onwards Iraq increased the

12 "Iraq's Weapons of Mass Destruction: A Net Assessment", *IJSS Strategic Dossier*, (London: International Institute for Strategic Studies, 2002), p. 17.

infrastructure as well as the research and development activities of its biological weapons programme, with the objective of developing large-scale production capabilities for biological weapon agents.¹³ In August 1990, after the Iraqi invasion of Kuwait, Saddam Hussein's son-in-law, Hussein Kamel, gave orders to those leading the nuclear and the biological weapons programmes to develop weapons as soon as possible, though neither programme was fully capable of doing so at that stage. One week before the Gulf War in 1991, biological weapons were deployed at four locations. The United Nations later found evidence indicating that biological weapon agents, which had not been filled into weapons, had been placed in the field.

Following the invasion of Kuwait, the West began to consider Iraq's pursuit of nuclear, chemical and biological weapon capabilities as a threat with international implications, partly because these capabilities would heighten the threshold for intervention in response to further Iraqi aggression in the Middle East. However, it now seems that the Iraqis did not consider that their existing chemical and (rudimentary) biological weapons capabilities would be effective weapons against the highly mobile and technologically advanced coalition forces.¹⁴ It would thus appear that the Iraqi deployment of these weapons prior to the invasion of Kuwait was intended to provide an ultimate retaliatory capability in response to a nuclear attack from Israel or the United States. In that context, it is important that Iraqi missile attacks on Israel, undertaken with the objective of dividing the coalition, were conducted only with conventional warheads.¹⁵ While Israel was clearly considered a regional enemy by the Iraqi regime, it appears that the Iraqi leaders were deterred from attacking Israel with non-conventional weapons. In their substantive report, the Iraq

13 UNMOVIC twelfth quarterly report (2003), pp. 153–154; pp. 157–159.

14 Rolf Ekéus, "Iraq's Real Weapons Threat", *Washington Post*, 29 June 2003.

15 John Pike, "Nuclear threats during the Gulf war", *E-prints*, 19 February (Federation of American Scientists [online 26 Aug 2005], 1998).

Survey Group (ISG) referred to recent interviews with Saddam Hussein, in which he allegedly stated that chemical and biological weapons were not used in the 1991 Gulf War because Iraq did not want to risk alienating its supporters.¹⁶ However, such reservations did not apply with respect to quelling domestic challenges to the regime in 1991, when Iraq used chemical weapons against Shiite rebels while coalition forces were in the country.¹⁷

Prior to 1991, intelligence gathering and analysis of Iraq's pursuit of WMD faced considerable challenges in attempting to detect secret and highly compartmentalized activities such as nuclear, chemical and biological weapons programmes. These challenges were amplified by inadequate means of intelligence gathering, over-reliance on satellite imagery and limited information about Iraqi imports and their end-users. A central question is why Iraq's intentions and/or capabilities concerning biological and nuclear weapons were underestimated prior to 1991. A large part of the explanation is probably that this issue was not considered as a threat of international proportions and was therefore given a low priority in the context of intelligence (with the exception of Israel). The targeting of the coalition's bombing raids in the 1991 Gulf War reflected what was known about Iraq's WMD programmes and capabilities. Perhaps predictably, precision bombing damaged several of Iraq's chemical weapons production facilities. However, it later became clear that these attacks did not cause as much damage as the coalition believed in 1991.¹⁸ With regard to Iraq's biological weapons programme, only one site, Salman Pak, was targeted by coalition precision bombing.¹⁹ In the nuclear area, coalition

16 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Strategic Intent", p. 68.

17 Duelfer, *Comprehensive Report...*, vol. 3, "Iraq's Chemical Warfare Program", p. 5.

18 Jean E. Krasno and James S. Sutterlin, *The United Nations and Iraq: Defanging the Viper* (Westport: Praeger Publishers, 2003), p. 166.

19 Rod Barton, "The Application of the UNSCOM experience to International Biological Arms Control", *Critical reviews in Microbiology*, 24:3 (1998): p. 220.

bombing destroyed most of Iraq's facilities associated with the nuclear weapons programme. These facilities were targeted because the coalition's national intelligence services suspected that these sites played some part in Iraqi WMD or missile activities, although their precise role was not known. However, some key nuclear facilities escaped destruction and survived the war.²⁰ Overall, the Gulf War inflicted substantial damage on Iraq's WMD facilities, especially in the nuclear area, but did not devastate the infrastructure of Iraq's nuclear, chemical and biological weapons programmes.

20 "Iraq's Weapons of Mass Destruction...", p. 21.

Chapter 2

1991–98: The Role of UNSCOM

After the Gulf War in 1991, the issue of Iraqi WMD and their means of delivery emerged as a major security concern in the international community. The United Nations Security Council's cease-fire agreement required Iraq to disarm of all WMD as well as associated components, subsystems and facilities. Further, Iraq could only produce ballistic missiles with a range below 150 km, thereby denying them the capability of reaching Teheran with these weapons.²¹ The inclusion of biological and nuclear weapons in Iraq's disarmament obligations in Security Council Resolution 687 was meant to ensure that the threat associated with any weapons defined as WMD, whether nuclear, chemical or biological, was fully addressed. Despite considerable technological and strategic differences between these types of weapons, all three were included in the disarmament condition. Iraq's past of use chemical weapons meant that any such weapon in Iraqi hands was considered a threat to international peace and stability.²²

Two organizations, the International Atomic Energy Agency (IAEA) and the United Nations Special Commission (UNSCOM), were tasked with overseeing and assessing Iraq's

21 United Nations Security Council Resolution 687 (1991).

22 For a more detailed analysis, see Braut-Hegghammer, "Disarming Iraq?..."

compliance with these demands. UNSCOM was created to verify that WMD disarmament took place as required, and to monitor to ensure that Iraq did not rebuild proscribed chemical, biological and missile capabilities. IAEA was tasked with the same objectives and tasks concerning nuclear weapons. These two agencies were to account for Iraq's destruction of all proscribed weapons and items, and present regular technical assessments of this process to the Security Council. The Council would independently determine whether or not Iraq constituted a threat to international security and stability. This "division of labour" was based on a clear distinction between the tasks of technical disarmament accounting and political threat assessment.

Although Iraq declared substantial amounts of chemical weapons and ballistic missiles 1991–94, and destroyed these under United Nations' supervision, it was clear from the outset that Iraq's compliance was far from complete. Although Resolution 687 obliged Iraq to declare its past nuclear, biological and chemical weapons programmes and holdings, Iraq's declarations were demonstrably incomplete and selective in content. Further, instances of Iraqi obstruction of IAEA inspections made it clear that Iraq was seeking to deny access to, and hide items from United Nations inspectors. These demonstrations of Iraqi non-compliance led to additional United Nations resolutions and statements condemning these actions and demanding more Iraqi cooperation. Further, despite its obligations under Resolutions 687 (1991) and 715 (1991), until November 1993 Iraq refused to allow UNSCOM to establish a monitoring system to ascertain whether Iraq was subsequently rebuilding proscribed capabilities.

In the late summer of 1991 Iraq destroyed large amounts of ballistic missiles and chemical and biological weapons unilaterally. This was not reported to the United Nations, in direct contravention of the requirements of Resolution 687. These weapons, and related items that could be used to produce proscribed weapons, had initially been retained, but then destroyed in secret when the Iraqi regime realized that

the United Nations inspectors could detect Iraqi efforts to hide prohibited items.²³ Moreover, UNSCOM and IAEA gradually uncovered that Iraq had not declared the most advanced and recent developments in its WMD programmes. In fact, Iraq had not declared its clandestine nuclear weapons programme or its uranium enrichment activities to the IAEA. Iraq also failed to declare its biological weapons programme, although it did concede to having undertaken research for bio-defence purposes. Iraq only admitted to the existence of a biological weapons programme on 1 July 1995, following an intensive UNSCOM investigation. The unravelling of the Iraqi biological warfare programme after years of steadfast Iraqi denials, and the realization that Iraq had maintained (and improved) the main biological weapons facility (*Al Hakam*) under a civilian cover since 1991, seriously undermined the Iraqi regime's credibility and the prospect of lifting the sanctions against Iraq at that stage.

Only one month later, in August 1995, the defection of Hussein Kamel (leader of the Iraqi Military Industrial Commission and Saddam Hussein's son-in-law) led to turning point in the United Nations inspectors' approach to assessing and verifying Iraqi cooperation and compliance. Iraqi attempts to "pre-empt" disclosures by Hussein Kamel, by giving UNSCOM and IAEA information about undeclared activities and systematic non-cooperation over the past four years, combined with Kamel's statements to United Nations inspectors, led to the uncovering of systematic proscribed Iraqi actions since 1991. This also provided more detailed information about the Iraqi biological weapons programme, including weaponization, the chemical weapons programme and Iraq's efforts to enrich uranium. Furthermore, evidence of proscribed actions, such as the unilateral destructions of 1991 and the fact that efforts to develop proscribed ballistic missiles had continued since 1991, led to a more suspicious approach to assessing Iraqi declarations and a more intrusive and scrupulous verification system.²⁴

23 Duelfer, *Comprehensive Report...*, vol. 3, "Iraq's Chemical Warfare Program", p. 31.

These discoveries – particularly regarding Iraq’s clandestine nuclear weapons programme – also had a significant impact on how intelligence communities assessed Iraq’s WMD disarmament. The realization that they had substantially underestimated Iraqi efforts to pursue nuclear and biological weapons gave rise to a tendency to increasingly assume that Iraq was continuing to deceive them and hiding proscribed weapons, materials and capabilities from United Nations inspectors.²⁵ The British and American intelligence communities increasingly assumed that a number of weapons and items that UNSCOM had classified as “unaccounted for” – issues that could not be resolved for a number of different reasons, and thus were not fully verifiable – still existed and remained hidden in Iraq.

Following the revelations that emerged after the Hussein Kamel defection, Iraq admitted to having withheld information that should have been declared with the objective of retaining proscribed WMD capabilities, weapons and items. A number of different activities that were suspected of being undertaken with this in mind were subsequently categorized as being part of an Iraqi “concealment mechanism”.²⁶ It now seems likely that several of the activities suspected of being part of this mechanism resulted from the Iraqi regime’s enduring obsession with security. This manifested itself, for example, in trying to ensure that the international inspectors could not identify Saddam Hussein’s whereabouts, map the Iraqi security apparatus or assess Iraq’s conventional military capabilities. This “mechanism” increasingly became a point of concern because significant gaps remained in the material accounting for Iraq’s WMD and associated items even after

24 For a more detailed analysis, see Braut-Hegghammer, “Disarming Iraq?...”

25 *Report on the U.S. Intelligence Community’s Prewar Intelligence Assessments on Iraq*. United States Senate, Select Committee on Intelligence (Washington D.C.: 7 July 2004), frequently referred to as the Senate Intelligence Committee report; Richard Butler, *The Greatest Threat: Iraq, Weapons of Mass Destruction, and the Crisis of Global Security* (New York: Public Affairs, 2000), p. 112.

26 For a more in-depth analysis: Braut-Hegghammer, “Disarming Iraq?...”, p. 68.

years of inspections. Indeed, during 1997–98 the “concealment mechanism” itself became the focus of a number of highly confrontational UNSCOM inspections, targeting sites defined as “sensitive” by the Iraqis, such as presidential palaces.

Iraq’s limited cooperation, and evidence of subversive efforts such as hiding proscribed weapons and equipment, misrepresenting their WMD capabilities and achievements as well as threatening United Nations inspectors, fuelled suspicions that Iraq did not intend to give up its WMD capabilities. Iraq’s seemingly incremental approach to declaring proscribed programmes and capabilities suggested that some items, weapons or information were “always” retained by Iraq. This pattern was demonstrated over a number of years, and was characterized as a strategy of “cheat and retreat”.²⁷ Accordingly and over time, the impression that Iraq’s declarations of WMD disarmament were “inherently” incomplete was established.²⁸

From the outset in 1991, Iraq’s cooperation with the United Nations inspections and compliance with Resolution 687 were perceived as limited and uneven. Iraq’s cooperation with UNSCOM and IAEA was characterized by a mixture of concessions, negotiations and attempts to determine the terms of engagement. Iraq’s incremental concessions were intended to satisfy the United Nations inspectors without disclosing all details and items associated with the proscribed programmes. However, they were interpreted as evidence of the incompleteness of Iraq’s declarations and the risk that Iraq was continuously retaining proscribed items and weapons that had not been accounted for. Ultimately, the pattern of Iraq’s partial cooperation fed doubts in Iran and elsewhere

27 Jonathan B. Tucker, “Monitoring and verification in a noncooperative environment: lessons from the UNSCOM experience in Iraq”, *The Non-proliferation Review*, Spring/Summer (1996): 8.

28 Martin Woollacott, “Our spies were hostage to their mistrust of Saddam”, *Guardian Weekly*, 31 January 2004.

concerning the extent to which Iraq was disarming of WMD, and the risk that Saddam intended to rebuild the proscribed capabilities in the future when sanctions had been lifted.

During the seven years of United Nations inspections, Iraqi cooperation varied considerably. Between 1991 and August 1995 the Iraqi regime's objective appears to have been to retain as much as possible of the proscribed information and materials as long as this did not threaten the prospect of having the sanctions lifted.²⁹ Hussein Kamel appears to have been the main driving force behind the Iraqi efforts to retain WMD-related information and materials. After his defection in the autumn of 1995, Iraq's cooperation with the United Nations inspectors' efforts to map Iraq's WMD programmes and achievements improved substantially. During 1995-97 a second "disarmament round" took place, where some retained proscribed items and the site that had formerly been Iraq's main biological weapons facility (*Al-Hakam*) were destroyed under the auspices of the United Nations. However, an important turning point came with Secretary of State Madeleine Albright's speech at Georgetown University in March 1997. In this speech, Albright made it clear that the United States would not agree to lifting sanctions as long as Saddam Hussein remained in power. Subsequently, Iraqi cooperation with the United Nations inspectors deteriorated steadily. Two other noteworthy incidents had a detrimental impact on Iraqi cooperation and UNSCOM's confidence in Iraqi compliance with WMD resolution 687. First, Iraq denied weaponizing the chemical agent VX, yet traces were discovered on missile fragments in April 1997. Second, the so-called "Air Force Document" incident in July 1998 was of significance. This document, that was taken away from the inspectors by the Iraqis at the site, seemed to suggest that Iraq could have omitted 6,500 chemical warheads from its declaration to UNSCOM.³⁰

29 Duelfer, *Comprehensive Report...*, vol. 1, "Charles Duelfer's Transmittal message", p. 9.

30 Duelfer, *Comprehensive Report...*, vol. 3, "Iraq's Chemical Warfare Program", p. 13.

Because Resolution 687 called for complete WMD disarmament, and UNSCOM and the IAEA had been charged with ascertaining to what extent Iraq was complying with that objective, these agencies had to establish whether all the relevant materials and weapons had been destroyed. This in turn had to be based on a complete understanding of Iraq's capabilities and past efforts. Even though considerable progress had been made in mapping Iraq's proscribed programmes, by 1998 some significant gaps still remained. For example, Iraq never accounted for its military "concepts of use" for chemical and biological weapons, which would have enabled UNSCOM to fully understand the strategic and military purpose of these weapons. More seriously, due to inadequate Iraqi declarations UNSCOM was never able to determine the overall scope of the biological weapons programme. By 1997-98, a number of questions about these proscribed programmes and, perhaps even more worryingly, efforts to conduct deception, remained unanswered. These uncertainties – in particular regarding past deception and concealment – continued to undermine UNSCOM's ability to verify Iraqi claims about the scope and details of its WMD disarmament. Although the known infrastructure of Iraq's WMD and proscribed ballistic missile programmes had been destroyed and facilities that could be reconfigured to contribute to proscribed activities were being monitored, UNSCOM was never able to report that Iraq had fully complied with Resolution 687's objective by declaring all aspects of their proscribed programmes and enabling them to verify that all items had been destroyed.

To a great extent, the problems stemming from the unresolved disarmament issues resulted from a combination of documented Iraqi efforts to conduct deception (perhaps first and foremost the unilateral disarmament activities that took place in 1991), and Security Council Resolution 687's objective of "complete" Iraqi disarmament. In fact, even if Iraq had fully complied with this resolution from the outset it would still have been difficult for UNSCOM to report that Iraq had done so because there is no clearly identifiable

technical endpoint for “complete” WMD disarmament. While it is possible to interpret this objective simply in terms of the destruction of WMD, associated research and production infrastructures, the wide range of items which can be found in civilian industries that can be diverted for production of chemical and biological weapons agents makes it almost impossible to define and identify “complete” disarmament. For example, whether the potential risk posed by civilian activities and facilities being diverted for proscribed purposes is acceptable has to be considered. In the context of enforced WMD disarmament, this is essentially a political question based on assessments of intent. The definition of complete disarmament ultimately draws heavily on assessing whether Iraq was likely to rebuild proscribed WMD and ballistic missile capabilities. However, assessments of intent and threats to international peace and security are the domain of the Security Council and were not within the technical agencies’ remit.³¹

Despite Iraq’s efforts to cooperate, and the United Nations agencies’ substantial achievements in dismantling Iraq’s WMD infrastructure, evidence of Iraqi non-cooperation and unwillingness to fully declare past WMD and proscribed ballistic missile efforts, capabilities and programmes in a way that could be independently verified was increasingly focused upon. This fed concerns about Iraq’s intentions with regard to WMD in the longer-term, and resulted in a tendency to assume worst-case scenarios.³² The issue underlying whether countries were worried about the unresolved Iraqi WMD disarmament issues was their concern that Iraq might rebuild their proscribed weapons capabilities and that this might pose a threat to international peace and security.

It was clear from the outset that the Security Council was divided on the issue of whether Iraqi non-cooperation with United Nations inspectors should be punished with military action. The disagreement on how to ensure enforcement in

31 For a more detailed analysis, see Braut-Hegghammer, “Disarming Iraq?...”

32 Woollacott, “Our spies were hostage...”

relation to Iraq – with respect to military strikes and the lifting of sanctions – continued to weaken the Security Council’s consensus over the following years. In January 1993 the United States launched cruise missile attacks in response to Iraqi non-cooperation with UN inspectors, and this was repeated in 1993 and 1996. When instances of Iraqi non-cooperation and obstruction began to mount in 1997–98, disagreement over how to respond further eroded the Security Council’s consensus and its ability to respond swiftly and decisively. When Iraq denied UNSCOM inspectors access to eight so-called “presidential” sites in January 1998, the United States and the United Kingdom signalled that they would launch missile attacks to punish Iraq. However, after UN Secretary General Kofi Annan’s visit in Baghdad in February 1998 the crisis was resolved without punitive military action.³³ A cooperation programme was set up whereby UNSCOM and Iraq would seek to resolve a number of the remaining disarmament issues.

In August 1998, however, Iraq suspended cooperation with UNSCOM due to the top leadership’s growing conviction that Iraq would not be able to satisfy the inspectors and that sanctions would not therefore be lifted.³⁴ Despite having been offered a “comprehensive” sanctions review as an incentive for cooperation, Iraq maintained that it would not cooperate as long as sanctions were in place.³⁵ On 31 October Iraq announced that it would cease all cooperation with UNSCOM. The United Kingdom and the United States once again prepared to undertake air strikes. However, these did not take place because Iraq decided to resume cooperation on 14 November. The following day, US President Clinton said that air strikes would “mark the end of UNSCOM”, leaving

33 Tim Youngs and Mark Oakes, “Iraq: ‘Desert Fox’ and Policy Developments”, *House of Commons Library Research paper*, 99/13, 10 February (1999). (The United Kingdom Parliament [online 26 Aug 2005]), Summary of Main Points.

34 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Strategic Intent”, p. 55.

35 “U.N. proposes timetable for lifting of Iraqi sanctions”, CNN [online 26 Aug 2005], 6 October 1998.

the United Nations with “no oversight, no insight, no involvement with what is going on with Iraq”.³⁶ After another round of inspections, UNSCOM’s Executive Chairman Richard Butler reported to the Security Council in mid-December that Iraq had not fully cooperated with the inspectors.³⁷ On 16 December 1998 all UN weapons inspectors departed from Iraq immediately prior to air strikes launched by the United States and Britain. These strikes, dubbed Operation Desert Fox, lasted three days and ceased immediately before Ramadan.

The United States and Britain claimed that the objective for the strikes was threefold: to punish Iraqi non-cooperation with UNSCOM, weaken Iraq’s ability to make WMD and diminish its ability to threaten neighbouring countries. However, the targeting list suggests that the main result of the campaign was to weaken the communications of the senior levels of the Iraqi regime. Only 10 per cent of the targets attacked were designated as WMD-related targets.³⁸ It was argued that more than 50 per cent of the targets focused on the Iraqi government machinery, communications and security apparatus. It was therefore suspected at the time that the actual objective of the strikes was to weaken and destabilize the Iraqi regime. However, senior United States officials would only admit that the strikes could have a destabilising effect on Saddam’s command and control systems, and thus his control over his regime.³⁹

The subsequent breakdown of the Security Council’s consensus led to the premature dissolution of UNSCOM as an organization. This was another nail in the coffin for the United Nations inspection regime in Iraq. Several disarmament issues remained unresolved, either because Iraq

36 Cited in Youngs and Oakes, “Iraq: ‘Desert Fox’...”, p. 19.

37 Dodd, Tom and Tim Youngs, “The Iraq Crisis”, *House of Commons Library Research paper*, 98/28, 16 February (1998). (The United Kingdom Parliament [online 26 Aug 2005]); UNSCOM: *Secretary-General, IAEA and UNSCOM letters on Iraqi cooperation, SI/1998/1172 of 15/12/1998* (UNSCOM [online 26 Aug 2005]).

38 Youngs and Oakes, “Iraq: ‘Desert Fox’...”, p. 30.

39 *Ibid.*, pp. 30–31.

had not (for various reasons, not all of which are known) provided adequate declarations or UNSCOM had been unable to verify Iraq's submissions. There were a number of reasons why UNSCOM was unable to do so, for example that Iraq had not submitted evidence that enabled independent verification of their declarations and because it was not technically possible to quantitatively verify some of Iraq's claims. One important unresolved disarmament issue concerned the veracity of Iraqi claims on the sum total of proscribed weapons they possessed in 1991 (i.e. the so-called baseline against which the number of verified destroyed proscribed weapons was measured to ascertain whether everything had been destroyed).

Another unresolved issue was the quantity of proscribed weapons that had been unilaterally destroyed in 1991, and the risk that Iraq might still be retaining proscribed weapons, capabilities and items. UNSCOM had established in the early 1990s that the majority of Iraqi chemical weapons, and especially nerve agents, were of poor quality and would not be effective weapons if they had been stored for years.⁴⁰ For UNSCOM the unresolved issues were disconcerting, primarily because they were seen to suggest that Iraq was still not fully cooperating with them. This in turn cast doubts on the credibility of some Iraqi claims regarding their disarmament, as these could not be independently verified by UNSCOM or IAEA. After UNSCOM's dissolution, the risk of Iraq rebuilding the WMD weapons programmes and longer-range ballistic missile infrastructures became a more pressing issue than whether Iraq might have been able to retain fragments of its (pre-1991) proscribed stockpiles. It was recognized that, in theory, dual-use equipment could be used to develop chemical and biological weapon agents and proscribed ballistic missiles within a matter of months.

After UNSCOM and IAEA left Iraq in late 1998, subsequent efforts to analyse WMD-related developments in Iraq were shaped by their findings and experiences over the

40 Ekéus, "Iraq's Real Weapons Threat".

previous seven years. One of the lessons learned from the performance of intelligence before the 1991 Gulf War concerned the difficulties the services faced in detecting and analysing suspicious sites and activities, or indeed entire NBC programmes, without access to analyses based on extensive access to facilities and individuals inside Iraq.

Following the uncovering of the extensive WMD-programmes in Iraq, the demonstrated Iraqi ability to develop WMD and ballistic missile programmes indigenously by following alternative routes and employing unexpected approaches was widely interpreted to suggest that Iraq would be able to revive the proscribed programmes without leaving too many telltale indicators that could be detected by the outside world. However, some specialized and technologically advanced items (such as guidance and control systems for ballistic missiles) would have to be purchased from abroad. Between 1991–98, UNSCOM's detection of illegal Iraqi imports of equipment that could be used to develop ballistic missiles with proscribed ranges left no illusions as to Iraq's ability to acquire such items through the international black market. Without access to Iraqi sites it would be almost impossible to detect such efforts after 1998. Given these two factors, it was widely suspected that the "space of opportunity" that emerged after United Nations inspectors had left Iraq would be used to resume WMD programmes. It now appears that less weight was given to the fact that Iraq's WMD infrastructures had been destroyed during 1991–98 and that Iraq's scientific and technological resources suffered greatly from the impact of the sanctions.

Further, the discovery of Iraq's efforts to hide proscribed capabilities and weapons during the years of United Nations inspections (some of which were directed by the Iraqi Special Security Organization) strengthened convictions that Iraq was very skilled in concealment practices. The Iraqis appeared to be learning from the inspectors, and adapted their concealment efforts accordingly.⁴¹ This could have been taken

41 For example through counter-intelligence. Tucker, "Monitoring and verification...", p. 7.

to suggest that it would be even more difficult to detect efforts to resume proscribed activities in the absence of United Nations inspectors and monitoring. Another important lesson from the years of inspections came from the crucial element of on-site verification, i.e. following up intelligence such as satellite imagery on the ground with inspections of the capabilities and features of specific facilities. Without this intelligence agencies would not be able to perform the refined and detailed analysis necessary, or draw conclusions that could only be reached via extensive and unrestricted access to multiple sources of information on the ground in Iraq. A final legacy of the inspection years were the “unaccounted for” disarmament issues. As explained earlier, there are many reasons why certain disarmament issues were not fully accounted for. However, while the meaning of the “unaccounted for” category was clear in the context of technical numerical disarmament accounting, national intelligence agencies did not understand it in the same technical terms. The status of the weapons and items in question was therefore open to different interpretations and changing assessments in the years after Operation Desert Fox.

Economic sanctions and domestic developments

As a result of the Iraqi invasion of Kuwait, Security Council Resolution 661 imposed economic sanctions on Iraq. In 1991 these sanctions were maintained by the so-called “cease-fire” resolution, i.e. Security Council Resolution 687, the purpose of which was to secure Iraqi compliance with the various objectives expressed in this resolution. This was the most wide-ranging regime of economic sanctions ever adopted by the UN.⁴² From the outset, the sanctions affected all Iraqi imports and exports, except supplies for medical purposes and food for what was termed “humanitarian circumstances”.⁴³

42 Youngs and Oakes, “Iraq: ‘Desert Fox’...”, p. 14.

43 Ibid.

The ISG reported that Saddam Hussein initially underestimated both the effectiveness and comprehensiveness of the economic sanctions and the willingness of the international community to uphold them.⁴⁴ It is worth noting that at the time, the US President George Bush (Sr) and his advisers also had doubts about the actual effectiveness of an oil embargo.⁴⁵ The ISG also found that several Iraqi regime figures, in addition to the Iraqi president, believed that the sanctions would only remain in place for a limited period of time and for no more than three years. By 1992, however, Saddam Hussein had grasped the comprehensiveness and scope of the economic sanctions imposed on Iraq. Over time, it became clear that the sanctions were having a highly destructive impact on Iraq's economy and military, as well as on its societal and governmental infrastructures. For example, it appears that the sanctions rapidly led to corruption, which had a deteriorating effect on governance.⁴⁶

In August and September 1991 the United Nations proposed to establish an arrangement enabling Iraq to sell oil under its supervision.⁴⁷ However, the Iraqi regime rejected this proposal, arguing that it would constitute an infringement on Iraq's sovereignty. This refusal was consistent with the Iraqi regime's strategy throughout 1991–98, aiming to undermine the Security Council's consensus upholding the economic sanctions regime by focusing on the suffering of the Iraqi population.⁴⁸ Between 1991 and 1995 Iraq's economy and national infrastructure deteriorated continuously. This caused considerable hardship for Iraqi civilians. The Iraqi economy plummeted during 1995 and 1996.⁴⁹ Disastrous

44 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Strategic Intent", p. 34.

45 Bob Woodward, *The Commanders* (New York: Simon and Schuster, 1991), pp. 228–29.

46 "Iraq backgrounder: What lies beneath", *Middle East Report*, no. 6, 1 October (Brussels: International Crisis Group, 2002), p. 10.

47 "About the Programme", Office of the Iraq Programme Oil-for-food, (United Nations [online 21 Aug 2005]).

48 Baram, Amatzia: "Building toward crisis: Saddam Husayn's strategy for survival", *Policy paper*, no. 47 (The Washington Institute for Near East policy, 1998): 71.

economic policies led to what has been described as “runaway inflation”.⁵⁰ Assessments show that between 1989 and 1995 Iraqi inflation increased from 42 per cent to 387 per cent.⁵¹ Despite Saddam Hussein’s initial expectations, there were no signs during the next few years that the sanctions would be brought rapidly to an end. His domestic support appeared to gradually weaken in tandem with the economic decline, and the regime was challenged on a number of occasions.

From the outset in 1991, Saddam Hussein sought to balance the need to cooperate with UN inspections – and thus gain support for the sanctions being lifted – with the objective of preserving Iraq’s intellectual capital in the field of NBC with as little foreign intrusiveness and loss of face as possible.⁵² By the mid-1990s the combined impact of socio-economic, military and infrastructural damages resulting from the sanctions made it imperative for the Iraqi regime to ideally have the sanctions lifted or, at the very least, ameliorate their impact. According to the ISG, his primary goal from “the mid-90s” (presumably, after Hussein Kamel’s defection) until 2003 was to get the sanctions lifted, while maintaining his regime’s security. The ISG claimed that Iraq was prioritizing achieving a *de facto* elimination of the sanctions through illicit efforts and agreements rather than by fulfilling the requirements of Resolution 687.⁵³ However, as regards the period from 1997 onwards, it could be argued that the Iraqi regime’s position must have been influenced by the United States’ stated unwillingness to lift sanctions unless Saddam Hussein was removed from power as a serious obstacle to achieving this aim through the Security Council. Since 1991 Iraq had orchestrated a diplomatic campaign, spearheaded by the prominent Iraqi diplomat, Tariq Aziz, seeking to achieve the lifting of sanctions. These efforts were strengthened once Iraq

49 Ibid., p. 66.

50 Ibid., p. xii.

51 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Finance and Procurement”, p. 21.

52 Duelfer, *Comprehensive Report...*, vol. 1, “Transmittal message”, p. 9.

53 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Strategic Intent”, p. 35.

accepted the oil-for-food programme and thereafter could make use of economic incentives to convince others that the economic sanctions ought to be lifted or circumvented.

In the aftermath of Iraq's defeat in the Gulf War, the combination of growing economic hardship and Iraq's international isolation between 1991 and 1996 led to a number of challenges to Saddam Hussein's hold on power.⁵⁴ Instability even seemed to spread to Iraq's armed and security forces, as it was reported that economic hardships had led to a number of aborted coup attempts from the military as well as Saddam's own Revolutionary Guard.⁵⁵ This seemed to indicate that the regime's control over the security and government apparatus was perhaps not as comprehensive as Saddam might have liked. Between 1991 and 1996, a number of tribal revolts suggested that the Iraqi regime's power bases might be weakening. It appears that the challenges these developments posed to the regime manifested themselves most dramatically in the Kurdish and Shi'i uprisings in 1991. Moreover, in 1993–94 suspected coup attempts by members of tribes that were considered important supporters of Saddam Hussein, coupled with a tribal revolt in 1995, demonstrated the decreasing loyalty of important domestic sources of support for the regime in previous years.⁵⁶ In March 1995 another Kurdish revolt illustrated that the Iraqi regime's control over sections of Iraqi territory was vulnerable. Indeed, in this instance Iraqi regular forces were in fact defeated by Kurdish militia.⁵⁷ Then, in August 1995, the defection of Hussein Kamel, Saddam's trusted son-in-law, demonstrated weaknesses in the loyalty within Saddam Hussein's most highly trusted and intimate circles. This defection, and its aftermath, marked the culmination of bloody confrontations and conflicts within Saddam Hussein's own family.⁵⁸

54 Baram, "Building Toward Crisis...", pp. 65–66.

55 Baram, "Building Toward Crisis...", Executive summary, p. XII.

56 Ibid., p. XI.

57 Baram, "Building Toward Crisis...", p. 41.

58 Ibid., p. 4.

The Oil-for-Food programme

In 1995 the Security Council passed Resolution 986, which allowed Iraq to sell oil for \$1 billion every three months and use the income to alleviate humanitarian problems. However, it was not until December 1996 that Iraq finally agreed with the Security Council on how to implement the programme. The oil-for-food programme was a temporary measure that enabled Iraq to sell a limited amount of oil and purchase “humanitarian goods” while the sanctions remained in place.⁵⁹ This arrangement would provide Iraq with a source of income, fund reparation payments to Kuwait and United Nations activities in Iraq. The ISG report concludes that Saddam Hussein agreed to the scheme as a result of the rapidly deteriorating economic conditions in Iraq.⁶⁰ In March 1997 the first shipments under the oil-for-food programme arrived.

According to the ISG, former Iraqi official Tariq Aziz has claimed that Hussein Kamel’s defection to Jordan in August 1995 was a turning point that led to Saddam Hussein’s acceptance of the oil-for-food programme.⁶¹ It appears that this event may have influenced Saddam Hussein’s decision in a number of ways. On 1 July 1995 Iraq finally admitted to having an offensive biological weapons programme. This admission, and Kamel’s subsequent defection, made it clear that the policy that he had recommended – i.e. not admitting to the existence of the biological or nuclear weapons programmes – had failed once and for all. Abandoning the disastrous policy of partial declaration, that Hussein Kamel appears to have conceived and orchestrated, essentially required a new approach to Iraq’s relations with weapons inspection agencies and the Security Council. After Iraq admitted it had a biological weapons programme it must have been clear to the regime that it was unlikely that sanctions would be lifted for quite some time. Some form of

59 “About the Programme”, Office for Iraq Programme...

60 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Strategic Intent”, p. 48.

61 *Ibid.*

arrangement was required to ameliorate the economic conditions – especially given the poor condition of the Iraqi economy. Hussein Kamel's return to Iraq, and his subsequent murder, boosted Saddam Hussein's domestic standing, and the oil-for-food programme could therefore be accepted without causing fatal blows to his political prestige.⁶² The ISG also pointed to a third factor that encouraged Iraq to finally accept the programme, namely France, Russia and China's efforts to persuade Iraq to do so.⁶³

After the oil-for-food programme came into operation the Iraqi regime came to the conclusion that this could constitute a turning point. The programme offered an opportunity to ameliorate Iraq's economic condition and enable Iraq to draw on a very effective means of exerting influence, namely by appealing to the economic interests of others. Under the oil-for-food arrangement, Iraq was in charge of the contracting process for oil sales and "humanitarian goods" purchases. The majority of Iraqi oil contracts were thus allocated to firms based in countries sympathetic to Iraq – although from late 2000 and onwards they had to pay Iraqis an illegal "surcharge" under the table. Moreover, Iraq offered large construction projects that would be implemented once sanctions were lifted to foreign firms – and thus made use of another powerful economic incentive that could shape the opinions of decision-makers in those countries.⁶⁴ According to ISG's final report, Iraq sought to influence the political position of a number of countries regarding the UN sanctions regime through oil vouchers and beneficial trade agreements.⁶⁵ It has also been alleged that the Iraqi regime gave oil vouchers to a number of politicians in various countries, as well as journalists and officials in the oil-for-food programme, to acquire and maintain influence and allies.

62 Baram, "Building toward crisis...", p. 66.

63 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Finance and Procurement", p. 48; Baram, "Building toward crisis...", p. 70–71.

64 Duelfer, *Comprehensive Report...*, vol.1, "Regime Strategic Intent", p. 39.

65 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Finance and Procurement", p. 111; p. 11; p. 28.

In 2000, Iraq's (technically illegal) trade protocol with Jordan was followed by similar illegal arrangements with Syria and Turkey. Iraq's establishment of trade protocols with neighbouring countries was not challenged, which demonstrated that at this point the sanctions regime could (to a considerable extent) be more easily circumvented than had previously been the case. Under these protocols, Iraq could obtain money or items that were prohibited under the oil-for-food programme.⁶⁶ These arrangements provided the means that enabled the subsequent improvement of Iraq's economy.

With the passing of Security Council Resolution 1266 in October 1999, the amount of Iraqi oil exports was increased. Resolution 1284 then finally removed the limit previously placed on the amount of revenue Iraq could obtain through its oil sales.⁶⁷ Though Iraq was unable to bring about the lifting of the economic sanctions between 1998 and 2002, during those years its legal and illegal revenue increased considerably. This income was used to fund illegal purchases of conventional weapons, dual-use equipment (that could potentially be used for proscribed activities) and to support Iraq's ballistic missiles programmes.⁶⁸ After 1998, the Iraqi regime hoped that the economic sanctions would be undermined to the extent that they would ultimately collapse.⁶⁹

From 1996 and onwards, the tide began to turn for Saddam Hussein and the Baathist regime within Iraq as well as on the international arena. After years of unrest, that threatened to weaken Saddam Hussein's regime and its hold on power, his successful military intervention in an armed conflict between Kurdish groups in August 1996 constituted a

66 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Finance and Procurement", p. 11.

67 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Strategic Intent", p. 59.

68 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Finance and Procurement", p.11.

69 Duelfer, *Comprehensive Report...*, vol. 1, "Transmittal message", p. 10.

first step towards strengthening his domestic standing. Subsequently, the domestic standing of the regime began to improve considerably.⁷⁰

The sanctions regime was increasingly criticized by members of the Security Council and a number of countries in terms of the rapidly deteriorating humanitarian conditions of the Iraqi population. The oil-for-food programme offered the Security Council an important opportunity to deflect some of the critique raised against the sanctions regime and point to the Iraqi regime's responsibility in managing the income from oil sales. For example, while the economic sanctions were the most wide-ranging economic sanctions ever imposed by the United Nations, the oil-for-food programme has been described as the largest country-specific humanitarian aid programme ever undertaken by the organization.⁷¹

The Iraqi government and the United Nations shared the administration of the oil-for-food programme. Iraqi authorities administrated the programme in central and southern Iraq, while the United Nations (i.e. the Office of the Iraq programme) undertook this task in northern Iraq.⁷² For purchases of all items that did not fall into the food, (certain) medical and agricultural categories, Iraq submitted procurement proposals to the Iraq Sanctions Committee. This committee was comprised of representatives from 15 countries, who reviewed Iraq's proposals with the aim of ensuring that Iraq did not acquire items that could be used for proscribed purposes.⁷³ However, as it turned out this monitoring mechanism was not particularly effective. Few of the member countries on the Committee enjoyed access and resources that enabled proper investigation of the proposals. After the invasion of Iraq in 2003, some countries have been

70 Baram, "Building toward crisis...", Executive summary p. xiii.

71 "The Sanctions Committee on Iraq" (Permanent Mission of Germany to the United Nations [online 21 Aug 2005]).

72 United Nations, Office for Iraq Programme, About the Programme, [online 21 Aug 2005].

73 "Fact Sheet: 'Goods Review List' for Iraq", *USUN Press Release*, no. 68 (02), 14 May 2002 (United States mission to the United Nations [online 26 Aug]).

accused of “selective attention” while others appear to have conducted illicit trade with Iraq while they were members of this committee.

After the invasion in 2003 it emerged that the oil-for-food programme was vulnerable to manipulation by the Iraqi regime in a number of ways. These weaknesses, and their abuse by the Iraqi regime and other countries, served to illegally enrich the Iraqi regime and undermined the consensus that underpinned the sanctions and inspection regimes. It has emerged that the Iraqi regime clandestinely obtained funds through surcharges – i.e. money paid under the table to the Iraqi regime by those purchasing oil through the oil-for-food framework. Another source of illicit income was so-called “kickbacks” on UN-approved contracts for goods purchased under the oil-for-food programme – i.e. that Iraq paid an inflated amount of money for the purchased goods and that the surplus amount (approx. 10 per cent of the price) was subsequently returned by the customer.⁷⁴

While the scope of Iraqi efforts and their gains from these activities were not known until the release of the ISG’s report in October 2004, the fact that Iraqis undertook smuggling and traded outside the oil-for-food framework did not come as a surprise. Over the years numerous indications that smuggling and illegal trade practices were taking place in Iraq had emerged. For example, in 1999 the Economist Intelligence Unit estimated that Iraq had earned roughly \$1.5 billion from smuggling and other illicit activities.⁷⁵ Furthermore, a number of internal United Nations audits had been conducted. These audits detected a number of managerial weaknesses such as inadequate contractor supervision and failure to follow up recommendations from previous audits.⁷⁶ However, it appears

74 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Finance and Procurement”, p. 35.

75 Economist Intelligence Unit, *Country report 4th Quarter 1999 – Iraq*, p. 7, cited in Amatzia Baram, “The effect of Iraqi Sanctions: Statistical pitfalls and responsibility”, *The Middle East Journal*, vol. 54, no. 2, (spring 2000): 194–223.

76 *New York Times*, editorial: “The oil-for-food audits”, 17 January 2005.

that they did not reveal the scope of Iraq's efforts, or its system of bribes and kickbacks that were uncovered in 2004–05.

Based on Iraqi documentation, the ISG estimated that Iraq earned \$7.5 billion on bilateral economic trade agreements, \$2 billion from “kickbacks” from the oil-for-food framework, \$990 million from oil “cash sales” or smuggling and \$230 million from other surcharges.⁷⁷ Iraq's clandestine income was used to import illegal military hardware and dual-use technologies.⁷⁸ This illustrates how the pressurized regime sought to cope with the security implications that resulted from the sanctions and limitations imposed on Iraq in 1991. Saddam Hussein considered the sanctions a threat to Iraq's national security, partly because of its role in ending the WMD programmes and the detrimental impacts sanctions had on Iraqi military and security forces.⁷⁹ It was, therefore, perhaps not surprising that funds obtained through illicit trade activities were used to purchase military equipment, including imports used to develop ballistic missile technologies. Iraq's illegal military acquisition can be seen as having undermined the aim of containment that underpinned the United Nations' efforts in Iraq. However, although the sanction regime was somewhat undermined by these illegal activities it appears to have remained a crucial factor in preventing Iraq from reconstituting the NBC programmes in the absence of United Nations inspectors.

As the crisis with Iraq mounted in 1998, efforts were made to draw on incentives from the sanctions regime to resolve the deadlock, despite disagreements over the issue of sanctions in the Security Council. On 9 September 1998 Security Council Resolution 1194 determined that the bimonthly sanctions review would cease until Iraq had readmitted weapons

77 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Finance and procurement”, p. 4.

78 Duelfer, *Comprehensive Report...*, vol. 1, “Transmittal message”, p. 11.

79 Raad Alkadiri, “Iraq and the Gulf since 1991: The search for deliverance”, chapter 12 in Gary Sick and Lawrence G. Potter, *Security in the Persian Gulf: origins, obstacles and the search for consensus* (New York: Palgrave, 2002), p. 256.

inspectors and let them undertake their work without obstruction. In early December, after the UN weapons inspectors' recent return to Iraq, the Security Council was willing to offer Iraq what was described as a "comprehensive review" of the sanctions regime. Iraq was positive initially, hoping that a review would focus on an "endpoint" and provide an opportunity to end the oil embargo. However, when it became clear that the United States would not consider lifting the sanctions as part of this review process, the Iraqi enthusiasm dropped.⁸⁰

After Operation Desert Fox in December 1998, the widening gap between the United States and Britain on one hand, and Russia, France and China on the other, also reflected on the issue of what to do about the sanctions after the weapons inspectors had left Iraq. Between 1999 and 2001, the United States and Britain faced numerous criticisms against the sanctions regime and its humanitarian impact. This led to a focus on what was termed "smart sanctions" – a more targeted sanctions regime that could alleviate some of the problems while shifting the blame for the humanitarian crisis onto Saddam Hussein and his policies. In Resolution 1352, passed in June 2001, the Security Council stated that it would consider new arrangements for imports to Iraq in order to improve the flow of commodities.⁸¹

Almost a year later, new arrangements to this effect were implemented when Security Council Resolution 1409 was passed on 14 May 2002. This resolution led to changes in the approval of contracts that meant that far fewer contracts would have to be approved by the Sanctions Committee. A new system was established, where goods would fall into one of three categories. All contracts concerning arms, munitions and WMD-related materials and items would be automatically refused. Any imports of "dual-use" items, all of which would

80 Edith M. Lederer, "US Says Iraq Sanctions Will Remain", *Associated Press*, Tuesday, 17 November 1998; Barbara Crossette, "U.S. seems ready to accept a U.N. review of Iraqi sanctions", *New York Times*, 7 December 1998.

81 Security Council Resolution 1352 (2001). (The United Nations Compensation Commission [online 26 Aug 2005]).

be defined on the Goods Review List (GRL) established for this purpose, would be forwarded to the Sanctions Committee for acceptance or refusal. The GRL was designed as a means to identify items that could have both civilian and clandestine applications, where the proposed purchase needed further examination before approval could be granted. Finally, if a contract neither contained any prohibited items nor any items listed on the GRL it would be automatically approved.⁸² This system was to be operated by the Office of the Iraq Programme, UNMOVIC and IAEA, which would examine contracts and categorize each into one of the three categories. It was argued that this would lead to a faster set of procedures for Iraqi purchases of civilian goods. Under previous arrangements, contracts could be held up for long periods of time.⁸³ However, it could be argued that the reduced role of the Sanctions Committee had the less desirable effect of providing a less transparent overview of Iraqi trade.

In June 2002, the scope of the oil-for-food programme was enlarged beyond food and medicine to include allocations of funding for the rehabilitation of infrastructure. In June 2002, the Iraqi regime introduced another ten areas to be covered by the "humanitarian sector" in the oil-for-food programme. This scheme was known as "oil for food plus". The additional areas included construction, industry, labour and social affairs, the Board of Youth and Sports, information, culture, religious affairs, justice, finance, and the Central Bank of Iraq. This of course meant that there were a lot more contracts to be processed and checked.

After the war started in March 2003, Security Council Resolution 1472 was passed. This authorized UN Secretary General Kofi Annan to facilitate delivery of goods contracted by the Government of Iraq for humanitarian purposes. Civilian sanctions on Iraq were lifted on 22 May by Security Council Resolution 1483, which also opened for Iraqi oil export and the termination of the oil-for-food programme

82 Cambridge Solidarity with Iraq, Campaign Against Sanctions on Iraq [online 26 Aug 2005].

83 "Fact Sheet...", *USUN Press Release*.

within the next six months. The Office of the Iraq programme continued to import humanitarian goods until it closed on 21 November 2003.

Chapter 3

US Iraq Policy and the UN: Disarmament or Regime Change

From the Gulf War to 1998

During and after the first Iraq war of 1991 many voices, both inside and outside the US administration, maintained that the coalition forces should have pushed on to Baghdad and finished the regime of Saddam Hussein. But President George H. Bush, his Secretary of State James Baker III, his Defence Secretary Richard Cheney, among others, firmly rejected that idea, for several reasons: The UN mandate for war referred only to the liberation of Kuwait, and any attempt to transgress that mandate would break up the coalition. Also, as Cheney said in a later interview: “The assumption from the experts was that Saddam would never survive the defeat.” There were also serious concerns about the likely results of a regime change forced on Iraq by foreign military power, in the form of serious internal unrest, and possibly a split of the country as the Kurds in the north and the Shia in the south might revolt and demand independence. Cheney, in the interview just referred to, said that “the idea of going into Baghdad for example or trying to topple the regime wasn’t anything I was enthusiastic about. I felt there was a real danger here that you would get bogged down in a long drawn out conflict, that this was a dangerous difficult part of the world, if you recall we were all worried about the possibility of Iraq coming apart...”⁸⁴ Those concerns seemed amply confirmed by the

uprisings in both north and south Iraq immediately following the end of the war. The uprisings were brutally put down by the central government, and the coalition did not intervene in support of the insurgents.

The official policy of the United States toward Iraq after 1991, and the policy unanimously adopted and supported by the United Nations, was therefore one of containment. A sanctions regime, instituted by the UN under the cease-fire resolution SC 687, and enforced through an intrusive system of inspections by a United Nations Special Commission – UNSCOM, as well as the International Atomic Energy Agency (IAEA), was intended to ensure that Iraq would not again be in a position to mount aggressive actions against its neighbours. In the preamble to resolution 687 the Security Council spoke of the overriding “need to be assured of Iraq’s peaceful intentions”. But in the operative part – Section C, paragraph 8 – the Council decided

that Iraq shall unconditionally accept the destruction, removal, or rendering harmless, under international supervision, of:

- (a) All chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities;
- (b) All ballistic missiles with a range greater than 150 kilometres and related major parts, and repair and production facilities.

Further, the Council in paragraph 12

Decides that Iraq shall unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material or any subsystems or components or any research, development, support or manufacturing facilities related to the above ...

84 Richard Cheney in an interview for Public Broadcasting System [online 16 Aug 2005], in the series *Oral History/The decision makers*, January 1996.

Later in 1991 the inspections were reinforced through the establishment, by the US, the UK and France, of a no-fly zone in the north above the 36th parallel, complemented in the following year by a no-fly zone in the south below the 32nd parallel.

But would the combination of inspections and sanctions work? Could the Iraqi regime really be persuaded to disarm to an irreversible extent? Few thought that was possible. But there was still hope that an intrusive inspections regime, combined with a fairly high level of Iraqi cooperation obtained through a gradual easing of sanctions, might suffice to dissuade the regime from rebuilding their WMD capabilities. The question was whether that would be enough to assure the hardliners in the Security Council of "Iraq's peaceful intentions". Saddam Hussein's record of developing and using weapons of mass destruction both before and during the Gulf War, and the various ways in which the regime sought to obstruct the work of the UN weapons inspectors, meant that a cloud of uncertainty hung over the containment policy right from the beginning. Many thought that Iraq would remain a threat for as long as Saddam Hussein remained in power. For a time there was hope that an internal opposition, aided and abetted by Iraqi exile groups, would rise against Saddam. But the possibility of any such revolt being successful seemed to vanish after Saddam crushed a coup attempt by senior Iraqi officers in 1996.⁸⁵ In the meantime public opinion in Western Europe had begun to criticise the sanctions as causing sufferings and deprivations for the civilian population of Iraq. In the United Nations Security Council the Americans and the British were becoming increasingly isolated. France withdrew from the enforcement of the no-fly zone in 1996. Then, in December 1998, the British and the Americans launched operation Desert Fox, a brief but intense campaign of air strikes intended to convince the Iraqi regime that they were prepared to use force if the

85 Lawrence Freedman, "War in Iraq: Selling the Threat", *Survival*, vol. 46, no. 2 (2004): 12.

obstruction of UNSCOM's efforts did not stop. But Saddam's response was to ban the inspectors from Iraqi territory. Clearly, the policy of containment was in serious trouble.

Containment had been America's, and the Western alliance's, generally successful strategy towards the Soviet Union during the Cold War. But the end of the Cold War, and the emergence of a much more diffuse spectre of threats and challenges to the western world, seemed to call for a reappraisal of that strategy. The first seeds of America's search for a new national strategy alternative to containment can be found in a Pentagon position paper from the winter of 1992 authored by Paul D. Wolfowitz, Under-Secretary of Defense for Policy, with the assistance of Secretary of Defense Cheney's chief aide I. Lewis Libby. That internal policy paper, intended to start the process of drafting a new Defense Planning Guidance, was apparently endorsed by Cheney. But when the draft, or excerpts thereof, was leaked to the *New York Times* in March 1992, the somewhat aggressive tenor of some of the proposals caused it to be withdrawn.⁸⁶

The paper had as its point of departure the indisputable fact that the United States was now the only superpower. From this the authors proceeded to declare that the number one objective of US post-Cold War political and military strategy should be to prevent the emergence of a rival superpower. Another major objective should be to safeguard US interests, and promote American values such as respect for international law, limit international violence, encourage the spread of democratic forms of government and open economic systems. Those objectives were hardly controversial, and well within the mainstream of US foreign and security policy. The means recommended for the attainment of such ends were rather more controversial. In outlining some scenarios for possible regional conflicts that the US might have to deal with, particularly Iraq and North Korea, the paper made a strong pitch for unilateral action. Collective action by coalitions

86 Dilip Hiro, *Secrets and Lies* (New York, N.Y: Nation Books, 2004), pp. 7-8.

might be useful on an ad hoc basis, but “the United States should be postured to act independently when collective action cannot be orchestrated”.⁸⁷

As the administration of which Cheney and Wolfowitz were members was defeated in the 1992 election, nothing more was heard about the paper or any revisions thereof. Wolfowitz himself returned to academic life. But in 1997 he was one of the founders of a group of so-called neo-conservatives which called itself the Project for the New American Century (PNAC). The aim of the project was “to explain what American world leadership entails” and “to rally support for a vigorous and principled policy of American international involvement”. And on the eve of the annual State of the Union address in January 1998, Wolfowitz and several other neo-conservatives published an open letter to President Bill Clinton. There they stated, among other things, that containment of Saddam Hussein had failed, and therefore his removal from power needed to become the aim of American foreign policy.

Regime change in Iraq was not a novel idea for the Clinton administration. While they actively pursued a policy of containment, and worked within the UN system to sustain the combination of inspections and sanctions, Washington kept hoping for, and surreptitiously aiding and abetting, a regime change from within Iraq. In March 1997 Madeleine Albright, Clinton’s Secretary of State, gave a speech at Georgetown University in Washington D.C. where she outlined the policy to be pursued towards Iraq. Starting from the premise that the policy of containment and sanctions had been successful, she also warned against those who argued that sanctions should be lifted if Iraq complied with its obligations concerning weapons of mass destruction. “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 subject.” She then asked, rhetorically: “Is it possible to conceive of such a government

87 “Excerpts From Pentagon’s Plan: ‘Prevent the Re-Emergence of a New Rival’” *New York Times*, 8 March 1992.

under Saddam Hussein?" and her answer was that "the evidence is overwhelming that Saddam Hussein's intentions will never be peaceful."⁸⁸ She then went on to speak about the prospects for US relations with a successor regime in Iraq.

The Albright speech hit UNSCOM like a bombshell. Not because the idea of regime change could be new to them. In their minds, as they struggled to perform their inspection duties against regime obstructionism, they must have had many moments when they thought that they were on a "mission impossible", and that only a different regime in Iraq would enable them to fulfil their task. But they could of course never say so, because that would be tantamount to telling Saddam Hussein that full cooperation with UNSCOM was no guarantee that sanctions would be lifted. With Madeleine Albright's statement, the cat was out of the bag.

From that moment the conflict between the UN and Iraq would proceed along two different tracks. On the overt track of declared UN policy, the issue was Iraq's weapons of mass destruction. Once they were removed, Saddam would get his reward: the lifting of sanctions. But below the surface lurked the growing conviction of the United States, in particular, that removing Saddam Hussein's regime was the only way to remove Iraq as a threat. With Madeleine Albright's speech, the Clinton administration was on record as favouring regime change. In practice, however, it shied away from forceful implementation of that position. Sensitive to the charge that the US administration had "gone soft" on Saddam, President Clinton signed the Iraq Liberation Act, passed by the Senate in October 1998, which authorised financial and military assistance to the Iraqi opposition to the value of USD 79 million.⁸⁹ But that, plus the intermittent air strikes, was as far as he was prepared to go.

88 Madeleine Albright, "Discours du Secrétaire d'Etat Madeleine Albright, Georgetown, 26 March 1997" (English text), *Cahier L'Empire contre l'Irak (Le Monde Diplomatique* [online 16 Aug 2005]).

89 *Strategic Survey 1998/9*, International Institute of Strategic Studies (Oxford: IISS, 1999), p. 173.

Then, in order to demonstrate the seriousness of demands for Iraqi disarmament, the United States and Great Britain on 16 December 1998 began Operation Desert Fox, a massive series of air strikes against targets suspected of being involved in Iraqi WMD activities. It is worth noting that a few weeks earlier the British representative on the Security Council had warned that “the authorisation to use force given by the Security Council in 1990 may be revived if the Council decides that there has been a sufficiently serious breach of the conditions laid down by the Council for the ceasefire”.⁹⁰ The other members of the Council except the United States, however, made it clear that any unilateral action was unjustified. Among the Council members Russia now strongly condemned the bombing, whereas the other western members registered only mild reservations. France “deplored the situation that had led to the air strike and the consequences for the Iraqi people”, and the Swedish representative said that he would have supported military action if all diplomatic means to solve the crisis had been exhausted.⁹¹

Saddam Hussein’s action at the end of 1998, of formally expelling the UNSCOM inspectors from Iraq, was announced as retaliation against the Desert Fox bombing campaign. But it is difficult to avoid seeing it also as a consequence of Baghdad’s realisation that cooperation with the inspections carried no guarantee that the sanctions regime would ever end. According to the Iraq Survey Group’s report, “Saddam, Tariq ‘Aziz, and other senior regime officials realized by August 1998 that Iraq would not be able to satisfy UNSCOM and the United Nations Security Council and have sanctions lifted.”⁹² Instead, Saddam Hussein had good reason for

90 Statement issued by the UK Permanent Mission to the UN 5 November 1998. The resolution referred to was Resolution 678 of 1990 which was the basis for the 1991 Gulf War. Interestingly, Norway’s Foreign Minister Knut Vollebæk, in a statement to parliament on 23 February 1998, said that the authorisation for the use of military means against Iraq in Resolution 678 applied also in relation to all relevant later resolutions.

91 United Nations Security Council: Press release SC/6611, 16 December 1998 (United Nations [online 6 Sep 2005]).

thinking that time was on his side: His propaganda campaign against the sanctions, with television footage of suffering Iraqi children in hospitals without medicine and proper care, was working. The earlier consensus in the UN Security Council about the maintenance of sanctions was breaking up, with France and Russia leading efforts towards a relaxation in order to alleviate the plight of the civilian population. In the meantime the "Oil-For-Food" programme, initiated in 1996 to let Iraq export a limited amount of oil and use the proceeds to pay for food imports, was providing Saddam with funds that were used to undermine sanctions and subvert import restrictions.

After UNSCOM (1998–2001)

UNSCOM's departure from Iraq in 1998 became something of a turning point in two respects. Firstly, it brought the debate in the Security Council back to the question of how to pursue the containment of Iraq now that the main instrument, the inspections regime, had been lost.

By this time the Security Council consensus round the disarmament inspections regime had become severely strained, as the seven permanent members showed tendencies to split into two fractions. Russia, France and China had for some time been searching for ways to overcome the seemingly endless disputes over what Iraq had or had not done with its WMD, or over access for the UN inspectors to suspected sites. One suggestion gaining ground was that the United Nations disarmament regime ought to move to monitoring *ongoing* Iraqi activities with a bearing on proscribed weapons, rather than continuing the investigation of remaining unsolved disarmament issues. In fact, while paying lip service to the need to disarm Iraq, Russia and China would like the issue to go away. France tried to maintain a vaguely intermediate position, formally insisting on full disarmament while at the same time urging a relaxation of the sanctions regime. The

need for a new departure was not least due to the growing opposition to economic sanctions among the population in a number of western countries, due to their impact on the Iraqi civilian population. However, the United States and Britain, while accepting the need to offer “carrots” to Iraq such as the “oil-for-food” programme, still maintained that the pressure on Iraq should continue until UN inspectors had fully verified Iraq’s complete WMD disarmament, as required by Security Council Resolution 687.

In February 1999, as part of an attempt to re-establish a consensus in the Security Council, two panels were then set up, one to study the issues relating to Iraq’s WMD developments, the other one to review the humanitarian situation in the country. A Brazilian diplomat, Celso Amorim, was appointed to chair both panels (and a third one focusing on the Kuwait issue). The Amorim report on the situation as regards Iraq’s WMD was dated 27 March 1999. Its central feature was a proposal to replace UNSCOM with a reinforced version of something foreshadowed in previous Security Council resolutions, namely an “ongoing monitoring and verification” regime that would be both comprehensive and intrusive.

On 17 December 1999, almost exactly a year after Operation Desert Fox, a Security Council resolution – Resolution 1284 – was passed with abstentions from Russia, China, France and Malaysia. This resolution established the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) as UNSCOM’s successor organisation. Resolution 1284 specified UNMOVIC’s mandate in accordance with the recommendations of the Amorim reports, i.e. reinforced monitoring and verification to ascertain that Iraq was not rebuilding proscribed capabilities. In regard to remaining disarmament tasks the resolution required that UNMOVIC and the IAEA should draw up a work programme in which key remaining disarmament tasks were to be identified. This suggests that under Resolution 1284, the UN inspection agencies would have more discretion

in designing the disarmament verification process than had been the case with UNSCOM and IAEA between 1991 and 1998.⁹³

In addition to bringing out into the open the divisions in the Security Council regarding the sanctions regime, a second major consequence of the departure of UNSCOM, and perhaps the most crucial one, was to deprive the western powers of an essential source of intelligence on Iraqi WMD. Subsequent inquiries are unanimous in stressing the importance of UNSCOM as a vital source of intelligence. The U.S. Senate Intelligence Committee concluded that:

The Intelligence Community relied too heavily on United Nations (UN) (...) information about Iraq's programs and did not develop a sufficient unilateral collection effort targeting Iraq's weapons of mass destruction programs and related activities to supplement UN-collected information and to take its place upon the departure of the UN inspectors.⁹⁴

Similarly, the UK's Butler Committee stated:

Between 1991 and 1998, the bulk of information used in assessing the status of Iraq's biological, chemical and ballistic missile programmes was derived from UNSCOM reports. (...) after the departure of United Nations inspectors in December 1998, information sources were sparse, particularly on Iraq's chemical and biological weapons programmes.⁹⁵

Without the considerable number of UN inspectors on the ground in Iraq, the United States and the United Kingdom had to fall back on their own limited intelligence resources in Iraq. Their wealth of technical intelligence facilities, in the form of

93 Resolution 1284 and its consequences will be reviewed in greater detail in Chapter 5.

94 *Report on the U.S. Intelligence Community's Prewar Intelligence Assessments...*, p. 260.

95 *Review of Intelligence on Weapons of Mass Destruction. Report of a Committee of Privy Councillors*, The Butler Committee (London: The Stationery Office, July 2004), p. 107. Frequently referred to as the Butler report.

imagery, electronic and communications satellites, had serious shortcomings. As one expert has noted, “Their fundamental limitation lies in the fact that adversaries know too much about their operating parameters – in particular, precisely when they are overhead and what they are capable of collecting. This makes gathering information from satellites (...) highly susceptible to relatively simple concealment and deception measures. The fact that Iraq practiced such concealment and deception techniques was well known in advance of the withdrawal of the UNSCOM inspectors after Operation Desert Fox in December 1998.”⁹⁶ Also, imagery could not look inside buildings, and communications that went by secure lines required someone on the ground who could physically tap the fibre-optic cables. Human intelligence (HUMINT) was what was needed, and that was the main problem. Of human intelligence agents on the ground in Iraq the United Kingdom apparently had only four or five,⁹⁷ some of whose reports have later been withdrawn as unreliable. As for the United States, the Senate Intelligence Committee found that “The CIA (...) did not have any WMD sources in Iraq after 1998.”⁹⁸

For the period after 1998, therefore, the U.S. Senate Intelligence Committee concluded: “The Intelligence Community depended too heavily on defectors and foreign government services to obtain human intelligence (HUMINT) information on Iraq’s weapons of mass destruction activities. Because the Intelligence Community did not have direct access to many of these sources, it was extremely difficult to determine source credibility.”⁹⁹ The shortage of reliable or verifiable intelligence appears to have had two consequences. Firstly, lack of intelligence bred uncertainty, which tends to be conducive to worst-case scenarios. This was a familiar story

96 Dennis M. Gormley, “The Limits of Intelligence: Iraq’s Lessons”, *Survival*, vol. 46, no. 3, pp. 10–11.

97 *Review of Intelligence on Weapons of Mass Destruction...*, esp. pp. 100–109.

98 *Report on the U.S. Intelligence Community’s Prewar Intelligence Assessments...*, p. 260.

99 *Ibid.*, p. 269.

from the early Cold War, when ignorance about Soviet capabilities had led to alarms such as the “Bomber Gap” and the “Missile Gap”. The history of Saddam’s deception and surreptitious attempts to retain certain WMD capabilities, and the absence of reassurances based on inspectors’ observations, gave freer rein to those, including many in the world of intelligence, who were convinced that Iraq would use the absence of inspectors to continue or even accelerate proscribed weapons programmes.

The language of the British Joint Intelligence Committee’s assessment of April 2000 is in this respect revealing. In relation to chemical and biological weapons they admitted that the “picture is limited. But it is *likely* that Iraq is continuing to develop its offensive chemical warfare (CW) and biological warfare (BW) capabilities.”¹⁰⁰ They were rather more certain about biological than about chemical warfare activity, and referred for the first time to the mobile production facilities that were later to figure in Secretary of State Colin Powell’s dramatic statement to the Security Council in February 2003. But the Butler report has since revealed that the assessment was partly based on information from 1997–1998, and that the information about mobile factories, coming from a liaison service, later turned out to be “incorrect”.¹⁰¹ The Senate Intelligence Committee found that the information about biological weapons came from a single source, codenamed Curveball, whom the Defense Intelligence Agency subsequently described as an alcoholic, and singularly lacking in scientific expertise.¹⁰²

Another effect of the lack of intelligence from verifiable sources was to open the door for Iraqi exile groups, who had their own self-serving agenda for working towards regime change in Iraq. And as Washington was particularly deficient in reliable agents on the ground in Iraq, the US administration

100 *Review of Intelligence on Weapons of Mass Destruction...*, p. 59, italics added.

101 *Ibid.*, p. 59 and footnote 2. Curveball was apparently run by the German intelligence service.

102 *Report on the U.S. Intelligence Community’s Prewar Intelligence Assessments...*, pp. 151–6.

not unnaturally was especially receptive to exiles and defectors who claimed to have inside information. While those groups had limited intelligence to provide about weapons of mass destruction, they also provided political intelligence that inevitably served their own political purposes. It is at that juncture that the Iraqi National Congress, led by Ahmed Chalabi, began to make its mark on Washington. A seminal event seems to have been a speech that Chalabi gave to the Jewish Institute for National Security Affairs in June 1997. There he held out the promise that Saddam could be overthrown on the cheap if the United States would back a guerrilla force led by Chalabi. Neo-conservatives like Wolfowitz, Richard Perle and Douglas Feith were drawn to Chalabi and his movement, and together they had lobbied Congress to pass the 1998 Iraq Liberation Act. But the neo-conservatives were not alone in entertaining hopes that Saddam might be toppled without overt US intervention: The Iraq Liberation Act was passed with overwhelming support of both Republicans and Democrats. "It was seen as an easy vote, giving the appearance of taking a stand against Saddam without actually having to do much."¹⁰³

The George W. Bush Administration takes over

With an exceedingly feeble popular mandate, having been more or less "appointed" to the Presidency by the US Supreme Court after the tragi-comic spectacle of the election process in Florida, many expected George W. Bush to adopt a low profile as he assumed office, humbly calling for national unity and appealing for cooperation across party lines. Also, being aware of the new President's marked lack of international experience, most observers thought foreign policy would be low on his agenda. His Vice-President, Richard Cheney, hoped otherwise. But during the national security briefings given to the President before taking office, Bush displayed no active interest. Iraq, in particular, was not on the agenda for action during the first weeks of the Bush administration, although

103 See "The Rise and Fall of Chalabi", *Newsweek*, 31 May 2004.

the proliferation of weapons of mass destruction was – second in priority only to Osama bin Laden and his Al Qaida terrorist network.

A general review of US policy towards Iraq was the topic for a 17 February 2001 meeting of the “principals” – the top national security policymakers: the President’s national security adviser Condoleezza Rice, Vice President Richard Cheney, Secretary of State Colin Powell, Secretary of Defense Donald Rumsfeld, and Director of Central Intelligence George Tenet, who on this occasion was represented by his deputy John McLaughlin. The consensus of the meeting was that the sanctions policy was in disarray and ought to be revised and tightened, and that the lack of inspectors on the ground was a serious concern. But no clear plan of action was proposed.¹⁰⁴ On 1 March the principals met again. Rumsfeld now voiced his angry dissatisfaction at the lack of a more forceful US policy, but had no answer when Powell asked what the alternative was. Powell was then asked to come back with a plan for more effective sanctions against Iraqi weapons programmes.

During the summer of 2001 the deputies to the principals – chaired by Deputy National Security Adviser Stephen J. Hadley, and including Paul Wolfowitz from the Defense Department and Richard Armitage from the State Department – worked to develop a policy proposal for Iraq. The outcome was a paper entitled “A Liberation Strategy”. According to Bob Woodward it proposed “a phased strategy of pressuring Saddam”, and discussed ways of exploiting opportunities that might present themselves, relying “heavily on the Iraqi opposition”.¹⁰⁵ The paper contained no plan for US action for regime change. But US military action had been discussed in very tentative terms, with Wolfowitz as the main proponent. In the meantime the policy of intermittent US and British air strikes went on. Any change of that policy would have to await an intervention from the President.

104 Bob Woodward, *Plan of Attack* (New York: Simon & Schuster, 2004), pp. 13–14.

105 Bob Woodward, *Plan of Attack*, p. 21.

September 2001–September 2002

The dust had still not settled after the 11 September terrorist attacks when, in the early afternoon, Secretary of Defense Donald Rumsfeld in an emergency meeting with his staff raised “the possibility of going after Iraq as a response to the terrorist attack”. And at a meeting of Bush’s war cabinet the next day Rumsfeld asked if this was not the opportunity “to launch against Iraq”. At a Camp David meeting of top advisers four days later, however, the conclusion was to set Afghanistan and Osama bin Laden as the top priority for action. Iraq was discussed, but was put on the back burner for possible later action. President Bush confirmed this on the following day to Condoleezza Rice: “We won’t do Iraq now, we’re putting Iraq off. But eventually we’ll have to return to that question.”¹⁰⁶ As Wolfowitz remembered it two years later, the question of Iraq “appeared to be about not whether but when” – a question of “tactics and timing”.¹⁰⁷

Just under two months later Bush returned to the question. In a face-to-face meeting with Rumsfeld alone, he asked what kind of a war plan the Pentagon had for Iraq. When Rumsfeld explained that the existing post-Gulf War plan would have to be thoroughly revised – a process that might take months if not years – Bush told him to get started on it, and to get general Tommy Franks to look at “what it would take to protect America by removing Saddam Hussein if we have to”. Franks was chief of U.S. Central Command, the area command for the Middle East. For the time being this planning process would be a secret, camouflaged as part of a general review of all existing war plans, although Rumsfeld wanted CIA Director George Tenet brought in at some stage, both for intelligence and for planning covert action in Iraq.¹⁰⁸

106 Bob Woodward, *Plan of Attack*, pp. 24–6.

107 Wolfowitz as interviewed by Sam Tannenhaus of *Vanity Fair* 9 May 2003. News Transcript (United States Department of Defense [online 30 Nov 2005]). The insistent advocacy by Rumsfeld and Wolfowitz of action against Iraq, in the immediate aftermath of 11 September, is amply confirmed by *The 9/11 Commission Report. Final Report of the National Commission on Terrorist Attacks upon the United States* (New York: Norton, 2004), pp. 334–6.

Officially, US policy on Iraq was still that of containment. At a public reception for humanitarian workers just returned from Afghanistan, Bush told reporters that Saddam must let the weapons inspectors back in. When asked what the consequences would be if that did not happen, Bush had wavered but then said "he'll find out".¹⁰⁹ Lest there was any doubt that the State Department was in tune with the president, Richard Armitage, Powell's deputy, explained to the *New York Times* on 1 December that Bush was putting pressure on Saddam to readmit the UN inspectors. But he added that "an Iraq with weapons of mass destruction is a threat to its neighbors and ultimately to ourselves, and so we will do what we need to do to obviate that threat."¹¹⁰

The wheels had started rolling. A possible US military action against Iraq to bring about regime change in that country was now on the agenda, but as yet without a plan and a timetable. What seems to have been curiously absent, according to the available sources, was a discussion about reasons or motivation. Wolfowitz, however, was in no doubt. Interviewed almost two years later, he said he had quickly concluded that Iraq had to be high on the target list for a counter-terrorism strategy. In order to prevent terrorists "getting access to so-called modern weapons" it was necessary not only to "root out these networks" but also to "get governments out of the business of supporting them". Saddam had those weapons, and he was "the only international figure other than Osama bin Laden who praised the attacks of September 11th". Summing it up, Wolfowitz pointed to "three fundamental concerns. One is weapons of mass destruction, the second is support for terrorism, the third is the criminal treatment of the Iraqi people. Actually (...) there's a fourth overriding one which is the connection between the first two."¹¹¹

108 Bob Woodward, *Plan of Attack*, pp. 1-3.

109 Bob Woodward, *Plan of Attack*, p. 36, citing a *New York Times* report 27 November 2001.

110 Bob Woodward, *Plan of Attack*, p. 39.

111 Wolfowitz as interviewed by Sam Tannenhaus of *Vanity Fair* 9 May 2003.

It is essential, when reviewing the events and developments in Washington D.C. after the 11 September attacks, to keep in mind the tremendous shock and fears that gripped the entire American public. The dramatic footage of the airliners hitting the twin towers filled the television screens again and again. Harrowing tales of the gruesome deaths of those trapped inside as well as the heroic deeds of the rescue workers dominated the media. The Federal Bureau of Investigation, anxious not to be again caught by surprise, issued warnings that new attacks might be just around the corner, and urged everyone to be on the alert. Then, in November, came the anthrax scare, as five Americans were killed by mysterious mailings of anthrax powder in New York, Washington, and Florida. What would be next? One possible answer to that question hit Washington in early December, with intelligence reports that a Pakistani nuclear engineer had been selling know-how about nuclear weapons, and that documents from a bin Laden hideout in Afghanistan suggested a strong interest in such weapons. The reports apparently had “a dramatic impact on Bush”, and Vice President Cheney again repaired to his bunker outside Washington.¹¹²

On Tuesday 29 January, 2002, it was time for President Bush’s State of the Union speech, and the President had decided to raise the stakes. While giving much space to America’s determination to promote democracy in the Middle East, he stressed the urgent need to eliminate the threats posed by terrorists and by regimes that were seeking weapons of mass destruction. He then devoted one sentence to North Korea, one to Iran, and five sentences to Iraq, and said: “States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger.”¹¹³

112 Bob Woodward, *Plan of Attack*, pp. 45–7.

113 *Ibid.*, p. 92.

Pre-emptive or Preventive Action?

In the process of US planning and preparations during the months that followed, two aspects need to be noted. First, the planning was proceeding under the assumption that any military campaign against Iraq would be an exclusively American venture. Secondly there seems to have been little discussion about intelligence that could support the claims about a Saddam Hussein/weapons of mass destruction/international terrorism triad. The reports from the US and UK intelligence services on the subject were generally vague and inconclusive. A clue as to why this did not seem to matter much can be found in Vice President Cheney's thinking, as reported by Bob Woodward:

After 9/11 it was clear to Cheney that the threat from terrorism had changed and grown tremendously. So two matters would have to change. First, the standard of proof would have to be lowered – smoking gun, irrefutable evidence would not have to be required for the United States to act to defend itself. Second, defense alone wasn't enough. They needed an offense.¹¹⁴

All this pointed towards a seminal document entitled "The National Security Strategy of the United States of America", ultimately signed and published under George W. Bush's name by the White House on 17 September 2002. A salient feature of that lengthy document has tended to be referred to as the pre-emptive strategy, which deals with action against imminent threats, whereas in fact it is a prescription for a preventive strategy against potential threats.¹¹⁵ Already in the President's preamble it declares that "as a matter of common sense and self-defense, America will act against ...emerging threats before they are fully formed ... we must be prepared to defeat our enemies' plans, using the best intelligence and proceeding with deliberation."¹¹⁶

114 Ibid., p. 30.

Contrary to many allegations in the media when this new US strategy was published, preventive war is not an American invention, nor is it a novelty in international affairs. Great powers have always retained the option of preventive belligerent action as a last resort. What is new in the post-Cold War world is the use of the concept in the field of non-proliferation of WMD. Tom Sauer of the Catholic University of Leuven, in a June 2004 essay in *Defense and Security Analysis*, lists the Clinton administration's 1998 missile attack on a Sudanese chemical plant, and operation Desert Fox against Iraq later that year, as early examples of such preventive attacks.¹¹⁷

Moreover, the international community has increasingly although gingerly been moving towards accepting that preventive or pre-emptive military action can in certain cases be necessary. Partly inspired by the failure to intervene to stop the 1995 Srebrenica massacre and the 1999 genocide in Rwanda, as well as by the apparently successful intervention in Kosovo, there is a growing recognition that a state's sovereignty cannot always protect it from outside intervention against massive violations of the human rights of its inhabitants. Nor is that recognition necessarily limited to the protection of human rights. Interestingly, the suggestion that

115 See in particular Gareth Evans' article "When is it right to fight", *Survival*, vol. 46, no. 3 (2004): 65: "The English language seems to be unique in having two different words here – 'preemption' to describe responses to imminent threats, and 'prevention' for non-imminent ones (...) The problem boils down to whether or not there is credible evidence of the reality of the threat in question (taking into account, as always, both capability and specific intent) (...) The question is not whether preventive military action can ever be taken: it is entirely within the scope of the Security Council's powers under Chapter VII (...) The question is whether military action in response to non-imminent threats can ever be taken *unilaterally*." See also David P. Calleo's "The Broken West" in the same issue, esp. p. 31, and Robert Litwak's lucid analysis "Non-proliferation and the Dilemmas of Regime Change", *Survival*, vol. 45, no. 4, esp. pp. 16–17.

116 Verbatim text of "The National Security Strategy of the United States of America", with the President's preamble, 17 September 2002 (Washington D.C.: The White House [online 6 Sep 2005]).

117 Tom Sauer, "The 'Americanization' of EU Nuclear Non-proliferation Policy", *Defense and Security Analysis* vol. 20, no. 2, pp. 113–131.

preventive use of force may be legitimate also looms large in the European Union's considerations of its non-proliferation policy. In a draft strategy agreed by the EU's General Affairs and External Relations Council in June 2003, it said that

When these measures (including political dialogue and diplomatic pressure) have failed, coercive measures under Chapter VII of the UN Charter and international law (sanctions, selective or global, interceptions of shipments and, as appropriate, the use of force) could be envisioned. The UN Security Council should play a central role.¹¹⁸

More recently, the United Nations have also taken up the problem. In the winter of 2005 a High Level Panel appointed by the Secretary General presented its report on reform of the UN, including a chapter on "Collective security and the use of force".¹¹⁹ While asserting that the Charter, through Article 51 – concerning self-defence – and Chapter VII – on military measures authorised by the Security Council – is in itself adequate for the purposes, the Panel saw the need for the Security Council to adopt a set of "guidelines" or "criteria of legitimacy" in considering whether to "authorise or endorse" the use of military force through collective action under Chapter VII. The criteria mentioned are "seriousness of threat", "proper purpose", "last resort", "proportional means", and "balance of consequences". If those criteria were met the Panel, in an important deviation from the hallowed principle of non-intervention, accepted that

In the world of the twenty-first century, the international community does have to be concerned about nightmare scenarios combining terrorists, weapons of mass destruction and irresponsible states, and much more besides, which may conceivably justify the use of force, not just reactively but preventively and

118 Ibid., p. 127.

119 United Nations Peacekeeping Operations: Document A/59/565: "A more secure world: our shared responsibility". Report of the High-level Panel of Threats, Challenges and Change (United Nations [online 6 Sep 2005]).

before a latent threat becomes imminent. The question is not whether such action can be taken: it can, by the Security Council as the international community's collective security voice, at any time it deems that there is a threat to international peace and security. The Council may well need to be prepared to be much more proactive on these issues, taking more decisive action earlier, than it has been in the past.

The Commission saw clear problems in the application of Article 51, however. It acknowledged the right of a threatened state to take military action in self-defence "as long as the threatened attack is imminent, no other means would deflect it and the action is proportionate", but went on: "The problem arises where the threat in question is not imminent but still claimed to be real: for example the acquisition, with allegedly hostile intent, of nuclear weapons-making capability."

Having thus defined the problem, the Commission's report followed up with three paragraphs that by implication were directed against the US National Strategy:

189. Can a state, without going to the Security Council, claim in these circumstances the right to act, in anticipatory self-defence, not just pre-emptively (against an imminent or proximate threat) but preventively (against a non-imminent or non-proximate one)? Those who say "yes" argue that the potential harm from some threats (e.g., terrorists armed with a nuclear weapon) is so great that one simply cannot risk waiting until they become imminent, and that less harm may be done (e.g. avoiding a nuclear exchange or radioactive fallout from a reactor destruction) by acting earlier.

190. The short answer is that if there are good arguments for preventive military action, with good evidence to support them, they should be put to the Security Council, which can authorise such action if it chooses to. If it does not so choose, there will be, by definition, time to pursue other strategies, including persuasion, negotiation, deterrence and containment – and to visit again the military option.

191. For those impatient with such a response, the answer must be that, in a world full of perceived potential threats, the risk to the global order and the norm of non-intervention on which it continues to be based is simply too great for the legality of unilateral preventive action, as distinct from collectively endorsed action, to be accepted. Allowing one to act is to allow all.

In addition to stressing the central role of the UN Security Council, a key word in paragraph 190 is “good evidence”. Although the Panel did not have much to say about the question of intelligence, it did specify, as a crucial test for the legitimacy of military action, that “there is credible evidence of the reality of the threat in question (taking into account both capability and specific intent)”. But the Panel did not go on to state the obvious implications of the demand for credible evidence: namely that “plans”, or “emerging threats”, which are the expressions used in the US national strategy document, hardly constitute proximate or imminent threats that justify preventive or pre-emptive action. The determination of a proximate or imminent threat requires not just the best intelligence that may be available – which, as we shall see later, was not very good in relation to Iraq – but intelligence with a very high degree of certainty about intent. Thus the crucial problem with the US National Strategy is, as pointed out in a recent Rand Corporation study, that it

presumes that there will be evidence to establish “imminent threat” and underscore the legitimacy of the action undertaken. The criticism by the Congress and others regarding the intelligence on WMD preceding Operation Iraqi Freedom suggests, however, that “evidence” means different things to different people. Intelligence professionals would maintain that intelligence is largely inferential. Rarely does intelligence provide indisputable evidence.¹²⁰

120 Deborah G. Barger, *Toward a Revolution in Intelligence Affairs* (Santa Monica, CA: Rand Corporation Technical Report, 2005), p. 17.

After 11 September 2001, the “emerging threat” that in the Bush administration’s eyes would justify coercive action was the alleged existence of a direct link between the Iraqi regime and al-Qaeda. As Wolfowitz said to the Washington Post in August 2003, “Disarming Iraq and the war on terror are not merely related. Disarming Iraq of its chemical and biological weapons and dismantling its nuclear weapons program is a crucial part of winning the war on terror.”¹²¹ When asked by Fox News at the same time about the failure to find evidence of that direct link between Saddam and terrorism, he limited himself to remarking that intelligence about terrorism would always be “murky”. But he went on to assert that “the lesson of 9/11 is that if you’re not prepared to act on the basis of murky intelligence, then you’re going to have to act after the fact, and after the fact now means after horrendous things have happened to this country.”¹²² What this in fact meant, was that the decision-makers in Washington “concentrated not on the question of Saddam Hussein’s culpability for 11 September, but on the possibility that Iraq might at some point transfer WMD materials or components to al Qaeda or a similarly motivated non-state group”.¹²³ The possibility – not the probability. This matter of justification for coercive action against Iraq was to change during the summer of 2002, however, as the Bush administration decided to have at least a fling with multilateralism, United Nations version.

121 Quoted by Litwak in his *Survival* article p. 17.

122 Wolfowitz as interviewed on Fox News 27 July 2003 (United States Department of Defense [online 17 Aug 2005]).

123 Dodge, Toby and Steven Simon (eds.): “Iraq at the Crossroads: State and Society in the Shadow of Regime Change”, *Adelphi Paper*, 354 (London: IISS, 2003), Introduction, p. 13.

Chapter 4

2002: Intelligence and Policymaking

“Intelligence is not uniquely worthy of belief.
Intelligence is uniquely worthy of scepticism.”

Lord Butler

It is still far from clear how the Bush administration was persuaded to take the issue of Iraq back to the United Nations. But most commentators seem to give Tony Blair a leading role in the process, assisted by Colin Powell. What is clear is that the effort to swing international opinion, and then the UN Security Council, towards a concerted policy on Iraq required a massive information campaign focused on the presumed existence of Iraqi weapons of mass destruction. In that campaign, intelligence would have to play a major role.

In public perception, the strict secrecy surrounding the machinery, the process, and the product of intelligence has given it an almost mystic quality. Most students of intelligence, however, and many intelligence professionals, take a very cautious view of what intelligence can really provide. It has once famously been called “cat’s eyes in the dark”, and even those who would not go that far tend to stress that estimates or assessments, particularly when they try to look into the future, as they often do, are sometimes not much more than informed guesses based on often uncertain sources. This is particularly the case with estimates about an

adversary's intentions. As one insider has written, "short of some extraordinary stroke of luck, or genius, [the intentions] are likely to remain obscure. Intelligence targets are commonly closed societies, and even where this is not so, the foreign leaders themselves often do not see their way clearly, or determine it long in advance, and in most cases still prefer to keep their cards hidden."¹²⁴

To the politicians and senior officials, who are supposed to absorb and if necessary react to its findings, intelligence often can appear as either an unwelcome addition to all the paper work they have to deal with, especially if the information goes against their pre-conceived ideas, or as useful tools if the intelligence can be used to support the policy that they favour and wish to push through. Some retired statesmen are on record as saying that they seldom if ever bothered to read the lengthy assessments or estimates that are produced for them. In the United States, the CIA already in Harry Truman's presidency began to produce brief daily summaries of international events (called "the Daily") that were distributed to the President and other senior officials. In 1961, however, President Kennedy instituted a daily summary of all-source intelligence reports called the "President's Intelligence Check List" or PICL. The concise nature of such documents – now called the "President's Daily Brief" (PDB) and presented by the Director of Central Intelligence himself – carries its own dangers in that the "caveats" necessarily tend to be omitted. Thus the most recent of the several investigations of US intelligence failures found

flaws that were inherent in the format of the PDBs – a series of short 'articles' often based on current intelligence reporting that are presented to the President each morning. Their brevity leaves little room for doubts or nuance – and their 'headlines' designed to grab the reader's attention leave no room at all.¹²⁵

124 Percy Cradock, *Know Your Enemy* (London: John Murray, 2002), p. 291.

The relationship between intelligence and policymaking has been the subject of much debate both before and after the Iraq war. Intelligence experts of the old school, such as the veterans of the long since defunct Board of National Estimates of the CIA, tended to regard intelligence analysis as an academic or at least intellectual discipline that should be untainted by politics. This has also been the ideal of Britain's JIC – the Joint Intelligence Committee. In the words of John Scarlett, its chairman: "It ... has a long tradition of providing independent, objective advice, drawing on all sources, including the most secret sources, to the Government ..." ¹²⁶ A more realistic view, from the chairman of the JIC in 1985–1992, holds that intelligence and policy "should be close but distinct. Too distinct and assessments become an in-growing, self-regarding activity producing little or no work of interest to the decision-makers ... Too close a link and policy begins to play back on estimates, producing the answers the policy-makers would like ... The analysts become courtiers, whereas their proper function is to report their findings, almost always unpalatable, without fear or favour." ¹²⁷

However, the trend in both countries has been to bring the process of intelligence assessment closer to the policymakers. In Britain there has been an expansion of the membership of the JIC so that it now appears as a "forum of mixed intelligence chiefs and senior policy people, acting in an intelligence mode". ¹²⁸ Since 1968 the JIC has been supported by an Assessments Staff, "staffed in the main by normal secondments from elsewhere in the public sphere, including policy departments with a strong Foreign Office element among them" ¹²⁹, and located in the Cabinet Office's

125 *The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction*. Report to the President, 31 March 2005 (Washington D.C., 2005), frequently referred to as the Silberman/Robb report, p. 50.

126 Hutton Inquiry website, Hearing Transcripts, section 80 [online 6 Sep 2005].

127 Percy Cradock, *Know Your Enemy*, p. 296.

128 Michael Herman, "Intelligence and the Iraqi threat: British Joint Intelligence after Butler", *RUSI Journal*, August (2004).

129 *Ibid.*

Intelligence and Security Secretariat, whose head is the chairman of JIC. This, according to a former insider, has meant that “the most powerful voices tend to be those who are in a sense ‘amateurs’ – professional diplomats, senior service officers and other Whitehall officials, either as JIC members or on secondment to the Assessments staff – rather than career intelligence professionals.”¹³⁰ But it is the JIC chairman who presents the assessments to the Prime Minister.

In the United States the CIA’s Board of National Estimates, whose products were often criticised as being too “academic” with their detailed “on the one hand” and “on the other hand” assessments, was in the 1970s replaced by a number of National Intelligence Officers who now form the National Intelligence Council, reporting their estimates to the DCI – the Director of Central Intelligence. The estimates are then formally approved by the National Foreign Intelligence Board. While the old ideals of objectivity and dispassionate analysis are still held in high regard, the American system is such that the estimate “was and is the Director’s estimate, and its findings are his”.¹³¹ And it is the DCI who reports to the White House. Thus the crucial nexus in the relationship between the intelligence agencies and the policymakers is embodied in the persons of the chairman of the JIC, in Britain, and the DCI, in the United States.

When we now know much more about the intelligence process than before, this is due to the spate of official investigations and inquiries sparked off by what are widely regarded as intelligence failures. In the United States, the shock of the 11 September 2001 terrorist attacks led to the establishment of the “National Commission on Terrorist Attacks upon the United States”, which published its report in 2004.¹³² In July 2004 there was published a report from the U.S. Senate Intelligence Committee on intelligence assessments

130 Michael Herman, “The Role of the British Intelligence Committee: An Historical Perspective”, in L.C. Jenssen and O. Riste (eds.), *Intelligence in the Cold War: Organisation, Role, and International Cooperation* (Oslo: Norwegian Institute for Defence Studies, 2001), p. 37.

131 *Report on the U.S. Intelligence Community’s Prewar Intelligence Assessments...*, p. 10.

regarding Iraq.¹³³ This was followed in March 2005 by a special report to the President on US intelligence capabilities regarding weapons of mass destruction.¹³⁴ In the United Kingdom there was, first, the inquiry led by a distinguished Law Lord, Lord Hutton, into the circumstances that led to the death by suicide of Dr. David Kelly. Dr. Kelly was one of the British Ministry of Defence's leading experts on weapons of mass destruction, and was alleged to be the source of media claims about pressure by No.10 Downing Street on the British intelligence community.¹³⁵ While that inquiry was still going on the Intelligence and Security Committee of the Parliament published a critical report on British intelligence relating to Iraqi weapons of mass destruction. Finally, in July 2004, a Committee of Privy Counsellors led by former Cabinet Secretary Lord (Robin) Butler published a major report entitled "Review of intelligence on weapons of mass destruction".¹³⁶

The British Government's Dossier of September 2002

The initial reason for deciding to publish an official account of the British government's assessment of the situation in regard to Iraqi WMD was, according to the Butler report, to "inform public understanding of the case for stronger action (although not necessarily military action) to enforce Iraqi compliance with its obligations ..."¹³⁷ It is worth noting the words "the case for stronger action". Britain had together with the United States been consistent advocates in the Security Council for maintaining the pressure against Saddam Hussein, whereas the

132 *The 9/11 Commission Report. Final Report of the National Commission on Terrorist Attacks upon the United States* (New York: Norton, 2004).

133 See note 131.

134 See note 125.

135 Lord Hutton's report was published in January 2004. Before that, however, the verbatim reports on the hearings had been available on the Internet, here cited as the Hutton Inquiry website.

136 See note 95.

137 *Review of Intelligence on Weapons of Mass Destruction...*, para. 313.

other permanent members of the Council had wavered in their support. The purpose of publishing such an account was therefore not so much to convince the public that Iraq had or was developing WMD. The consensus among the public and the media, in Britain and internationally, was that Saddam had or was developing such weapons. What the British government needed was to convince the public that those weapons represented such a serious threat that stronger and more determined action, in one form or another, was urgently necessary. When seen against the many reports that Iraq was still actively trying to undermine the sanctions regime, and was unwilling to allow inspectors into the country to search for WMD, and in view of the weakening support in public opinion and among the members of the Security Council for maintaining and enforcing sanctions, it is perfectly understandable that the British Government wished to convince its own people that its sanctions policy against Iraq was both right and necessary.

Shortly before the British government went public with its own assessment, the case for action was strengthened by the publication, on 8 September, of a dossier compiled by the highly regarded International Institute for Strategic Studies (IISS). Presented as an objective, dispassionate assessment, it concluded that "The retention of WMD capacities by Iraq is self-evidently the core objective of the regime, for it has sacrificed all other domestic and foreign policy goals to this singular aim." More specifically, it stated:

A reasonable net assessment is that Iraq has no nuclear weapons but could build one quickly if it acquired sufficient fissile material. It has extensive biological weapons capabilities and a smaller chemical weapons stockpile. It has a small force of ballistic missiles with a range of 650 km, that are capable of delivering CBW warheads, and has prepared other delivery methods for CBW, including manned aircraft and UAVs. Sooner or later, it seems likely that the current Iraqi regime will eventually achieve its objectives.¹³⁸

138 "Iraq WMD Dossier Statement", IISS Press Release, 8 September 2002.

In September Tony Blair decided to recall Parliament for 24 September, and commissioned a dossier to be ready before that date. It was also decided that the dossier should be published, and that it should draw mainly on material from intelligence – in itself an unprecedented event. Against that background the two senior intelligence officials – Sir David Omand as the Security and Intelligence Coordinator in the Cabinet Office, and John Scarlett as chairman of the JIC – decided that the JIC would take the responsibility for the production of the dossier. According to the Butler report they took that decision “to ensure that its content properly reflected the judgements of the intelligence community ...”¹³⁹ However, Ministers and senior officials have also adduced another motive: “... a Government document that claimed to be underpinned by intelligence would have been met with immediate scepticism unless it was evident that the JIC had endorsed its content.”¹⁴⁰ The decision by the chairman of the JIC to take responsibility for the dossier enabled the Prime Minister to state, in his foreword to the published dossier, that it was “based, in large part, on the work of the Joint Intelligence Committee (JIC)”.

The 50-page dossier, entitled “Iraq’s Weapons of Mass Destruction. The Assessment of the British Government”, was published on 24 September, to coincide with the special session of Parliament. It did not at that time arouse much debate. Its prose was cautiously factual, even somewhat dull, and it did not in itself point to any particular policy option, such as war. Hans Blix, the chairman of UNMOVIC, when asked whether he thought the dossier was making a case for war, was clear: “No, it was not. I saw it as a case for inspection.”¹⁴¹ Prime Minister Tony Blair, in his foreword, was a little more specific, demanding “that the inspectors must be allowed back to do their job properly; and that if he [Saddam Hussein] refuses, or if he makes it impossible for them to do their job, as he has done in the past, the

139 *Review of Intelligence on Weapons of Mass Destruction...*, para. 320.

140 *Ibid.*, para. 321.

141 *Ibid.*, para. 317.

international community will have to act". But Blair's foreword was also quite adamant about what the dossier amounted to:

What I believe the assessed intelligence has established beyond doubt is that Saddam has continued to produce chemical and biological weapons, that he continues in his efforts to develop nuclear weapons, and that he has been able to extend the range of his ballistic missile programme.

Every element of that statement reflected what the JIC summary said. But whereas the JIC, in its summary of the dossier, presented its conclusions as "judgements", Blair saw them as being "beyond doubt".

A thorough investigation of the semantic process that intelligence undergoes before it is presented to the public is clearly not possible without full access to the intermediate stages between what is called "raw intelligence" and the finished product. But the Butler report came as close as anyone could in pointing to the problems and pitfalls inherent in that process. There is first the permanent, often overstated but perfectly legitimate, concern of the intelligence community not to reveal its "sources and methods". Second comes the balancing act between on the one hand revealing the inherent limitations of intelligence products, given the uncertainty of both the source material and its analysis, and on the other hand the need to provide assessments that are sufficiently clear for their political masters to act upon. Then, as the Butler report states:

Intelligence assessment is necessarily based heavily on judgement, relying on such material as intelligence has provided. It is not simply a matter of reporting this material but of presenting the judgements that flow from it to an experienced readership. Explaining those judgements to a wider public audience is a very different and difficult presentational task.¹⁴²

142 *Ibid.*, para. 327.

In other words, when reporting intelligence assessments to the regular recipients of such reports, like cabinet ministers and senior officials, a more academic “on the one hand” and “on the other hand” style, full of reservations and footnotes or “caveats”, can be used. But such language can easily confuse and irritate the general public. Thus the Butler report, comparing the dossier with an assessment produced by the JIC for internal consumption two weeks earlier, on 9 September, noted that in the dossier “points were run together and caveats on the intelligence were dropped. The most significant difference was the omission of warnings included in JIC assessments about the limited intelligence base on which some aspects of those assessments were being made.”¹⁴³ To give but one example of the effect of such presentational problems in the 24 September dossier, taken from the Butler report: the 9 September assessment stated as follows concerning Iraq’s chemical and biological weapons: “Intelligence remains limited and Saddam’s own unpredictability complicates judgements about Iraqi use of these weapons. Much of this paper is necessarily based on judgement and assessment.” In the dossier those caveats were reduced to the blindingly obvious statement that “This intelligence cannot tell us about everything.”¹⁴⁴

It is important to note, when assessing the British dossier, that its “judgements” on Iraq’s WMD differed as to the categories of weapons. They were at their most conclusive regarding chemical and biological weapons. The dossier concluded that Iraq “continued to produce chemical and biological agents”, partly in “mobile laboratories”, and had “military plans” for the use of such weapons, some of which “are deployable within 45 minutes of an order to use them”. On ballistic missiles, the dossier concluded that Iraq had missiles capable of carrying chemical or biological warheads with ranges far beyond that allowed by the United Nations.

143 Ibid., para. 330.

144 Ibid., p. 80–81.

The dossier was less certain when it came to nuclear weapons, stating only that Iraq had been trying to obtain the necessary technology, materials and uranium for developing such weapons. In the detailed assessment the JIC reported “intelligence that Iraq has sought the supply of significant quantities of uranium from Africa”. On the controversial “aluminium tubes” it was stated that Iraq had attempted to get large quantities of them, but “there is no definitive intelligence that it is destined for a nuclear programme”.

The debate on the British dossier

The debate on the British government’s September 2002 dossier developed in two stages. In the first stage, during the early months of 2003, criticism of the government was triggered by two separate events: first, the government’s publication in February of another paper on Iraqi WMD, which soon became roundly condemned as a clumsy Cabinet Office effort to bolster the government’s case. Then there was the allegation by a BBC reporter that the September dossier had been “sexed up” by the Prime Minister’s “spin doctors”. That allegation brought to the forefront Dr. David Kelly, a Defence Ministry expert on WMD claimed by the BBC as their source, who then committed suicide. His death led to an official inquiry chaired by Lord Hutton, whose detailed public hearings, recorded verbatim on the Internet, produced a mass of new information on the process that led to the September dossier.¹⁴⁵ The dominant issue at that stage was whether the government had put political pressure on the intelligence organs to strengthen its case for stronger action against Iraq. We shall return to that issue below.

The second stage of the debate on the September dossier began in earnest with the July 2004 publication of the report by a committee, chaired by Lord Butler,¹⁴⁶ whose remit was to review the performance of the British intelligence

145 The Hutton Inquiry website [online 12 Sep 2003].

146 Robin Butler (Baron Butler of Rockwell) was Secretary to the Cabinet Office and head of the UK Home Civil Service 1988–1998.

community in the events leading up to the war in Iraq. By that time, of course, a whole year's search on the ground in Iraq had failed to find any of the WMD which the dossier had claimed that Iraq possessed. Although couched in impeccably balanced and moderate language, the Butler report revealed that the September dossier had failed to reflect the considerable uncertainties surrounding the judgements of the Joint Intelligence Committee – that the JIC had so to speak “sexed up” its product beyond what was warranted by the “raw intelligence”. Even more damaging to the reputation of British intelligence was the revelation that three of the five human intelligence sources, which the famous Secret Intelligence Service had relied on, were in fact unreliable.¹⁴⁷ In particular, the Butler report reinforced the conclusion of the Parliament's Intelligence and Security Committee, published in September 2003,¹⁴⁸ that the dossier's most alarming claim had been misleading. This was the claim that the “Iraqi military are able to deploy these [chemical and biological weapons] within 45 minutes of a decision to do so”, which the Prime Minister's foreword interpreted as meaning that some of the weapons could be “ready within 45 minutes of an order to use them”. Although the intelligence report in fact referred only to battlefield weapons, the wording in the dossier was widely believed to mean that the weapons in question could hit British bases in Cyprus.

To sum up, Intelligence and Security Committee's report, and in particular the Butler report, amounted to a pretty severe indictment of the performance of MI6, otherwise known as the Secret Intelligence Service (SIS), for failing to exercise sufficiently critical judgement of their sources and the

147 *Review of Intelligence on Weapons of Mass Destruction...*, para. 434–6.

148 *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, Intelligence and Security Committee (London: The Stationery Office, 9 September 2003), esp. p. 7: “As the 45 minutes claim was new to its readers, the context of the intelligence and any assessment needed to be explained. The fact that it was assessed to refer to battlefield chemical and biological munitions and their movements on the battlefield, not to any other form of chemical or biological attack, should have been highlighted in the dossier.”

reports provided. Sources close to SIS have since sought to explain the weakness of their reporting from Iraq by citing an overload of other high priority tasks. Parliament's Security and Intelligence Committee has also pointed to the budget cutbacks that SIS and the other agencies had suffered after the end of the Cold War.¹⁴⁹

Less severe, but still very critical, was the Butler report's conclusions on the JIC's authorship of the September dossier. On the way from JIC assessments to the dossier "warnings were lost about the limited intelligence base on which some of these assessments were being made". This "left with readers the impression that there was fuller and firmer intelligence behind the judgements than was the case ... We conclude that it was a serious weakness that the JIC's warnings on the limitations of the intelligence underlying its judgements were not made sufficiently clear in the dossier."¹⁵⁰ In British civil service understatement, "serious weakness" is strong language indeed. It is worth noting that Butler felt it necessary to add a paragraph to the effect that the criticism should not be taken to mean that John Scarlett, the chairman of JIC, should not become the next Chief of SIS.

Were the errors for which SIS and JIC were criticised due to political pressure? Were they a result of the British government and its "spin doctors" leaning on the intelligence community to produce the kind of results that would serve their political purposes? The JIC chairman, the parliamentary Intelligence and Security Committee, the report from the Hutton inquiry, and the Butler report all answered those questions in the negative. The Committee concluded: "We are content that the JIC has not been subjected to political pressures, and that its independence and impartiality has not been compromised in any way. The dossier was not 'sexed up' by Alastair Campbell or anyone else."¹⁵¹

149 *Annual Report 2003–2004*, Intelligence and Security Committee (London: The Stationery Office, June 2004), p. 38.

150 *Review of Intelligence on Weapons of Mass Destruction...*, para. 464–5.

However, the fact that strong judgements were formed on the basis of uncertain intelligence, and that those judgements all went in the “worst case” direction, still requires an explanation. One of the first analyses to suggest an explanation was an article by Martin Woollacott in the *Guardian Weekly* in February 2004, under the heading “Spies obsessed by Saddam. Mistrust led to Iraq intelligence failures.” With reference to the Hutton inquiry into the death of Dr. David Kelly, he wrote:

In Britain the Hutton report’s rejection of the argument that the available intelligence was exaggerated by politicians may have let the government off too lightly. But it does have the virtue of showing that the government and intelligence services had essentially the same mindset on Iraq. That mindset was exemplified by Dr. David Kelly himself. Dr. Kelly believed that Saddam almost certainly had some limited stocks of chemical and biological weapons, some capacity to restart production, some very limited means of delivery, and some hidden but very scaled down research programmes.¹⁵²

Recently a veteran of the British Intelligence Community, Michael Herman, has refined that analysis by bringing in the concepts of “group-think” and “prevailing wisdom”. “Most of the world was convinced that Saddam Hussein was concealing operational WMD weapons, and intelligence was locked into the process of creating and confirming this conviction.”¹⁵³ The British government wanted a strong document to support its case for increasing the pressure on Saddam. There was a revealing moment in the Hutton inquiry when the questioner read out an email from someone in the

151 *Iraqi Weapons of Mass Destruction...*, p. 42. Alastair Campbell was Tony Blair’s Press and Communications Officer, and figured prominently in allegations of political interference in the production of the dossier.

152 *Guardian Weekly*, February 5–11 2004.

153 Paper given to the British Intelligence and Security Association at the University of Warwick, December 2004, quoted by permission of the author.

Cabinet Office to the intelligence agencies during the drafting of the September dossier. It stated that “No. 10 through the Chairman want the document to be as strong as possible within the bounds of available intelligence. This is therefore a last (!) call for any items that agencies think can and should be included.” When asked about this, John Scarlett replied that “you have to remember that the Joint Intelligence Committee itself was anxious to produce as strong a document as possible, consistent with the protection of intelligence sources and methods.”¹⁵⁴

The United States dossier, October 2002

Ever since New Year 2002 the US military had been working on war plans for Iraq. And from July 2002 a covert action team was at work in northern Iraq, trying in various ways to penetrate the Iraqi military and intelligence services. But President Bush’s stock answer when questioned by reporters about Iraq was that he had no war plan on his desk. Then, on 5 August 2002, Secretary of State Colin Powell met privately with the president. After pointing out the many risks inherent in any unilateral action by the US, Powell brought up an alternative: “You can still make a pitch for a coalition or U.N. action to do what needs to be done.” Bush was already scheduled to speak to the UN General Assembly on 12 September. Powell now argued for using that speech not just to make a statement about US policy toward Iraq, but also to make a serious attempt to internationalise the issue. Without such an attempt even Britain’s support would be in doubt. Vice President Cheney tried to argue against, since taking the issue to the UN “would invite a never-ending process of debate, compromise and delay”. When he finally agreed, it was on the basis of making the speech something of an ultimatum to the UN: Act decisively, or be condemned to irrelevance.¹⁵⁵

154 Hutton Inquiry website, Hearing Transcripts, Section 162.

155 Woodward, *Plan of Attack*, p. 151 and 157.

Bush himself had not yet taken a public stand on whether Saddam actually had WMD. In the “Axis of evil” State of the Union speech on 29 January, 2002, the talk was of the three states in question “*seeking* weapons of mass destruction”, and on 16 August, speaking to reporters, he said that Saddam “desires” such weapons. Cheney, however, went further, with a speech that also seemed virtually to pre-empt the effect of any appeal to the UN. In an address to the Veterans of Foreign Wars on 26 August he declared that a “return of the inspectors would provide no assurance whatsoever of his [Saddam’s] compliance with UN resolutions ... Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction [and] there is no doubt that he is amassing them to use against our friends, against our allies and against us.”¹⁵⁶ In a classic “worst case” warning, Cheney highlighted the scenario of Saddam in possession of nuclear weapons:

Armed with an arsenal of these weapons of terror, and seated atop 10 percent of the world’s oil reserves, Saddam Hussein could then be expected to seek domination of the entire Middle East, take control of a great proportion of the world’s energy supplies, directly threaten America’s friends throughout the region, and subject the United States or any other nation to nuclear blackmail.¹⁵⁷

Such statements can be seen as confirming the impression, brought back from Washington and reported to a Downing Street meeting on 23 July 2002 by the head of SIS, that “the intelligence and facts were being fixed around the policy (...) Bush wanted to remove Saddam, through military action, justified by the conjunction of terrorism and WMD.”¹⁵⁸

On 7 September, after a meeting with Tony Blair, Bush then followed suit: Speaking to reporters together with Blair, he said: “Saddam Hussein possesses weapons of mass

156 Ibid., p. 164.

157 Quoted in David Barstow’s exhaustive study “How the White House Embraced Disputed Arms Intelligence”, *New York Times*, 3 October 2004.

158 “The Secret Downing Street Memo”, *Sunday Times*, 1 May 2005.

destruction.” It is not yet clear where that new certainty came from. The next morning the New York Times, in a front page story headlined “U.S. Says Hussein Intensifies Quest for A-Bomb Parts” that came to dominate the TV talk shows that day, reported on Iraq’s attempts to buy aluminium tubes that could be used in centrifuges to enrich uranium for a bomb.¹⁵⁹ Appearing on CNN, National Security Adviser Condoleezza Rice asserted that the tubes in question “were only really suited for nuclear weapons programs”.¹⁶⁰ And from then on President Bush’s own statements left no opening for doubts about Saddam’s possession of biological and chemical weapons, as well as his attempts to obtain the wherewithal to make nuclear weapons.

In contrast to the situation in Britain and Europe there was little or no public demand in the United States for the administration to prove its case against Iraqi weapons of mass destruction. In the wake of president Bush’s “conversion” to certainty about Iraq’s possession of WMD, however, the chairman of the Senate Intelligence Committee, Senator Robert Graham, on 11 September formally requested the CIA to provide a new intelligence estimate on Iraq. As Bob Woodward notes in his book, the CIA had until then “never declared categorically that Saddam possessed weapons of mass destruction”. Consistent with the President’s statements before 7 September, their estimates, and DCI Tenet’s testimony to the Senate Intelligence Committee on 6 February 2002, claimed only that Iraq was seeking WMD. Now, against the background of the recent assertive statements by Cheney and Bush, the CIA “did agree reluctantly to do a rushed National Intelligence Estimate (NIE) on Iraq’s WMD capability”.¹⁶¹ The work on the NIE took three weeks, resulting in a Top Secret 92 page document ultimately certified by the National Foreign Intelligence Board. A 25 page unclassified “dossier”, entitled “Iraq’s Weapons of Mass Destruction”, was issued for public consumption two days later. This document was not a

159 Woodward, *Plan of Attack*, p. 178–9.

160 Barstow, “How the White House Embraced...”

161 Woodward, *Plan of Attack*, p. 194–5.

sanitised version of the Top Secret Estimate. It was an assessment that the CIA had been working on since the spring, in response to a request from the National Security Council. The “Key Judgments” part was however a declassified version of its counterpart in the NIE. The main difference was that, like in the British case, the “caveats” had been eliminated.¹⁶²

Comparing the British dossier to its CIA counterpart, it is impossible not to be struck by the ominously peremptory tone of the latter. At the top of its “Key judgments” it stated simply that “Baghdad has chemical and biological weapons”. On nuclear weapons it stated: “If Baghdad acquires sufficient weapons-grade fissile material from abroad, it could make a nuclear weapon within a year.” It singled out the aluminium tubes as particularly significant: “All intelligence experts agree that Iraq is seeking nuclear weapons and that these tubes could be used in a centrifuge enrichment program. Most intelligence specialists assess this to be the intended use, but some believe that these tubes are probably intended for conventional weapons programs.” Less certain, but potentially more alarming, was the judgement that Iraq was developing an unmanned aerial vehicle (UAV) “that most analysts believe probably is intended to deliver biological warfare agents ... Baghdad’s UAVs – especially if used for delivery of chemical and biological (CBW) agents – could threaten Iraq’s neighbors, U.S. forces in the Persian Gulf, and the United States if brought close to, or into, the U.S. Homeland.” Seldom if ever can a serious intelligence estimate have built a worst-case scenario on such tenuous hypotheses.

The two-page “Key Judgments” was followed by over twenty pages entitled “Discussion”. Here the certainties and alarming prospects were interspersed with qualifications and reservations, even suggesting that the intelligence basis for the judgements was in some cases limited. One remarkable paragraph deserves to be quoted:

162 *Report on the U.S. Intelligence Community's Prewar Intelligence Assessments...*, p. 286–8.

Limited insight into activities since 1998 clearly show that Baghdad has used the absence of UN inspectors to repair and expand dual-use and dedicated missile-development facilities and to increase its ability to produce WMD.¹⁶³

Information that has since become available has revealed that some of the intelligence agencies distanced themselves from the NIE on some points. The U.S. Air Force's Director for Intelligence, Surveillance, and Reconnaissance disagreed with the judgement on UAVs, stating that the UAVs probably had "a primary role of reconnaissance". And both the Department of Energy's intelligence unit and the State Department's Bureau of Intelligence and Research disputed the judgement that the infamous aluminium tubes were intended for uranium enrichment. But those dissenting opinions were buried in the Top Secret NIE and not shared with the public.

The debate on the US dossier

A scathing verdict on the U.S. Intelligence Community's October 2002 NIE was delivered by the Senate Intelligence Committee in its nearly 500 page report, published – with many deletions – in July 2004. The Committee's overall conclusions could hardly be more devastating:

Most of the major key judgments in the Intelligence Community's October 2002 National Intelligence Estimate (NIE), *Iraq's Continuing Programs for Weapons of Mass Destruction*, either overstated, or were not supported by, the underlying intelligence reporting. A series of failures, particularly in the analytic tradecraft, led to the mischaracterization of the intelligence.¹⁶⁴

163 *Iraq's Weapons of Mass Destruction Programs*, Director of Central Intelligence, Washington D.C., October 2002, p. 5. Emphasis added.

164 *Report on the U.S. Intelligence Community's Prewar Intelligence Assessments...*, p.14.

That condemnation applied to the judgments about nuclear, chemical, and biological weapons. Only the assessments concerning development of ballistic missiles were found to be reasonable and accurate. The Senate Committee's explanation for such a massive intelligence failure was similar to that from the Butler report on the failures of British intelligence. It had been a case of "group think", permeated by "received wisdom".

More recently, in March 2005, yet another critical report has been issued, under the long title of "The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction". That commission, chaired by Judge Laurence H. Silberman and Senator Charles S. Robb, had a wider remit than the Senate Committee in that it also studied the cases of Iran and North Korea. But most of what it had to say about the latter has been excised from the 500-page report. On the matter of Iraq it does not add much to what the Senate Committee has already reported, except concerning biological weapons. It points out that while previous estimates for the intelligence community had only assessed that Iraq *could* have biological weapons, the October 2002 estimate assessed "with high confidence" that Iraq had such weapons. That change of view "was based largely on information from a single source – Curveball – who indicated that Iraq had mobile facilities for producing BW agents". Curveball, however, was a source "whose credibility came into question around the time of the publication of the NIE and collapsed under scrutiny in the months following the war".¹⁶⁵ More seriously, that information from Curveball was the basis for Colin Powell's dramatic performance at the crucial meeting of the United Nations Security Council in February 2003.

On the much discussed question of political pressure on the intelligence analysts to come up with answers that suited the policy-makers, the Committee – like its British counterpart – concluded that they found no evidence of such pressure. But it

165 *The Commission on the Intelligence Capabilities...*, p. 81.

should be noted that a closely related question – whether statements by government officials accurately reflected the intelligence available to them – was deferred by the Committee for later study. As the *New York Times* said in its editorial on 1 April 2005, the Senate Committee “has yet to complete and publish its investigation of the handling of the Iraq intelligence”. The Silberman/Robb commission simply says that it was “not authorized” to look into the question of political pressure. But it adds the following admission: “It is hard to deny that intelligence analysts worked in an environment that did not encourage scepticism about the conventional wisdom.” Thus, in the US case, much more than in the UK case, the indirect pressure on the intelligence community of peremptory statements and conclusions by senior officials such as Vice President Cheney must have played their part in the formation of the “group think”. Step by step, from the analysts, through the National Foreign Intelligence Advisory Board, to DCI George Tenet’s famous assertion that Iraq’s possession of WMD was a “slam dunk”¹⁶⁶ case, i.e. beyond doubt, the publicly stated opinion of their political masters became steadily more difficult to gainsay.

Lessons Learned?

There can be no doubt that the record of the intelligence communities in the run-up to the Iraq war stands as an example of that often used but sometimes misused expression of “intelligence failure”. In the case of the US agencies this also came on top of another failure with a much greater public impact, namely the failure to predict and prevent the 9/11 terrorist attacks. But both the US and British intelligence agencies clearly face a long and hard process in their efforts to regain the confidence of their customers, not to speak of the

166 The expression “slam dunk” comes from basketball, and denotes a case where the player scores by practically hanging on the basket and pushing the ball through. Tenet’s assertion came after the President, at a meeting on 21 December 2002, twice pressed him to state how confident he was that the intelligence was reliable.

public. In regard to Iraq it was, firstly, a failure in the process of collection of intelligence. After the departure of UNSCOM from Iraq the agencies simply did not have adequate sources to enable them to provide reasonably good information of what was going on in Iraq in the matter of weapons of mass destruction. This is something the agencies were obviously aware of, but could do little to remedy in the short run. Then there was the failure properly to analyse and evaluate the intelligence reports received, taking into full account their often dubious origin, quality and reliability. An intelligence failure of such proportions, and with such serious results, suggests that the intelligence communities may never regain the standing that they generally seem to have enjoyed for so long. Yet their role is important, and may become even more so as the international community moves toward acceptance of the need for preventive or pre-emptive military action.

The need for repair and reform is therefore urgent. The acquisition of reliable sources of human intelligence is a long-haul process that cannot be accelerated by crash recruiting programmes and sizable budget increases. More can be done through organisational reforms, many of which were foreshadowed in the various investigations that have been carried out. Organisational reforms currently being instituted show that SIS, for one, recognises the need to put its own house in order. Among other things the collection of intelligence will be separated from the quality control, with the latter being exercised by experienced senior analysts with the right “to monitor every operation, check the flow and accuracy of information from any source and demand access to all the paperwork”.¹⁶⁷ Thus SIS has restored a separate requirements department with, as *The Economist* has put it, “a licence to be awkward”. This will be complemented in the Cabinet Office by a “challenger-in-chief to work with the assessments staff to test material at the final stage of processing before it reaches ‘the high table’ of British intelligence, the Joint Intelligence Committee”.¹⁶⁸ This has

167 “Minding the minders”, *Times*, 12 January 2005.

168 “Cats’ Eyes in the Dark”, *Economist*, 17 March 2005.

now been put into effect by the creation of a post as “Head of Intelligence Analysis”. The British Cabinet has also increased the assessments staff in the Cabinet Office by about one-third. Also, in an effort to enhance the scepticism of ministers and other receivers of intelligence assessments, the Cabinet has issued a kind of readers’ guide that stresses the “limitations on the scope of intelligence which have to be recognised by its ultimate recipients”, of which the most important is its “incompleteness”.¹⁶⁹

In the United States the learning process has mainly consisted in repairing the deficiencies demonstrated by the 9/11 intelligence failures, many of which were caused by “fault lines within our government – between foreign and domestic intelligence, and between and within agencies”.¹⁷⁰ The reform proposals have accordingly so far resulted mostly in planned organisation changes, highlighted by the appointment of ambassador John Negroponte as Director of National Intelligence (DNI). Comments about the reorganising effort have been heavily imbued with scepticism, and predictions that the pervasive “turf wars” between the fifteen or so intelligence agencies will hardly be eliminated by adding yet another structure.¹⁷¹ Doubts centre on the DNI’s chances of wresting control of the Defense Department’s intelligence empire from Donald Rumsfeld.

One serious consequence of the “turf wars” has been the lack of exchange of information between agencies. General Michael V. Hayden, now Deputy to the DNI, recently testified to a Senate Sub-Committee that this has now been changed as a result of the intelligence failures on Iraq. General Hayden, then head of the National Security Agency, sat on the National Intelligence Board when it approved the October 2002 Estimate. In his testimony he admitted that his approval

169 See Michael Evans’ article “‘Idiots guide’ for ministers on how to read intelligence”, *Times* 23 March 2005.

170 *The 9/11 Report...*, Preface, p. xvi.

171 For a fascinating historical survey of efforts to reform U.S. intelligence see M. Warner and J.K. McDonald, *US Intelligence Community Reform Studies Since 1947* (Washington D.C.: Center for the Study of Intelligence, April 2005.)

had been based on detailed knowledge only about intelligence gathered by his own agency. He was “neither expected nor permitted to learn more about the human sources from the Central Intelligence Agency and the Defense Intelligence Agency and satellite photographs from the National Geospatial Intelligence Agency on which many judgments were based”. In the new system, “no National Intelligence Estimate will be approved until each agency whose sources are being used as a basis for the findings articulates to all others its ‘confidence in the source’.”¹⁷²

Within the CIA itself reform has focused on the analytical process within the Directorate of Intelligence, resulting for example in the formation of a so-called “Red Cell” for unconventional and alternative analysis. There has also been a heavy emphasis on strengthening the CIA as first and foremost a HUMINT agency.¹⁷³

Both the remit of the new “Head of Analysis” in the British Cabinet Office, and in the United States the institution of some kind of “devil’s advocate” function such as the CIA’s “Red Cell”, point to the need to institutionalise challenges to what has variously been called “group think”, “prevailing wisdom”, or “the mindset”. In the growing field of intelligence studies, the contest between intelligence and prevailing wisdom is seen as a permanent problem. The end product of intelligence, whether it is called “assessments”, “judgements”, or “estimates”, is just what it says it is, and no more than that. As Lawrence Freedman has written:

The advantage of intelligence as a promotional device lies in the authority derived from a secretive process that supposedly can draw on special and increasingly intrusive sources of information that cannot be revealed lest they be closed off by the targets. Yet the inherent uncertainties and ambiguities of the process by

172 Douglas Jehl, “Top Spy’s No. 2 Tells of Changes to Avoid Error”, *New York Times*, 29 July 2005.

173 Private information.

which this information is turned into assessments for policy purposes can never be an exact science or immune to political and institutional bias.¹⁷⁴

The changes currently being instituted in both the British and American intelligence communities should go some way towards improving the quality of their judgements and assessments. But that still does not solve the problem inherent at the next crossroads – the intelligence/policy interface. As the *New York Times* put it in a recent editorial, with reference to the changes instituted by the DNI and described as above in General Hayden's testimony,

... none of Mr. Negroponte's changes can prevent the White House from selectively using intelligence to justify bad policy decisions. Washington has so far been willing to look at failures in intelligence reporting leading up to the war in Iraq, but has consistently shied away from the more delicate issue of how political leaders used those reports. The intelligence failures on Iraq will not be fully understood, and the right lessons learned, until Congress insists on a thorough investigation of what happened after those faulty reports left the analysts' offices and went to the policy makers.¹⁷⁵

In actual fact, therefore, the field will always be open for policy-makers to interpret the product according to their own experience, views, knowledge, and indeed their own prejudices. The literature on intelligence failures is replete with examples. In the case of Iraq, however, the "received wisdom" seems to have permeated not only the policy-makers, the media, and public opinion, but the intelligence community as well. For someone in the intelligence agencies then to stand up and suggest that the absence of really "hard" intelligence perhaps meant that there were no WMD in Iraq would, as suggested by someone close to SIS, be tantamount to rushing out into the middle of a crowded three-lane highway to try to

174 Lawrence Freedman, "War in Iraq: Selling the Threat", *Survival*, vol. 46, no. 2 (2004): 36.

175 *New York Times*, editorial, 1 August 2005.

stop the traffic. Some did try to raise some questions, as we have seen. In the UK, for example, a section chief in the Defence Intelligence Staff, who had been away on leave until 18 September, did question the intelligence basis for the 45 minute claim, as well as the intelligence behind the judgement on Iraqi production and possession of chemical agents. On the latter point he wrote: "We have not seen intelligence which we believe 'shows' that Iraq has continued to produce CW agent in 1998–2002, although our judgement is that it has probably done so."¹⁷⁶ But "group think" prevailed.

¹⁷⁶ *Review of Intelligence on Weapons of Mass Destruction...*, para. 666–678.

Chapter 5

Return to inspections

By late 1998, the consensus in the United Nations Security Council disarmament inspections regime had been considerably weakened. For some time, the Russians, French and Chinese had been of the opinion that the United Nations disarmament regime ought to move from the stage of continued investigation of any remaining unsolved disarmament issues and exclusively focus on monitoring to ensure Iraq did not reconstitute proscribed weapons capabilities. However, the United States and Britain maintained that the disarmament investigations should continue until United Nations inspectors had fully verified Iraq's complete WMD disarmament, as required by Security Council Resolution 687. Iraq had undertaken a long-standing effort to discredit UNSCOM, and had also been seeking to "persuade" Security Council members to ease sanctions through economic incentives. Further, there was growing opposition to economic sanctions in a number of countries due to their impact on the Iraqi civilian population. This gradually undermined the Security Council's consensus on sanctions and the disarmament regime in Iraq. After Operation Desert Fox, undertaken by Britain and the United States in December 1998, the fragile Security Council consensus that had underpinned the disarmament regime broke down. United Nations inspections were not subsequently resumed, with the result that a number of

unresolved disarmament issues remained and the monitoring of Iraq's compliance with the disarmament objectives of Resolution 687 ceased.

A number of serious allegations emerged regarding the relationship between UNSCOM inspectors, UNSCOM itself and some national intelligence services, most notably, those of the USA, Britain and Israel. In January 1999, the *Washington Post* launched a story that further discredited UNSCOM and its legacy. According to this article, certain UNSCOM inspectors had collected "eavesdropping evidence used in American efforts to undermine the Iraqi regime".¹⁷⁷ Moreover, in February the same newspaper wrote that, unknown to UNSCOM itself, the United States had been infiltrating agents and espionage equipment into the organization since 1995 to obtain information about the Iraqi military.¹⁷⁸ To what extent this was actually unknown to the various members of UNSCOM remains unclear. It was subsequently reported that information collected in this manner had been used to select targets for Operation Desert Fox. This information undermined UNSCOM's credibility and was seen by many to require a new inspection agency that was untainted by such serious allegations.

In February 1999 two panels were set up – one to study the issues relating to Iraq's WMD developments, the other to review the humanitarian situation in the country. A Brazilian diplomat, Celso Amorim, was appointed to chair both panels and a third one focusing on the issue of Kuwait. The Amorim report on the situation as regards Iraq's WMD was dated 27 March 1999. Its point of departure was the following:

that UNSCOM's and IAEA's current inability to implement their mandates in Iraq renders them unable to provide any assurance that Iraq is in compliance

177 Barton Gellman, "Annan Suspicious of UNSCOM Role: UN Official Believes Evidence Shows Inspectors Helped US Eavesdrop on Iraq", *Washington Post*, 6 January 1999; Colum Lynch, "US used UN to spy on Iraq, Aides Say", *Boston Globe*, 6 January 1999.

178 Barton Gellman, "U.S. spying on Iraq via U.N.", *Washington Post*, 2 March 1999.

with its obligations under Security Council resolutions and that it is essential that inspection teams return to Iraq as soon as possible. The current absence of inspectors has exponentially increased the risk of compromising the level of assurance already achieved, since it is widely recognized that the re-establishment of the baseline will be a difficult task. (...) The panel considers that the status quo is not a practical alternative and recommends that efforts be made with a view to restoring an international inspection regime in Iraq that is effective, rigorous and credible.¹⁷⁹

The regime proposed by the Amorim panel was thus a reinforced version of something foreshadowed in previous Security Council resolutions, namely an “ongoing monitoring and verification” (OMV) regime that would be both comprehensive and intrusive. However, the Security Council was subsequently divided on the issue of whether disarmament investigations should continue as under UNSCOM or if future inspections should focus primarily on monitoring and verification to ensure that Iraq did not resume WMD programmes.

On 17 December 1999, almost exactly one year after Operation Desert Fox, Security Council Resolution 1284 was passed with abstentions from Russia, China, France and Malaysia. This resolution established the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) as UNSCOM’s successor organization. This resolution specified UNMOVIC’s mandate in accordance with the recommendations of the Amorim reports, i.e. *reinforced* monitoring and verification to ascertain whether Iraq was rebuilding proscribed capabilities and the resolution of disarmament tasks. The resolution required that UNMOVIC and IAEA would draw up a work programme in which *key* remaining disarmament tasks would be identified. This suggests that under Resolution 1284, the UN inspection agencies were given more discretion in designing the disarmament verification process than was the case with

179 United Nations Security Council, document S/1999/356, 27 March 1999.

UNSCOM and IAEA between 1991 and 1998. In contrast, Resolution 687 in 1991 specified that UNSCOM's mandate was to ascertain whether Iraq was complying with the requirement to destroy *all* proscribed weapons, materials and infrastructures. However, Resolution 1284 required the key disarmament tasks defined by the inspection agencies to be approved by the Security Council.

Resolution 1284 built on Security Council resolutions passed since 1990 and was not intended to signal a radical new trajectory in the United Nation's dealings with Iraq and the issue of WMD disarmament. However, significant changes in the incentives offered to Iraq, and in the UN's auditing of Iraqi cooperation and compliance with the disarmament objectives, did nonetheless result from this resolution. In 1991, Resolution 687 stated that the sanctions would remain until Iraq had complied with the disarmament objectives. But because the Security Council never reached the conclusion that Iraq had fully complied with Resolution 687, the sanctions were kept in place. Resolution 1284 effected significant changes for the prospect of lifting the economic sanctions imposed on Iraq by making it clear that the lifting of sanctions no longer depended on full Iraqi compliance with Resolution 687. Instead, Resolution 1284 enabled the Security Council to suspend sanctions (in renewable blocks of four months) if Iraq fully cooperated with UNMOVIC's efforts to verify Iraqi disarmament and if the proscribed weapons capabilities were not subsequently reconstituted.¹⁸⁰ Resolution 1284 also made it clear that this suspension would be reviewed during the first year after the resolution was passed, if Iraq cooperated in this manner.

The task of monitoring and verifying whether Iraq was rebuilding proscribed weapons capabilities was emphasized in the naming of the new agency and in the actual text of Resolution 1284. The objective of resolving "remaining key disarmament" tasks signaled a move away from the more

180 Patricia Lewis, "From UNSCOM to UNMOVIC: The United Nations and Iraq", *Disarmament Forum*, no. 2 (United Nations Institute for Disarmament Research, 2001): 65.

widely encompassing demand of complete WMD disarmament in Resolution 687. The shift towards a more limited disarmament task appeared to open up an opportunity to circumvent the difficulties that had arisen from UNSCOM's efforts to account for Iraq's complete WMD disarmament. The requirement that UNMOVIC would draw up a plan specifying these key remaining disarmament tasks within 60 days after its creation suggested that the following round of UN disarmament verification was intended to be a process with a clear endpoint. However, in 1997–98, the Security Council's requirement that UNSCOM and Iraq focus on resolving key disarmament tasks had failed to resolve the emerging "deadlock". Despite these changes, Iraq did not accept Resolution 1284. The Iraqi regime argued that all prohibited weapons had been destroyed, that there was accordingly no role for United Nations weapons inspectors in Iraq and that the Security Council should therefore lift sanctions.¹⁸¹ As a result, the sanctions were kept in place and UNMOVIC was unable to enter Iraq to pursue monitoring and verification.

When UNSC Resolution 1284 was passed, many countries wanted to introduce a new United Nations inspection agency with a different, i.e. less confrontational, approach to dealing with Iraq than that of UNSCOM. Both the IAEA (especially in 1991) and UNSCOM experienced a number of confrontational inspections during the seven years they were in Iraq, even though the majority of inspections had not been confrontational. This revealed how politicized the inspection regime had become during the years of UNSCOM's presence in Iraq. It also demonstrated that a number of political actors were seeking to define how the new inspection agency should carry out its task, although this was supposed to be a technical disarmament "accounting" and monitoring effort. The desire that UNMOVIC should be designed to be less "confrontational" than UNSCOM probably resulted from the

181 Hans Blix, "The Role of Inspection as a Part of the Effort to Prevent the Possession of Weapons of Mass Destruction", lecture at the fourth training course for future staff of UNMOVIC, Ottawa, 28 May 2001.

confrontations and frustrations that had emerged between Iraq, UNSCOM and the UNSC in 1997–98. This was also reflected in the specification of UNMOVIC's mandate and in the incentives offered to Iraq to cooperate and comply with the inspection process.

From the outset, UNMOVIC's mandate and organizational features were designed to be different from UNSCOM. For example, Resolution 1284 specified that UNMOVIC staff should be employed by the United Nations and be recruited through the organization's normal recruitment procedures. This meant that UNMOVIC's staff had to declare loyalty to the United Nations as part of their employment conditions. This was probably a reaction to previous scandals over alleged links between UNSCOM staff and national intelligence agencies, and intended as a "preventive" defence against Iraqi (or other) accusations that UNMOVIC inspectors were agents of national governments. Whether such a measure can effectively safeguard against dialogue between national intelligence services and UNMOVIC inspectors from their own countries is, of course, debatable.

The new recruitment policy also required an even geographical spread among UNMOVIC employees. In contrast, UNSCOM's recruitment efforts had focused exclusively on expertise. UNSCOM's staff were forwarded by national governments in response to specific requests from UNSCOM stating which skills and expertise the organization required.¹⁸² These experts tended to come from countries that had chemical or biological weapons programmes in the past, and which were willing to "publicize" this expertise by offering it to UNSCOM. NATO countries were thus over-represented among the weapons inspectors. In some respects, the attempt by Resolution 1284 to reduce the predominance of NATO countries and the US and the UK in particular in the United Nations weapon inspector cadre appears to have had unintended effects on the "sum total" of UNMOVIC's expertise. Several former inspectors have since argued that this

182 Braut-Hegghammer, "Disarming Iraq?..."

recruitment policy limited the number of UNMOVIC employees who had useful operational experience or were familiar with information gathering and assessment.¹⁸³

Between 1999 and October 2002, UNMOVIC undertook a variety of preparatory tasks in response to the requests in Resolution 1284, while waiting for Iraq to permit its inspectors to enter the country. UNMOVIC staff sought to develop new monitoring and verification procedures and identify an inventory from which “key remaining disarmament tasks” could be identified. This inventory consisted of a wide range of disarmament issues remaining from the period between 1991 and 1998 and suggestions on what Iraq had to do in order to settle these unresolved issues.¹⁸⁴ A number of these points stemmed from the objective to achieve complete accounting of Iraq’s proscribed programmes, production, consumption and destruction. As a result, the inventory tended not to specify whether there was a risk that the listed weapons, agents and precursors could still be effective as weapons.

As UNMOVIC did not receive information from Iraq and was unable to carry out inspections, the organization sought to acquire information from member states (i.e. national intelligence) and from open sources.¹⁸⁵ UNSCOM material and archives were also reassessed. While UNMOVIC in some respects had a “corporate memory” that was uniquely able to assess incoming information about developments in Iraq, they lacked the on-the-ground access that had enabled UNSCOM to become the best source of information and analysis on the issue of Iraqi WMD and disarmament.

In 2000, UNMOVIC reviewed the lists of items and materials whose import and export had to be reported by the exporting country and Iraq. This system, usually referred to as the “export/import mechanism”, had existed since 1996 to

183 Interviews with several UNMOVIC inspectors in New York, March 2004.

184 UNMOVIC twelfth quarterly report (2003), (S/2003/232) (UNMOVIC [online 26 Aug 2005]).

185 UNMOVIC tenth quarterly report (2002), (S/2002/981) (UNMOVIC [online 26 Aug 2005]).

ensure that items suitable for proscribed and legitimate activities (“dual-use”) were only used for permitted purposes. Further, a training programme for future UNMOVIC inspectors was established and implemented so that a number of inspectors could be available if Saddam Hussein permitted UNMOVIC to commence work in Iraq.¹⁸⁶

UNMOVIC in action

With the passing of Resolution 1441 on 7 November 2002, it seemed certain that UNMOVIC would have to leave behind its calm existence in the United Nations building in New York, and go into the field to investigate whether Iraq was truly disarmed of WMD. The text of the resolution stated that it was an attempt to offer Iraq “a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council; and accordingly decides to set up an enhanced inspection regime with the aim of bringing to full and verified completion the disarmament process established by resolution 687 (1991) and subsequent resolutions of the Council”.¹⁸⁷ Thus, it also seemed certain that Iraq would face a different degree of pressure in the upcoming inspections than it had in the past. Moreover, the Security Council resolution identified “Iraq’s non-compliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles” as a threat to international peace and security.¹⁸⁸

Resolution 1441 stated that the United Nations weapons inspectors task was to *fully* verify the completion of the WMD disarmament process established by resolution 687 in 1991 (emphasis added).¹⁸⁹ In essence, UNMOVIC and IAEA’s task became to quickly establish whether Iraq still retained or was developing proscribed weapons, components or capabilities. Pursuant to Resolution 1441, the issue that had to be

186 UNMOVIC first quarterly report (2000), (S/2000/516) (UNMOVIC [online 26 Aug 2005]).

187 United Nations Security Council Resolution 1441 (2002), (S/2002/1198) (United States Mission to the United Nations [online 26 Aug 2005]).

188 Ibid.

189 Ibid.

determined based on UNMOVIC and IAEA inspections was whether Iraq had disarmed of proscribed weapons and capabilities, and what conclusions could be drawn about Iraqi intentions in the area of WMD based on the level of its cooperation with the United Nations inspections.

The resolution described the new inspection system as *enhanced*, and redefined and added powers to the inspectors. Moreover, in order to fulfill the task required by Security Council Resolution 1441 UNMOVIC's capabilities and resources became considerably more extensive than the organization had originally been established to undertake (and had prepared for).¹⁹⁰ The inspections had to start within a 45-day deadline following the date of the adoption of the resolution. Furthermore, Iraq had to provide the United Nations with a complete declaration of its proscribed weapons programmes as well as non-proscribed activities since late 1998 in the chemical, biological and nuclear areas. On 13 November, Iraq accepted Resolution 1441 and welcomed the return of United Nations inspectors.¹⁹¹ UNMOVIC's first inspection in Iraq took place on 27 November.

Only a few days later, on 7 December, Iraq provided the above-mentioned declaration, which turned out to be 12,000 pages long, to the UN inspection agencies and the Security Council.¹⁹² However, once this declaration had been assessed UNMOVIC and several countries interpreted it as an indication that Iraq had failed to comply fully with the requirements placed upon it by the United Nations in Resolution 1441. The declaration contained very little new information about the proscribed WMD programmes, and it was discovered that the declaration in some cases omitted information that had previously been submitted to the United Nations. However, Iraq did admit to having new ballistic missile projects having taken place since 1998. This was seen as demonstrating an uneven level of Iraqi cooperation,

190 UNMOVIC twelfth quarterly report.

191 UNMOVIC eleventh quarterly report (2002), (S/2002/1303) (UNMOVIC [online 26 Aug 2005]).

192 UNMOVIC twelfth quarterly report.

characterized by a mixture of proactive cooperation and examples of the contrary – for example, in some cases failing to provide information that it had previously submitted to UNSCOM inspectors.¹⁹³

It was clear from the outset that with a large US military presence in the region, whose performance would suffer if the troops were deployed later than in the early spring because of the intense heat of the Iraqi summer, America would not be willing to countenance a lengthy inspection process. In this context, UNMOVIC's assessment of the level of Iraqi cooperation would thus be crucial from the outset.¹⁹⁴

However, the scope and extent of Iraq's cooperation was difficult to assess. A number of commentators made the point that it would be difficult for Iraq to prove that proscribed weapons and capabilities *did not* exist. The well-known history of Iraqi deception and denial efforts meant that UNMOVIC and IAEA inspection results would always be viewed with some skepticism as the Iraqis might succeed in concealing significant disarmament issues from the inspectors.

To enable the UN inspectors to assess Iraqi compliance, UNMOVIC's chairman Hans Blix developed an analytical distinction between Iraqi cooperation on "process" (i.e. facilitating the inspectors' work) and "substance" (declaring all relevant information and helping the inspectors to retrieve the necessary information).¹⁹⁵ However, it would be difficult to assess and measure the extent of Iraq's cooperation in "substance" as a purely technical question. Ultimately, the Security Council would decide whether or not Iraq had complied with Resolution 1441. However, the "benchmark" of full cooperation applied by the individual Security Council members was inherently difficult to define, and probably varied from country to country.

193 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Strategic Intent", p. 63.

194 Geoffrey Forden, "Intention to deceive: Iraqi misdirection of UN inspectors", *Jane's Intelligence Review*, 1 March 2004.

195 Hans Blix, Briefing to the Security Council, 27 January 2003, (UNMOVIC [online 26 Aug 2005]).

The context in which the United Nations agencies were sent to Iraq made it difficult to insist that the purpose of the inspection agencies was purely technical. Because of the considerable pressure on the inspectors to establish whether or not Iraq was complying with its WMD disarmament obligations, once the inspections started the focus of the media quickly turned to whether or not “smoking guns” – i.e. proscribed weapons and capabilities – had been found. This tendency was strengthened when Blix and IAEA’s director Mohamed ElBaradei said at press conferences that “no smoking guns” had been found during the inspections. This dynamic ultimately created a skewed image of what the UNMOVIC and IAEA inspections were seeking to achieve, their focus, and what they could in fact achieve.

The unique value of the United Nations inspections was not that they could discover “smoking guns”, but that they might identify whether or not systematic efforts to develop proscribed WMD production capabilities took place in Iraq. For example, UNSCOM’s uncovering of Iraq’s biological warfare programme in July 1995 had resulted from meticulous investigations, interviews and discovering anomalies in Iraqi declarations. As the focus shifted towards detecting the infamous “smoking gun”, the low probability that UNMOVIC or IAEA inspectors would discover these became an easy target for the United States administration. The focus on the search for “smoking guns” ultimately resulted in an “either/or” view of what the inspections could achieve in Iraq.

During the inspection process, it was widely held that the level of Iraq’s cooperation was influenced by the US military presence in the region and the way in which the United States and the Security Council members commented on Iraqi cooperation with the UN inspectors. An initial problem was Iraq’s Currently Accurate, Full, and Complete Declaration (CAFCD), submitted on 7 December 2002, which was criticized as it was possible to identify omissions in Iraq’s description of past proscribed programmes, capabilities and past production of chemical and biological agents. Further,

Iraq did not provide information about the origins of its clandestine purchases of ballistic missile-related materials on the international black market, and did not respond to allegations from the United Kingdom and the US regarding uranium purchases and aluminium tubes. Blix reported to the Security Council on 27 January 2003 that "Iraq appears not to have come to a genuine acceptance, not even today, of the disarmament which was demanded of it."¹⁹⁶

At the same time, Iraq did declare a number of important items, including equipment that had been destroyed under UNSCOM inspections. Since late 1998 Iraq had managed to reassemble some of these items. In 2003, Iraq initiated efforts in a number of areas that signaled more proactive cooperation with inspectors. In late January, an Iraqi commission was set up that would search for any remaining proscribed items. This commission located four empty chemical munitions, two BW aerial bombs and associated components.¹⁹⁷ A second Iraqi commission was established to locate relevant documents, and this commission reported that it had found documents concerning Iraq's unilateral destruction of proscribed items.¹⁹⁸ In mid-January, Iraq finally passed a presidential decree that went some way towards fulfilling a requirement UNSCOM had made as early as 1991, namely that Iraq should enact a law forbidding anyone in Iraq from engaging in efforts related to WMD.¹⁹⁹ However, the Iraqi decree only prohibited Iraqi citizens and companies from undertaking such activities, and failed to mention governmental agencies, organizations and officials.²⁰⁰ At the time, therefore, many saw this as an attempt to comply with the requirement on the surface whilst retaining a "scope" in which illegal action could be undertaken.

196 Blix, Briefing to the Security Council 27 January 2003.

197 UNMOVIC twelfth quarterly report.

198 Ibid.

199 United Nations Security Council, Resolution 715 (1991) (United Nations [online 21 Aug 2005]).

200 UNMOVIC twelfth quarterly report, p. 8.

During these inspections, the failure to find WMD stockpiles or programmes did not in itself convince the outside world that no such weapons existed. It was still fresh in their memory that during the previous round of inspections it had taken several years to uncover prohibited weapons programmes and proscribed items. Of course, finding evidence to prove that something does not exist in a country the size of Iraq is very difficult. Hans Blix has later admitted that, at the time, only solid evidence would have convinced him and others that no prohibited weapons existed in Iraq. He wrote: "... few were impressed by Iraq's argument [...] that it should be presumed innocent unless proven guilty. Who would attach a presumption of innocence to the regime of Saddam Hussein?"²⁰¹

On 5 February, the American Secretary of State addressed the United Nations Security Council, stating that Iraq was in defiance of Security Council Resolution 1441 as well as previous resolutions.²⁰² Colin Powell's main conclusion was that Iraq was in material breach of United Nation resolutions, and that the inspections would not be able to detect Iraq's WMD efforts. Powell said that Saddam Hussein's intentions remained unchanged, that "Saddam Hussein and his regime have made no effort, no effort, to disarm..." but were "concealing their efforts to produce more weapons of mass destruction". He also said that "inspectors can look all they want and they will find nothing ...this is part and parcel of a policy of evasion and deception that goes back 12 years."²⁰³

Subsequently, Iraqi efforts to cooperate with the inspections appeared to intensify rapidly. Iraq proposed a number of new methods and approaches to resolve unresolved disarmament issues. Some of the main difficulties in trying to settle these issues once and for all resulted from the absence of scientific methods that could quantitatively verify how much

201 Hans Blix, *Disarming Iraq: The Search for Weapons of Mass Destruction* (London: Bloomsbury Publishing, 2004), p. 112.

202 Colin L. Powell, "Remarks to the United Nations Security Council", New York City: 5 February 2003 (U.S. Department of State [online 5 Sep 2005]).

203 Ibid.

chemical and biological agents Iraq had secretly destroyed in 1991. However, UNMOVIC experts did not think the methods suggested by the Iraqis would enable them to resolve these issues.²⁰⁴ Overall, many saw the Iraqi cooperative efforts as “too little, too late”, and these were widely interpreted as a consequence of the build-up of US forces.²⁰⁵ In his final report to the Security Council, Dr Blix stated that “... the long list of proscribed items unaccounted for has not been shortened by inspections or Iraqi declarations, explanations or documentation”.²⁰⁶ UNMOVIC reported that these unresolved disarmament issues, identified in the Amorim report and in UNSCOM’s final report circulated in the Security Council in January 1999, remained unresolved – mainly because Iraq had not provided supporting evidence.²⁰⁷ Referring to Iraq’s recent initiatives, Dr Blix went on to say: “It is hard to understand why a number of the measures, which are now being taken, could not have been initiated earlier. If they had been taken earlier, they might have borne fruit by now”.²⁰⁸

When submitting the quarterly report to the UN in late February 2003, Blix said that with the exception of the Al-Samoud 2 missiles that could reach proscribed ranges, “the Commission has not at any time during the inspections in Iraq found evidence of the continuation or resumption of programmes of weapons of mass destruction or significant quantities of proscribed items – whether from pre-1991 or later”. In early June 2003 Dr Blix elaborated on the difficulties in drawing conclusions about Iraqi capabilities from the previous round of inspections. Referring to the “failure” to find proscribed weapons caches or capabilities, he said that “this does not necessarily mean that such items could not exist. They might – there remain long lists of items

204 UNMOVIC twelfth quarterly report, p. 13.

205 Geoffrey Forden, “Intention to deceive...”

206 Hans Blix, Briefing of the Security Council, 5 June 2003: Oral introduction of the 13th quarterly report of UNMOVIC (UNMOVIC [online 26 Aug 2005]).

207 UNMOVIC twelfth quarterly report.

208 Ibid, p. 13.

unaccounted for – but it is not justified to jump to the conclusion that something exists just because it is unaccounted for”.²⁰⁹

Throughout the inspection period, between 27 November and 18 March, suspicions centered on the scope of Iraq’s cooperation, and why this seemed to increase as the US-led coalition’s forces were being built-up in the region. There are still no final answers why Saddam Hussein decided to embark upon the particular cooperation strategy demonstrated by Iraq during the inspections. Some Iraqi concealment efforts, undertaken to prevent the inspectors from detecting *conventional* weapons and equipment illegally purchased from firms in Russia, Belarus and the former republic of Yugoslavia, fuelled suspicions that Iraq was still deceiving the United Nations about its WMD.²¹⁰ While UNMOVIC and IAEA inspectors were in the country, Iraq also engaged in activities to safeguard information concerning the regime’s security and details about Saddam Hussein’s whereabouts. These activities included surveillance in and around sensitive sites. For intelligence services, it would clearly be difficult to distinguish Iraqi security-related measures from WMD concealment activities.²¹¹ Suspicious Iraqi behaviour tended to be seen as a continuation of the deception and denial efforts Iraq had engaged in during 1991–98.

Behind the scene in Baghdad

Based on the ISG report it is possible to point to some of the developments, dynamics and perceptions in the Iraqi regime prior to and during UNMOVIC and IAEA inspections. While Iraq was preparing for the inspections to resume, the regime was struggling to define the scope of cooperation with the inspectors and produce a written declaration to the United Nations seeking to prove a negative – that no WMD stockpiles remained and that the nuclear, chemical and

209 Blix, Briefing of the Security Council, 5 June 2003.

210 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Strategic Intent”, p. 64.

211 Ibid.

biological weapons programmes had not been resumed. It appears that by that stage it was clear to many regime officials that they could face war unless the inspections went well.

Moreover, Resolution 1441 declared Iraq as being in material breach of United Nations resolutions from the outset.

After Resolution 1441 was passed, the Iraqi "Higher Committee", a body that had managed Iraq's relations with United Nations weapons inspectors in the past, was re-established in preparation for the upcoming round of inspections. Between 1991 and 1998 this committee was led by Tariq Aziz, although it was heavily influenced by Hussein Kamel prior to his defection in 1995. The struggles between these two individuals, who appear to have had opposing views on the extent to which Iraq should cooperate with the inspectors, shaped Iraq's seemingly confusing policy during those years.²¹² In 2002, however, Iraqi Vice-President Taha Yasin Ramadan became the new leader of the Higher Committee. The ISG reported that Ramadan found it difficult to assess how much authority he could exercise in this role with regard to facilitating the inspections.²¹³ The extent and details of Iraqi cooperation was "negotiated" in meetings with UNMOVIC and IAEA before they entered Iraq and during the inspections.

During the preparations, and in the early stages of the inspections (November and December 2002), the scope of Iraq's cooperation with the inspection agencies appears to have been subject to disagreement within the Iraqi regime. The ISG report suggests that from the outset, Saddam Hussein was more reluctant to cooperate *fully* with the inspectors than other top regime officials. For example, soon after Resolution 1441 was passed the Iraqi President told the Revolutionary Command Council that the United Nations would not be allowed to undertake "reconnaissance flights, interviews with scientists, or visits to presidential sites" in the next round of

212 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Strategic Intent", p. 14.

213 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Strategic Intent", p. 10.

inspections, in spite of Resolution 1441 demanding full Iraqi cooperation.²¹⁴ Vice-President Ramadan reportedly tried unsuccessfully to persuade Saddam Hussein to allow interviews with Iraqi scientists. When the situation later became more pressing, Ramadan authorized United Nations overflights and allowed the inspectors to conduct interviews with scientists.²¹⁵ This kind of initiative, countering previous statements by the President, was practically unheard of in Iraq and illustrates how seriously Iraqi regime officials viewed the situation. However, the Higher Committee's more conciliatory approach to cooperation with the inspectors resulted in Saddam Hussein's son, Qusay Hussein, serving as a committee "watchdog" to ensure that they would not make further concessions without his approval.²¹⁶ Saddam Hussein seemed to come to the conclusion that a surge of cooperation with the inspectors could result in the lifting of sanctions and avoid war.²¹⁷ Hence the Iraqi President turned out to be more accommodating towards the weapons inspectors than he had signaled in his earlier statements. For example, in December 2002, Saddam Hussein instructed military leaders to cooperate completely with the United Nations inspectors.²¹⁸

Resolution 1441 requested that Iraq would submit, within one month, "a currently accurate, full and complete declaration of all aspects of its programmes to develop chemical, biological and nuclear weapons, ballistic missiles, and other delivery systems", "including any holdings and precise locations of such weapons, components, sub-components, stocks of agents, and related material and equipment, the locations and work of its research, development and production facilities, as well as all other chemical, biological and nuclear programmes, including any which it claims are for purposes not related to weapon production or material".²¹⁹ This was an enormous task,

214 Ibid., p. 16.

215 Ibid., p. 16.

216 Ibid., p. 22.

217 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Finance and Procurement", p. 10.

218 Ibid., p. 62.

particularly considering that Iraq had to account for all aspects of proscribed programmes as well as other civilian developments that could potentially be applied to prohibited activities. However, the sections of the declaration concerning Iraq's accounting for previous proscribed programmes could be (and was) largely based on previous declarations and documents submitted to the United Nations between 1991–98.

This “currently accurate, full and complete declaration” (CAFCD) was written at the Iraqi National Monitoring Directorate. Those working with this document experienced immense pressure, partly because of the enormous task and the short deadline, and because they had to successfully accommodate the wishes of the Iraqi regime and the United Nations in this declaration. On the one hand, the Security Council demanded that they should include all the information that was required by Security Council Resolution 1441. On the other hand, it appears that the Iraqis wanted to formulate the declaration so that it did not focus on issues that the Iraqi regime (for various reasons) did not want to submit to UNMOVIC, IAEA and the Security Council. It was basically up to the teams at the Iraqi National Monitoring Directorate to get this balance right.

While there is no complete understanding of the precise scope of Iraq's cooperation with UNMOVIC and IAEA between November 2002 and March 2003, some of the Iraq Survey Group's (ISG) findings suggest that assumptions and judgments about Iraqi actions and motivations in 2002–03 need to be revisited. In particular, a number of Iraqi actions during this period appear to have been interpreted based on an expectation that Iraq would seek to minimize its cooperation to the lowest level it could get away with. One important example in this regard was the reaction to the CAFCD when it was submitted on 7 December 2002. At the time of the UNMOVIC and IAEA inspections, most countries, as well as UNMOVIC, considered the Iraqi declaration

219 United Nations Security Council Resolution 1441, S/2002/1198 (2002)
(United States Mission to the United Nations [online 26 Aug 2005]).

disappointing, and as a lost opportunity for Iraq to come clean. However, after the ISG's investigations it appears that the Iraqi declaration did not essentially misrepresent the overall picture with regards to NBC weapons or programmes between 1998 and 2003.

One feature of Iraq's "political culture" was that in the absence of clear orders, individual perceptions of Saddam Hussein's intentions formed the basis for those making decisions for the regime, including those interacting with United Nations inspectors. Because Saddam Hussein's views were not always clearly stated, at times individuals had to act based on what they believed would be in accordance with his views. Various rumours appear to have circulated regarding what Saddam Hussein wanted. At times, it seems that these assumptions and rumours made it difficult for the Iraqi regime to change its policies rapidly and implement these changes down the bureaucratic and managerial chains.

The ISG also found evidence of difficulties that the Iraqi regime faced when trying to increase cooperation with UNMOVIC and IAEA inspectors. Some reported cases point to elements of "friction" within sectors of the Iraqi government and industries that obstructed rapid changes to the regime's policy of cooperation. For example, the ISG reported that some government employees in the Military Industrial Commission initially did not believe that Saddam Hussein no longer wanted them to withhold information from inspectors. Therefore, in early 2003 the Iraqi Vice-President had to see the employees personally and explain that this was indeed what Saddam Hussein had decided.²²⁰ Similar problems in policy coordination were demonstrated by Iraqi governmental bureaucracies in the years prior to the inspections. Another example of internal "friction" can be found in the conflicting interests of the National Monitoring Directorate, responsible for ensuring compliance with Security Council resolutions, and the Military Industrial Commission, which focused on military and industrial reconstruction. These

220 Duelfer, *Comprehensive Report...*, vol. 1, "Regime Strategic Intent", p. 9.

clashes led to an internal deception campaign undertaken by the Military Industrial Commission with the aim of hiding information about dual-capable resources within Iraq.²²¹ The Iraqi bureaucracy was thus not necessarily entirely and uniformly coordinated, and at the lower levels of the regime conflicting bureaucratic interests could take decision-making in differing directions. Moreover, the need of individuals to ensure that they acted in accordance with Saddam Hussein's wishes (and thus cover their backs) appears to have led to difficulties in implementing policy changes across governmental and private sectors during the inspections. It appears that people seemed to find it safer to act based on what they knew had been Saddam Hussein's position in the past, which may have led to a conservative tendency in Iraqi bureaucracies and administrations involved in the inspections process. For example, in interviews following the fall of the Iraqi regime, former Vice-President Ramadan has described how factory managers refused inspectors entry in 2002–03, and he explained that this was a case of people acting on what they believed was Saddam Hussein's policy, and seeking to protect themselves, when in fact his policy had changed.²²²

Another important element in understanding Iraqi responses during the UNMOVIC and IAEA inspections concerns their "obsession" with security. This was true in relation to their attempts to safeguard details regarding national security and the safety of the Iraqi regime. To some extent, it is not surprising that a country would want to keep a close watch on foreign inspectors and safeguard information considered essential for national security. This is perhaps especially understandable in light of the espionage allegations that emerged in connection with the United Nations inspectors between 1991 and 1998. For example, fears that the inspectors would seek to obtain sensitive information about Iraqi military capabilities and Saddam Hussein's whereabouts shaped Iraqi behaviour during the inspections.²²³ Moreover, a number of denial and deception activities were conducted by

221 Ibid., pp. 53–55.

222 Ibid., p. 10.

the Iraqis to prevent the inspectors from discovering illegally imported conventional weapons. These activities included surveillance and other security measures in what the Iraqis defined as sensitive sites.²²⁴

According to the ISG, even as late as 2002 there were some uncertainties as to whether Iraq had fully disarmed of WMD in the Iraqi army. In its final report, the ISG states that “senior military officers and former Regime officials were uncertain about the existence of WMD during ... the lead up to Operation Iraqi Freedom”.²²⁵ Moreover, the report concluded that Saddam Hussein had “surprised” Iraqi generals in December 2002 when he informed them that he had no WMD. According to Tariq Aziz, Saddam Hussein’s so-called “boasting” had led many in the army to conclude that Iraq had in fact retained WMD capabilities.²²⁶ In late 2002 the Iraqi President also attempted to set the record straight to the higher levels of the regime, by telling the Revolutionary Command Council, the Baath National Command and the Ministerial Council that there were no WMD in Iraq.²²⁷ It is possible that these alleged uncertainties reflect the degree of compartmentalization associated with the issue of WMD in the Iraqi regime. If there were doubts among Iraqi officials regarding whether Iraq had fully disarmed of WMD, such doubts may have influenced some individuals in their dealings with inspectors in 2002–2004.

223 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Strategic Intent”, p. 64.

224 Ibid.

225 Duelfer, *Comprehensive Report...*, vol. 1, “Regime Strategic Intent”, p. 65.

226 Ibid.

227 Ibid.

Chapter 6

Endgame in the Security Council

On 8 November 2002 the UN Security Council unanimously voted in favour of Resolution 1441. The fact that all – including Syria – voted in favour, and none abstained, was seen as a major victory for multilateral diplomacy. But it had required seven weeks of hard bargaining, with France as the major stumbling block, and – like so many UN resolutions – it bore the hallmarks of a compromise. The United States had originally wanted a resolution which would clear the way for the use of force – “all necessary means” in UN language – against Iraq, once the new inspection regime – UNMOVIC – had established that Saddam was still not cooperating fully and openly with the Security Council’s demands. Two other major players, The United Kingdom and France, were still of the opinion that a second Security Council debate, and a new UN resolution, was desirable (UK) or would be needed (France).

According to Bob Woodward’s account, it finally boiled down to a choice between two words in the text of the resolution. The Americans had by then accepted the principle of another debate and a new resolution, but on condition that Iraq should submit a detailed declaration to show that it had no WMD and had terminated all its programmes to develop such weapons. If Iraq submitted a false declaration, *or* demonstrated a general failure to cooperate with UNMOVIC, this would enable the Security Council to pronounce Saddam “in material breach”, and hence clear the way for action. The

French, who at this point emerged as a leading protagonist, insisted that *or* had to be replaced by *and*, meaning that they saw a “general failure to cooperate” by itself as too much of a “carte blanche” for military action. Behind the contest over words lay the choice between an American strategy aimed at regime change, and a French strategy to bring the issue back to that of WMD disarmament. The French won that battle, but at the cost of accepting military action as the ultimate outcome if disarmament by peaceful means should fail.²²⁸

The lines were now in fact drawn. Russia and China, while amenable to a continuation of the demand that Iraq should disarm, were adamantly opposed to the use of armed force to enforce that demand, whether by collective UN action or by unilateral means. France wished for regime change in Iraq, but would only accept Saddam’s removal by force as a last resort and with the backing of a Security Council resolution. Great Britain wanted regime change, and hoped for a Security Council resolution to authorise military action for that purpose, but might be ready to participate in a unilateral action if that became necessary. U.S. policy was now firmly set on the removal of Saddam’s regime, and would go it alone if there was impasse in the Security Council. In between were the smaller members of the Council, which might or might not condone the use of armed force if authorised by the Security Council, but “only after all diplomatic means had been exhausted”, whatever that meant.

On 7 December Iraq submitted a declaration of nearly twelve thousand pages, which it said demonstrated and proved that it had no weapons of mass destruction. However, both UNMOVIC and the leading members of the Security Council soon found the declaration wanting in several respects. On the other hand it was deemed to show that Iraq was now cooperating, so the second of the conditions insisted upon by France as clearing the way for action was considered

228 Woodward, *Plan of Attack*, pp. 220–227.

still not fulfilled. UNMOVIC would therefore have to continue its work before the Security Council could pass another resolution.

The role of France

France had by this time assumed a leading position in the process, which makes it necessary to take a closer look at the French position. French diplomacy is not famous for its transparency. The public statements on behalf of the French government, during the weeks that followed Resolution 1441, were often ambiguous. As a later study of French policy by three *Le Monde* journalists saw it, the French thought the Americans after resolution 1441 would have to play the inspections card to the end. The Americans, on the other hand, found reason to believe that France would support the use of force if the inspections were inconclusive.²²⁹ On 9 September, in a lengthy interview with Elaine Sciolino of the *New York Times*, Chirac had proposed that the new Security Council resolution should give Saddam Hussein a three-week deadline for admitting the inspectors “without restrictions or preconditions”. If Saddam rejected the return of the inspectors, or hampered their work, a second resolution should be passed on whether to use military force. Chirac continued by saying that France would work on the drafting of such a second resolution; that the ultimate French stance would depend on the wording; and that France was not committed to providing combat troops.²³⁰ Already then the ambiguities were visible. In a radio interview with “France Inter” on 12 November, however, Foreign Minister Dominique de Villepin seemed clearer as he described the simple choice facing Saddam: either he had to accept the international order and agree to give up his WMD, in which case he would avoid a war. Or he could decide to retain those weapons and therefore try to hide them. “In that case he’ll run

229 Patrick Jarreau, Sylvie Kauffmann and Corine Lesnes, “Paris – Washington: Les dessous d’une rupture”, *Le Monde*, 26 March 2003.

230 Elaine Sciolino, “French Leader Offers Formula To Tackle Iraq”, *New York Times*, 9 September 2002.

the serious risk, face the certainty of seeing force used against him.”²³¹ That determination appeared reinforced as the French military on 20 December announced that the aircraft carrier Charles-de-Gaulle would be ready to sail at the end of January. On 7 January President Jacques Chirac told the French military “to be ready for all eventualities”. The day before, the French army chief-of-staff had stated that “everything suggests that the army will be highly mobilised in 2003”.²³²

On 20 January came the first signals that the French position was hardening against military action in Iraq. At a press briefing after a Security Council meeting, de Villepin categorically stated that “nothing today justifies military action”. And when asked about the possibility of a French veto, he said “we shall go to the end”. As the senior French commentator Pierre Hassner saw it at the time:

On January 20, France cut itself off from its only interlocutor and ally at the heart of the Bush administration, Colin Powell, through its badly timed threat of a veto in the Security Council and its resounding ‘no’ to war. This change resulted from a Franco-German declaration that was made in the name of Europe, but without any consultation with their other European partners. Then there were France’s barely credible proposals for the disarmament of Saddam Hussein by increasing the number of inspectors.²³³

The veto threat in reality played directly into the hands of the hawks in the Bush administration, providing grist for the mill of those who had all along deplored the UN road as futile and as a waste of time. Their case also appeared reinforced by

231 Interview with M. Dominique de Villepin by France Inter radio, 12 November 2002 on *France Diplomatie/Foreign Policy Statements* (Ministère des Affaires Étrangères [online 9 Sep 2005]).

232 As note 229.

233 Pierre Hassner, “War: Who is to blame”, *Centre for European Reform Bulletin*, no. 29, April/May (2003). See also his article “Guerre: qui fait le jeu de qui?”, *Le Monde*, 25 February 2003. (Germany had of course long before made clear its total rejection of military action.)

UNMOVIC chairman Hans Blix' report to the Security Council on 27 January, when he said that "Iraq appears not to have come to a genuine acceptance, not even today, of the disarmament that was demanded of it." On 5 February Colin Powell made a final attempt to convince the Security Council not only that Saddam Hussein had or was developing WMD – which most of the protagonists believed at the time, although his evidence has later been shown to be based on flawed intelligence – but also that there was an imminent threat which called for military action. With a passionate speech, de Villepin rejected the imminence of the threat, and asked that the inspectors be given more time. The problem with that was, as Pierre Hassner wrote at the time, the lack of a time limit: "To give him [Saddam] a last chance was both legitimate and desirable. But in not linking that with a solemn final and relatively near date, this could only suggest to him that he had a chance to win by attrition, dragging the matter along until the summer and towards the U.S. election."²³⁴

Britain in the lurch

Between the determination of the Bush administration to go to war to eliminate the Saddam regime, and the growing determination of France to block that road, a compromise by this time appeared impossible. Still the British made a final attempt to formulate a Security Council resolution that could obtain a majority and avoid the threatened French veto. Why Britain did so can only be explained through a closer study of the British government's policy. The most thorough analyses that have come to light show that already by March 2002 Britain's aim towards Iraq was "the reintegration of a law-abiding Iraq, which does not possess WMD or threaten its neighbours, into the international community. Implicitly, this cannot occur with Saddam in power ..."²³⁵ In a meeting with President Bush at his Crawford ranch in April, according to a

234 Hassner, "Guerre: qui fait le jeu de qui?"

235 Christoph Bluth, "The British Road to War: Blair, Bush and the decision to invade Iraq", *International Affairs*, vol. 80, no. 5 (2004): 871–892. The quotation is from the Butler report, para. 265.

UK Cabinet Paper, Prime Minister Tony Blair apparently “said that the UK would support military action to bring about regime change, provided that certain conditions were met: efforts had been made to construct a coalition/shape public opinion, the Israel-Palestine Crisis was quiescent, and the options for action to eliminate Iraq’s WMD through the UN weapons inspectors had been exhausted”.²³⁶ The British were, however, clearly concerned that the military planning in the United States “lacks a political framework. In particular, little thought has been given to creating the political conditions for military action, or the aftermath and how to shape it ... A post-war occupation of Iraq could lead to a protracted and costly nation-building exercise. As already made clear, the US military plans are virtually silent on this point.”²³⁷

In the meantime, until an international consensus could be reached on military action, Britain would continue to support the policy of containment. But the thinking in Whitehall was that even if Saddam, faced with the threat of the use of massive force by the US, should re-admit the inspectors, he would continue to obstruct them and play for time. Inspections would therefore not suffice fully to disarm Saddam. Moreover, Blair and other members of his cabinet also considered containment as wrong in itself, since it did not and would not prevent Saddam from continuing his massive abuse of human rights against his own people. The Iraqi regime’s response to containment had been to shift the burden onto the Iraqi population.

On 23 July 2002, according to a recently leaked and evidently authentic document,²³⁸ Tony Blair held a high-level meeting at No. 10 Downing Street to review Britain’s options, evidently based on the Cabinet Paper referred to above. It was then evident that the US had decided on a military solution to

236 “Cabinet Office paper: Conditions for military action”, *Sunday Times*, 12 June 2005 [Online 23 June 2005], para. 2.

237 *Ibid.*, para. 1 and 19.

238 The document was published in full in the *Sunday Times* 1 May 2005 under the heading “The secret Downing Street memo”.

the problem of Iraq, although the timing was not yet fixed. Britain was in agreement with the US that regime change was the only solution. But the Attorney General at the meeting made it clear that “the desire for regime change was not a legal base for military action. There were three possible legal bases: self-defence, humanitarian intervention, or UNSC authorisation. The first and second could not be the base in this case.” The Foreign Secretary, Jack Straw, agreed that “the case [for unilateral military action] was thin. Saddam was not threatening his neighbours, and his WMD capability was less than that of Libya, North Korea or Iran.” His advice was therefore to work up a plan for an ultimatum to Saddam to allow the UN weapons inspectors back in.

Tony Blair, summing up the discussion thus far, stated that regime change and WMD “were linked in the sense that it was the regime that was producing the WMD”. A key issue was therefore “whether we had the political strategy to give the military plan the space to work”. On that point Jack Straw pointed out that there could be US/UK differences. But “despite US resistance we should explore discreetly the ultimatum.” The Defence Secretary agreed, and said Blair would have to work on Bush directly to bring him round to “the political strategy” – meaning to go back to the Security Council for a decision on an ultimatum for Saddam Hussein. The conclusions to the meeting were to work on the assumption of UK participation in any military action. No firm decisions could be taken yet, but there were three options, ranging from putting bases at the disposal for the Americans, through participation with naval and air forces, to a land force contribution of up to 40,000 men. The Foreign Secretary would in the meantime continue to work on “the ultimatum”, while the Attorney General would continue to explore the legal issues.

The implications of that meeting were clear. Britain and the United States were in agreement on the need to go for regime change in Iraq through armed force, but were not yet agreed on the political strategy to legalise or legitimise such action. Here Britain would have to convince the Bush administration

that a Security Council ultimatum was needed. If Saddam then refused to readmit the UN inspectors, or continued his usual tactic of obstruction or playing for time, then that should clear the way for military action legalised by the United Nations. The stage was thus set for the political process which led to Security Council Resolution 1441, with its offer to Iraq of "a final opportunity to comply with its disarmament obligations".

Resolution 1441, however, soon became the object of different interpretations. Those who were opposed to military action seemed to regard it as meaning that a new process of inspections would ultimately result in the removal of most if not all WMD. The US and Britain, on the other hand, saw the intent of the resolution as being to compel once and for all an end to the conflict with Iraq over proscribed weapons activities, not to initiate another period of indefinite containment. Therefore, unless Saddam made a strategic decision to disarm, he would have to be disarmed by force. A decision by Saddam to disarm, however, would mean the lifting of sanctions, which would then provide him with resources to resume his WMD programmes. A regime change was therefore necessary. The British government did not claim, as the Bush administration did, that Saddam's Iraq represented an imminent threat against other than the Iraqi people. Their threat assessment had three main elements: Saddam's record of aggression; his possession, programmes of development, and record of use of WMD; and the risk that states with WMD might in the future work with terrorists.

Those who were adamantly opposed to military action against Iraq, in Britain and elsewhere, failed throughout to offer an alternative approach to the problem. Although they seemed to believe that a prolonged UNMOVIC inspection programme would succeed in finding and eliminating stocks and production facilities for WMD, they had no answer to the question of what would happen in Iraq once sanctions were lifted – how then to stop Saddam's human rights abuses against his own population, or prevent his resumption of WMD development? Therefore: "In reality, the full force of

the argument for military action rested not on the threat itself, but on the absence of an acceptable alternative and the consequences of permitting Saddam Hussein to remain in power.”²³⁹

The clash between Colin Powell and de Villepin in the Security Council on 5 February 2003 demonstrated that the positions of the main protagonists had hardened. Secretary of State Colin Powell’s dramatic speech, echoing in many ways President Bush’s State of the Union address a week earlier, asserted among other things that Iraq possessed mobile bacteriological weapons laboratories, as well as unmanned aircraft that might be used to deliver such weapons. Neither speech reflected “the many doubts that had surfaced at that time about Iraq’s weapons programs”.²⁴⁰ By this time, however, it had become a question of lining up support for or against military action. On 10 February French president Chirac, Russian president Putin and German chancellor Schroeder issued a joint statement calling for continued inspections in Iraq. Twelve days later, on 22 February, president Bush played host to Spain’s Prime Minister Aznar on his Crawford ranch in Texas. After telephone conversations with Tony Blair, and with Italian Prime Minister Berlusconi, they all agreed to seek a second Security Council resolution to declare that Saddam had failed to comply with resolution 1441. There then ensued a scramble – likened by one observer to “a diplomatic opera of odd courtships, arm-twisting, compromises and back-room deal-making”²⁴¹ – to win over the other Security Council members. On 9 March Colin Powell claimed in a television interview that he thought he might get the nine or ten votes necessary for a two-thirds majority, although so far only Spain and Bulgaria were committed to supporting a US–British resolution. A two-thirds majority would compel France either to use the veto against

239 Bluth, “The British Road to War...”, p. 885.

240 Walter Pincus, “Pre-war Findings Worried Analysts”, *Washington Post* 22 May 2005.

241 Tom Zeller in the *New York Times*, 16 March 2003, as quoted by Mats Berdal in his article “The UN Security Council: Ineffective but indispensable”, *Survival*, vol. 45, no. 2 (2003): 20.

three of its allies, or to abstain. But calls by Bush to Mexico and Chile failed to produce the desired answers. Chirac in the meantime successfully persuaded the three African members to remain on his side. So, on 16 March the leaders of the coalition for war, Bush, Blair and Aznar, gave up the effort for a second resolution. From their mini-summit in the Azores they declared that Resolution 1441 had given them the necessary authority to act with armed force against an Iraq that had failed to disarm. All that remained then was for the Americans to set the date for commencing the invasion.

Epilogue

At the outset of this study we posed the question of whether weapons of mass destruction were the real issue between the international community and Iraq. Our answer has to be that those weapons were the real issue, in the sense that if Iraq had disarmed itself once and for all of those weapons, the international community's case against Iraq would have vanished. But was there ever a realistic possibility of such a unilateral disarmament? With the advantage of hindsight, it may seem as if the effort of the United Nations Security Council to obtain such a result, through sanctions and intrusive inspections, was a "mission impossible". If Saddam Hussein had been a rational actor, and if he had his country and people's best interests as his aim, getting rid of weapons of mass destruction in return for the end of sanctions and a chance to rebuild Iraq would have seemed a fair exchange. But national pride and personal prestige stood in the way. The regime also saw weapons of mass destruction as essential to their survival – not least against Iran. In the early 1990s they probably also thought they could get away with not declaring everything and still obtain the lifting of sanctions.

The coalition that defeated Saddam in Kuwait and then formed the majority in the UN Security Council, on the other hand, had several reasons for insisting that their demands be met. Having invested so much time, effort and prestige in seeking the removal of Iraq's WMD, they could not reasonably be expected to back down and just leave Saddam Hussein free to reconstitute his deadly arsenal, which they feared could be used for future aggression against his neighbours. The reputation of the UN and the Security Council was also at stake. Not again, as too many times before, could the UN countenance a blatant defiance of its authority.

In the prolonged stalemate that ensued, cracks began to appear in the initially solid resolve of the leading members of the Security Council. Some, perhaps less worried about Saddam as a threat since he had been “taught a lesson” in 1991, or less concerned about the authority of the UN, or eager to resume profitable business relations with an oil-rich country, would like the problem of Iraq simply to go away, perhaps through a face-saving compromise of one kind or another. For others, and particularly those who had borne the brunt of the armed struggle in the Gulf War, any kind of “appeasement” compromise that would leave Iraq at liberty to rearm with weapons of mass destruction was out of the question.

In Baghdad, as time went by, the leaders of the Iraqi regime became more and more convinced that the sanctions regime would not be completely lifted as long as they or Saddam Hussein remained in power. They therefore pinned their hopes on a gradual erosion of the sanctions regime under the pressure of international public opinion. But while Saddam Hussein seemed determined to defy the demands of repeated Security Council resolutions, the hardliners in the Council became increasingly concerned about the fact there was more to it than just the existence or absence of stockpiles of WMD. The Iraqi regime’s record of lies, evasions, and obstruction of the UN inspectors, as well as its history of aggression and use of WMD, meant that they needed to be convinced that Iraq would not in one, two or three years resume efforts to acquire such weapons. That raised the wider question of weapons programmes, of dual-use facilities and – in the last resort – of trust concerning the Iraqi regime’s intentions. And, given its past record, how could the international community trust Saddam Hussein’s regime? The fact is that no one did.

An intriguing question, based on information that has come to light after the war, is whether the pervasive distrust of the Iraqi regime was towards the end based on an inadequate understanding of its decision-making process. The revelations of the Iraq Survey Group, in particular, suggest that the assumptions about an orderly monolithic structure with an

all-powerful Saddam Hussein in control did not correspond with the situation, especially during the last six months. Internal disagreements, and the lack of precise and consistent instructions from the top, may therefore have reinforced international suspicions of the regime's continuing prevarication in complying with UN demands.

The role of intelligence was throughout of crucial importance to western perceptions of the evolving conflict. In spite of – and in some sense because of – a scarcity of reliable sources, particularly after the departure of UNSCOM from Iraq, the western intelligence agencies estimated till the end that Iraq did possess weapons of mass destruction as well as programmes for their development. Caveats about the uncertain basis of some of their assessments tended to fall by the wayside. In any case the political decision-makers in both the United States and – to a lesser extent – in the United Kingdom “cherry-picked” the intelligence estimates that seemed best suited to engender support for their plan of action.

The unanimous vote in favour of Resolution 1441, in October 2002, appeared like a victory for the hardliners. At last the consensus around giving Iraq a really “final opportunity” to disarm had been restored. If Iraq now complied, under the threat of “serious consequences” backed by a massive military build-up, the international community's perseverance would be vindicated. But did anyone really believe that Iraq in such a short time would be able to fulfil the terms of the resolution? In reality, nothing had changed. Behind the carefully crafted wording of Resolution 1441 the old divisions remained. The January 2003 threat of a French veto, against a second resolution explicitly authorising armed force against Iraq, demonstrated that the ultimate basic issue – whether the United Nations should act on the words and meaning of all its resolutions and demands, or whether the international community should settle for a half-way compromise and simply hope that this time Iraq would in

practice put its WMD ambitions to rest – was still unresolved. On that crossroads the Security Council became deadlocked on 17 March 2003.

As this is being written, the ultimate outcome of Operation Iraqi Freedom and its aftermath is still in the future. Any conclusions on the larger question, of the justification or otherwise for the war, would therefore be premature. Those who supported the war will still argue that, while the ongoing violence, unrest, and political confusion soon blotted out the euphoria of the first days after the fall of Saddam's regime, the final outcome as and when the Iraqi people take control of their own country will vindicate the decision to go to war to remove a brutal, oppressive and aggressive regime. Those who were adamantly against going to war will point to the ongoing violence, and the threat of a full-scale civil war in Iraq, as confirming their view that the use of armed force against Iraq was not a solution. In between will be found those who would have supported or acquiesced in a war if authorised and therefore legitimised by the United Nations Security Council, assuming that the United Nations would thereby also have played a leading role in the transition from war to peace. Behind all the alternative answers lies the hypothetical question which will never be answered: What would the situation have been for the people of Iraq, for the region, and for the United Nations for that matter, with the Saddam Hussein regime still in power, and with the sanctions in all likelihood removed?

Bibliography

Reports and documentation

- Annual Report 2003–2004*, Intelligence and Security Committee (London: The Stationery Office, June 2004).
- Duelfer, Charles: *Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD*, vol. 1–3, Washington D.C., 30 September 2004 (Central Intelligence Agency [online 24 Aug 2005]).
- “Fact Sheet: ‘Goods Review List’ for Iraq”, *USUN Press Release*, no. 68 (02), 14 May 2002 (United States mission to the United Nations [online 26 Aug]).
- Government Response to the Intelligence and Security Committee's Report on Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, 11 September 2003 (London: The Stationery Office, February 2004).
- Hutton Inquiry website, Hearing Transcripts [online 6 Sep 2005].
- “Iraq backgrounder: What lies beneath”, *Middle East Report*, no. 6, 1 October (Brussels: International Crisis Group, 2002).
- Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, Intelligence and Security Committee (London: The Stationery Office, 9 September 2003).
- “Iraq's Weapons of Mass Destruction: A Net Assessment”, *IISS Strategic Dossier*, (London: International Institute for Strategic Studies, 2002).
- Iraq's Weapons of Mass Destruction Programs*, Director of Central Intelligence, Washington D.C., October 2002.
- Iraq's Weapons of Mass Destruction. The Assessment of the British Government* (London: The Stationery Office, September 2002).

Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq (Washington D.C.: United States Senate, 7 July 2004) (United States Senate Select Committee on Intelligence [online 5 Sep 2005]). Frequently referred to as the Senate Intelligence Committee report.

Review of Intelligence on Weapons of Mass Destruction. Report of a Committee of Privy Councillors, The Butler Committee (London: The Stationery Office, July 2004). Frequently referred to as the Butler report.

The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction. Report to the President, 31 March 2005 (Washington D.C., 2005), frequently referred to as the Silberman/Robb report.

"The National Security Strategy of the United States of America", with the President's preamble, National Security Council, 17 September 2002 (Washington D.C.: The White House [online 6 Sep 2005]).

The 9/11 Commission Report. Final Report of the National Commission on Terrorist Attacks upon the United States (New York: Norton, 2004).

Verification in all its aspects: a comprehensive study on arms control and disarmament verification pursuant to UNGA resolution 40/152(o) (Ottawa: Government printer, 1986).

UN resolutions, documents and briefings

United Nations Security Council Resolution 687 of 3 April 1991.

United Nations Security Council Resolution 715 of 11 October 1991 (United Nations [online 21 Aug 2005]).

UNSCOM: S/23165 of 25/10/1991 First Report under resolution 687 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/23268 of 04/12/1991 First Report under resolution 699 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/23801 of 10/04/1992 First report under resolution 715 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/24661 of 19/10/1992 Second report under resolution 715 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/24984 of 17/12/1992 Third report under resolution 699 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/25620 of 19/04/1993 Third report under resolution 715 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/25977 of 21/06/1993 Fourth report under resolution 699 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/26684 of 05/11/1993 Fourth report under resolution 715 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/26910 of 21/12/1993 Fifth report under resolution 699 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1994/489 of 22/04/1994 Fifth report under resolution 715 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1994/750 of 24/06/1994 Sixth report under resolution 699 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1994/1138 of 07/10/1994 Sixth report under resolution 715 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1994/1422 of 15/12/1994 Seventh report under resolution 699 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1995/284 of 10/04/1995 Seventh report under resolution 715 (UNSCOM [online 5 Sep 2005]).

United Nations Security Council Resolution 986 of 14 April 1995, [online 5 Sep 2005].

UNSCOM: S/1995/494 of 20/06/1995 Eighth report under resolution 699 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1995/864 of 11/10/1995 Eighth report under resolution 715 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1995/1017 of 7/12/1995 Export/Import monitoring mechanism (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1995/1038 of 17/12/1995 Ninth report under resolution 699 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1996/258 of 11/04/1996 First report under resolution 1051 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1996/848 of 11/10/1996 Second report under resolution 1051 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1997/301 of 11/04/1997 Third report under resolution 1051 (UNSCOM [online 5 Sep 2005]).

UNSCOM: 06/10/1997 Fourth report under resolution 1051 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1998/208 of 09/03/1998 Procedures for Presidential sites (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1998/308 of 08/04/1998 Report of the Technical Evaluation Meeting on BW ([UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1998/332 of 16/04/1998 Fifth report under resolution 1051 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1998/920 of 06/10/1998 Sixth report under resolution 1051 (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1998/995 of 26/10/1998 Report of the Group of International Experts on VX (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1998/1023 of 31/10/1998 Letter on Iraq's decision to prohibit monitoring (UNSCOM [online 5 Sep 2005]).

UNSCOM: S/1998/1032 of 04/11/1998 Letter on effects of Iraq's decision to halt monitoring (UNSCOM [online 5 Sep 2005]).

UNSCOM: *Secretary-General, IAEA and UNSCOM letters on Iraqi cooperation*, S/1998/1172 of 15/12/1998 (UNSCOM [online 26 Aug 2005]).

United Nations Security Council: Press release SC/6611, 16 December 1998 (United Nations [online 6 Sep 2005]).

UNSCOM: *Report on status of disarmament and monitoring*, S/1999/94 of 29/01/1999 (UNSCOM [online 26 Aug 2005]).

Amorim panel: "Report of the first Panel established pursuant to the Note by the President of the Security Council in 30 January 1999 (S/1999/100), concerning disarmament and current and future ongoing monitoring and verification issues" (UNMOVIC [online 5 Sep 2005]).

United Nations Security Council: Document S/1999/356, 27 March 1999.

Comments by Russian ambassador Sergey Lavrov 4084th meeting in the UNSC, 17 December 1999.

United Nations Security Council Resolution 1284 of 17 Dec 1999, New York: United Nations.

UNMOVIC first quarterly report, 1 June 2000 (S/2000/516) (UNMOVIC [online 26 Aug 2005]).

United Nations Security Council Resolution 1352 of 1 June 2001 (The United Nations Compensation Commission [online 26 Aug 2005]).

UNMOVIC tenth quarterly report, 3 September 2002 (S/2002/981) (UNMOVIC [online 26 Aug 2005]).

United Nations Security Council Resolution 1441, S/2002/1198 of 8 Nov 2002 (United States Mission to the United Nations [online 26 Aug 2005]).

UNMOVIC eleventh quarterly report, 27 November 2002 (S/2002/1303) (UNMOVIC [online 26 Aug 2005]).

Blix, Hans: Briefing to the Security Council, 27 January 2003 (UNMOVIC [online 26 Aug 2005]).

UNMOVIC twelfth quarterly report, 28 February 2003 (S/2003/232) (UNMOVIC [online 26 Aug 2005]).

UNMOVIC: "UNMOVIC Working Document: Unresolved Disarmament Issues", 6 March 2003.

Blix, Hans: Briefing of the Security Council, 5 June 2003: Oral introduction of the 13th quarterly report of UNMOVIC (UNMOVIC [online 26 Aug 2005]).

United Nations Peacekeeping Operations: Document A/59/565: "A more secure world: our shared responsibility", Report of the High-level Panel on Threats, Challenges and Change, 2 December 2004 (United Nations [online 6 Sep 2005]).

Speeches and statements

Albright, Madeleine: "Discours du Secrétaire d'Etat Madeleine Albright, Georgetown, 26 March 1997" (English text), *Cahier "L'Empire contre l'Irak" (Le Monde Diplomatique* [online 16 Aug 2005]).

Blix, Hans: "The Role of Inspection as a Part of the Effort to Prevent the Possession of Weapons of Mass Destruction", lecture at the fourth training course for future staff of UNMOVIC, Ottawa, 28 May 2001.

Duelfer, Charles: "Testimony to the US Congress by Mr. Charles Duelfer, Director of Central Intelligence Special Advisor for Strategy regarding Iraqi Weapons of Mass Destruction (WMD) Programs", 30 March 2004 (Central Intelligence Agency [online 24 Aug 2005]).

Kay, David: "Statement by David Kay in the interim progress report on the activities of the Iraq Survey Group (ISG) before the House Permanent Select Committee on Intelligence, The House Committee on Appropriations, Subcommittee on Defense, and the Senate Select Committee on Intelligence" 2 October 2003 (Central Intelligence Agency [online 24 Aug 2005]).

Powell, Colin L.: "Remarks to the United Nations Security Council", New York City: 5 February 2003 (U.S. Department of State [online 5 Sep 2005]).

News media editorials and reports, chronologically

"Excerpts From Pentagon's Plan: 'Prevent the Re-Emergence of a New Rival'", *New York Times*, 8 March 1992.

Cheney, Richard: Interview with Richard Cheney by Public Broadcasting System [online 16 Aug 2005], in the series *Oral History/The decisionmakers*, January 1996.

"U.N. proposes timetable for lifting of Iraqi sanctions", CNN, 6 October 1998. (CNN [online 26 Aug 2005], available at: www.cnn.com/WORLD/meast/9810/06/un.iraq/).

Edith M. Lederer: "US Says Iraq Sanctions Will Remain", *Associated Press*, Tuesday 17 November 1998.

Leventhal, Paul and Stephen Dolley: "Iraq's Inspector Games", *Washington Post*, 29 November 1998.

Crossette, Barbara: "U.S. seems ready to accept a U.N. review of Iraqi sanctions", *New York Times*, 7 December 1998.

Erlanger, Steven: "What Now? Doubts About US and UN Policy on Iraq Increase", *New York Times*, 21 December 1998.

Gellman, Barton: "Annan Suspicious of UNSCOM Role: UN Official Believes Evidence Shows Inspectors Helped US Eavesdrop on Iraq", *Washington Post*, 6 January 1999.

- Lynch, Colum: "US used UN to spy on Iraq, Aides Say", *Boston Globe*, 6 January 1999.
- Gellman, Barton: "U.S. spying on Iraq via U.N.", *Washington Post*, 2 March 1999.
- Sciolino, Elaine: "French Leader Offers Formula To Tackle Iraq", *New York Times*, 9 September 2002.
- de Villepin, Dominique: Interview with M. Dominique de Villepin by France Inter radio, 12 November 2002 on *France Diplomatie/Foreign Policy Statements* (Ministère des Affaires Etrangères [online 9 Sep 2005]).
- Tucker, Jonathan B.: "The Hidden Data in Iraq's Denials" *New York Times*, 14 December 2002.
- Hassner, Pierre: "Guerre: qui fait le jeu de qui?", *Le Monde*, 25 February 2003.
- Zeller, Tom: "How To Win Friends and Influence Small Countries". *New York Times* 16 March 2003, as quoted by Mats Berdal in his article "The UN Security Council: Ineffective but indispensable", in *Survival*, vol. 45, no. 2 (2003): 20
- Evans, Michael: "'Idiots guide' for ministers on how to read intelligence", *Times*, 23 March 2003.
- Jarreau, Patrick, Sylvie Kauffmann and Corine Lesnes: "Paris – Washington: Les dessous d'une rupture", *Le Monde*, 26 March 2003.
- Wolfowitz, Paul: Interview with Paul Wolfowitz by Sam Tannenhaus of *Vanity Fair*, 9 May 2003, News Transcripts (United States Department of Defense [online 30 Nov 2004]).
- Ekéus, Rolf: "Iraq's Real Weapons Threat", *Washington Post*, 29 June 2003.
- Wolfowitz, Paul: Interview with Paul Wolfowitz by Fox News 27 July 2003 (United States Department of Defense [online 17 Aug 2005]).
- Kelly, David C.: "Iraq's potential threat as a source of weapons of mass destruction", *Observer*, 8 September 2003.
- Woollacott, Martin: "Our spies were hostage to their mistrust of Saddam", *Guardian Weekly*, 31 January 2004.

- Woollacott, Martin: "Spies obsessed by Saddam", *Guardian Weekly*, 5–11 February 2004.
- Forden, Geoffrey: "Intention to deceive: Iraqi misdirection of UN inspectors", *Jane's Intelligence Review*, 1 March 2004.
- Ignatieff, Michael: "The Year of Living Dangerously", *New York Times*, 14 April 2004.
- "The Rise and Fall of Chalabi", *Newsweek*, 31 May 2004.
- Lopez, George A. and David Cortwright: "Containing Iraq: Sanctions Worked", *Foreign Affairs*, July/August 2004.
- Barstow, David: "How the White House Embraced Disputed Arms Intelligence". *New York Times*, 3 October 2004.
- "Minding the minders", *Times*, 12 January 2005.
- New York Times*, editorial: "The oil-for-food audits", 17 January 2005.
- "Cats' Eyes in the Dark", *The Economist*, 17 March 2005.
- "The secret Downing Street memo", *Sunday Times*, 1 May 2005.
- Pincus, Walter: "Pre-war Findings Worried Analysts", *Washington Post*, 22 May 2005.
- "Cabinet Office paper: Conditions for military action", Transcript from Cabinet Office Paper dated 21 July 2002, *Sunday Times*, 12 June 2005
- Jehl, Douglas: "Top Spy's No. 2 Tells of Changes to Avoid Error", *New York Times*, 29 July 2005.
- New York Times*, editorial, 1 August 2005.

Books and monographs

- Alves, Péricles Gasparini and Kerstin Hoffman (eds.): *The Transfer of Sensitive Technologies and the Future of Control Regimes* (United Nations Publication, 1997).
- Barger, Deborah G.: *Toward a Revolution in Intelligence Affairs* (Santa Monica, CA: Rand Corporation Technical Report, 2005).
- Blix, Hans: *Disarming Iraq: The Search for Weapons of Mass Destruction* (London: Bloomsbury Publishing, 2004).
- Bush, George and Brent Scowcroft: *A World Transformed* (New York: Alfred A. Knopf, 1998).

- Butler, Richard: *The Greatest Threat: Iraq, Weapons of Mass Destruction, and the Crisis of Global Security* (New York: Public Affairs, 2000).
- Calogero, Francesco, Marvin L. Goldberger, and Sergei P. Kapitza (eds.): *Verification: monitoring disarmament* (Boulder: Westview Press, 1991).
- Cockburn, Andrew and Patrick Cockburn: *Saddam Hussein: An American Obsession* (New York: Verso, 2002).
- Cordesman, Anthony and Abraham R. Wagner: *The Lessons of Modern War: The Iran-Iraq War*, vol. 2 (San Francisco: Westview Press, 1991).
- Cradock, Percy: *Know Your Enemy* (London: John Murray, 2002).
- Deaver, Michael V.: *Disarming Iraq: Monitoring power and resistance* (Westport, Connecticut: Praeger, 2001).
- Gordon, Michael and Bernard E. Trainor: *The General's War: The Inside Story of the Conflict in the Gulf* (New York: Little, Brown and Company, 1995).
- Hiro, Dilip: *Secrets and Lies* (New York: Nation Books, 2004).
- Jafar, Jafar D. and Lars Sigurd Sunnanå: *Oppdraget: innsidehistorien om Saddams atomvåpen* [The Mission: the inside story about Saddam's nuclear weapons] (Oslo: Spartacus forlag, 2005).
- Jasani, Bhupendra and Frank Barnaby : *Verification Technologies: The Case for Surveillance by Consent* (New York: New York University Press, 1984).
- Khadduri, Imad: *Iraq's nuclear mirage: memoirs and delusions* (Toronto: Springhead publishers, 2003).
- Krasno, Jean E. and James S. Sutterlin: *The United Nations and Iraq: Defanging the Viper* (Westport: Praeger Publishers, 2003).
- Krass, Allan S.: *Verification, how much is enough?* (London: Taylor & Francis, 1985).
- Mangold, Tom and Jeff Goldberg: *Plague Wars: The Terrifying Reality of Biological Warfare* (New York: St. Martin's Griffin, 1999).

- Mataija, Stephen and J. Marshall Beier (eds.): *Multilateral verification and the post-Gulf environment: learning from the UNSCOM experience* (Toronto: Centre for International and Strategic Studies, York University, 1992).
- Pearson, Graham: *The Unscm saga: chemical and biological weapons non-proliferation* (Basingstoke: Macmillan, 2000).
- Prawitz, Jan and James F. Leonard: *A Zone Free of Weapons of Mass Destruction in the Middle East* (United Nations publication, 1996).
- Ritter, Scott: *Endgame: Solving the Iraqi Problem – Once and For All* (New York: Simon and Schuster, 1999).
- Strategic Survey 1998/9*, International Institute of Strategic Studies (Oxford: IISS, 1999).
- Sur, Serge (ed.): *Disarmament and Arms Limitation Obligations: Problems of Compliance and Enforcement* (Dartmouth: Aldershot, 1994).
- Sur, Serge (ed.): *Disarmament and Limitation of Armaments: Unilateral Measures and Policies* (United Nations publication, 1992).
- Tanner, Fred (ed.): *From Versailles to Baghdad: Post-War Armament control of Defeated States* (New York: United Nations, 1992).
- Teixeira, Pascal: *The Security Council at the Dawn of the Twenty-First Century: To What Extent is It Willing and Able to Maintain International Peace and Security?* (Geneva: UNIDIR, 2003).
- Timmermann, Kenneth: *The Death Lobby: How the West Armed Iraq* (New York: Houghton Mifflin Company, 1991).
- Trevan, Tim: *Saddam's Secrets* (London: Harper Collins, 1998).
- Warner, M. and J.K. McDonald: *US Intelligence Community Reform Studies Since 1947* (Washington D.C.: Center for the Study of Intelligence, April 2005).
- Woodward, Bob: *Plan of Attack* (New York: Simon & Schuster, 2004).

Woodward, Bob: *The Commanders* (New York: Simon and Schuster, 1991).

Articles

Journals, series and chapters in books

- Alkadiri, Raad: "Iraq and the Gulf since 1991: The search for deliverance", chapter 12 in Gary Sick and Lawrence G. Potter(eds.): *Security in the Persian Gulf: origins, obstacles and the search for consensus* (New York: Palgrave, 2002).
- Baram, Amatzia: "The effect of Iraqi Sanctions: Statistical pitfalls and responsibility", *The Middle East Journal*, vol. 54, no. 2, (spring 2000): 194–223.
- Barton, Rod: "The Application of the UNSCOM experience to International Biological Arms Control", *Critical reviews in Microbiology*, 24:3 (1998): 219–233.
- Black, Stephen: "Verification under duress: the case of UNSCOM" in Trevor Findlay (ed.): *Verification Yearbook* (London: VERTIC, 2000).
- Black, Stephen: "UNSCOM and the Iraqi Biological Weapons Program: Implications for Arms Control", *Politics and the Life Sciences*, March (1999).
- Bluth, Christoph: "The British Road to War: Blair, Bush and the decision to invade Iraq", *International Affairs*, vol. 80, no. 5 (2004): 871–92.
- Braut-Hegghammer, Målfrid: "Disarming Iraq? The United Nations Special Commission 1991–98", *Forsvarsstudier*, no. 4 (Oslo: The Norwegian Institute for Defence Studies, 2004).
- Calleo, David P.: "The Broken West." *Survival*, vol. 46, no. 3 (2004).
- Cirincione, Joseph, Jessica T. Mathews and George Perkovich: "Iraq: What Next", *Carnegie Endowment Report 2003* (Washington: Carnegie Endowment for International Peace, 2004).

- Cirincione, Joseph, Jessica T. Mathews, George Perkovich, Alexis Orton: "WMD in Iraq: Evidence and Implications", *Proliferation Brief*, vol. 7, no. 1 (Washington: Carnegie Endowment for International Peace, 2004).
- Dodge, Toby and Steven Simon (eds.): "Iraq at the Crossroads: State and Society in the Shadow of Regime Change", *Adelphi Paper*, 354 (London: IISS, 2003).
- Ekéus, Rolf: "The United Nations Special Commission on Iraq: activities in 1992", *SIPRI Yearbook 1993* (Oxford: Oxford University Press, 1993).
- Evans, Gareth: "When is it right to fight", *Survival*, vol. 46, no. 3 (2004).
- Freedman, Lawrence: "War in Iraq: Selling the Threat", *Survival*, vol. 46, no. 2 (2004): 7–49.
- Gormley, Dennis M.: "The Limits of Intelligence: Iraq's Lessons", *Survival*, vol. 46, no. 3 (2004).
- Hassner, Pierre: "War: Who is to blame", *Centre for European Reform Bulletin*, no. 29, April/May (2003).
- Herman, Michael: "Intelligence and the Iraqi threat: British Joint Intelligence after Butler", *RUSI Journal*, August (2004).
- Herman, Michael: "The Role of the British Intelligence Committee: An Historical Perspective", in L.C. Jenssen and O. Riste (eds.): *Intelligence in the Cold War: Organisation, Role, and International Cooperation* (Oslo: Norwegian Institute for Defence Studies, 2001).
- Kagan, Robert A: "Regulatory Enforcement" in David Rosenbloom and Richard Schwartz (eds): *Handbook of regulatory and administrative law* (New York: M Dekker, 1994).
- Lewis, Patricia: "From UNSCOM to UNMOVIC: The United Nations and Iraq", *Disarmament Forum*, no. 2 (United Nations Institute for Disarmament Research [online 5 Sep 2005], 2001).
- Litwak, Robert: "Non-proliferation and the Dilemmas of Regime Change", *Survival*, vol. 45, no. 4 (2003).

- Sauer, Tom: "The 'Americanization' of EU Nuclear Non-proliferation Policy", *Defense and Security Analysis*, vol. 20, no. 2 (2004): 113–131.
- Seelos, Christian: "Lessons from Iraq on bioweapons", *Nature*, no. 398, 18 March (1999): 187–188.
- Shoham, Dany: "Chemical and Biological Weapons in Egypt", *The Non-Proliferation Review*, Spring-Summer (1998) (Monterey Institute of International Studies [online Aug 2005]).
- Trevan, Tim: "Exploiting Intelligence in international organizations" in Ray Zilinskas: *Biological Warfare: Modern Offense and Defense* (New York: Lynne Rienner, 1999).
- Trevan, Tim: "UNSCOM: activities in 1993", *SIPRI Yearbook 1994* (Oxford: Oxford University Press, 1994).
- Tucker, Jonathan B: "Monitoring and verification in a noncooperative environment: lessons from the UNSCOM experience in Iraq", *The Non-proliferation Review*, Spring/Summer (1996).
- Aas, Pål: "Håndteringen av en avtalebryter. UNSCOMs og IAEAs nedrustning av Iraks masseødeleggelsesvåpen", *Internasjonal Politikk*, 55:1 (1997): 41–60.

Articles from other sources

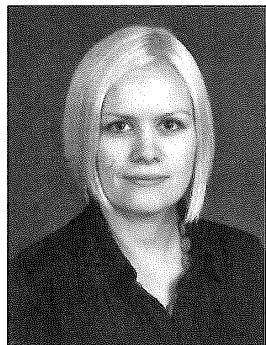
- "Ambassador Rolf Ekeus: Leaving Behind the UNSCOM Legacy in Iraq", *Arms Control Today*, June/July 1997, (The Arms Control Association [online 5 Sep 2005]).
- Baram, Amatzia: "Building toward crisis: Saddam Husayn's strategy for survival", *Policy paper*, no. 47 (The Washington Institute for Near East policy, 1998).
- Burrough, Bryan, Evgenia Peretz, David Rose, and David Wise: "The Path To War", *Vanity Fair*, May 2004 Edition.
- "Challenges facing verification: The UNSCOM experience in Iraq", *IISS Strategic Comments*, vol. 3, issue 1 (1997).
- Cleminson, Frank Ronald "What Happened to Saddam's Weapons of Mass Destruction?", *Arms Control Today*, September (2003).

- Diamond, Howard: "Security Council remains Divided over Iraqi Arms Regime Sanctions", *Arms Control Today*, April/May (1999).
- Diamond, Howard: "UN Creates New Panel to Review Iraqi Disarmament", *Arms Control Today*, January/February (1999).
- Diamond, Howard: "UNSCOM Future Uncertain After Strikes on Iraq", *Arms Control Today*, November/December (1998).
- Diamond, Howard: "UNSCOM Head Says Iraq Has Operational Missile Force", *Arms Control Today*, January/February (1997).
- Dodd, Tom and Tim Youngs: "The Iraq Crisis", *House of Commons Library Research paper*, 98/28, 16 February (1998). (The United Kingdom Parliament [online 26 Aug 2005]).
- Duelfer, Charles: "The Inevitable Failure of Inspections in Iraq", *Arms Control Today*, September (2002).
- Goldblat, Jozef and Julian Perry Robinson: "Chemical Warfare In The Iran-Iraq War 1980-1988", Stockholm International Peace Research Institute, 1984 (Iran Chamber Society [online 26 Aug 2005]).
- Hamza, Khidhir: "Inside Saddam's secret nuclear program", *Bulletin of the Atomic Scientists*, September/October (1998).
- "Iraq: A Chronology of UN Inspections And an Assessment of Their Accomplishments, 1990-2002", *Arms Control Today* (2002) (Arms Control Association [online 5 Sep 2005]).
- Kimball, Daryl G.: "Iraq's WMD: Myth and Reality", *Arms Control Today*, September 2003 (Arms Control Association [online 24 Aug 2005]).
- Leventhal, Paul and Steven Dolley: "Overview over IAEA Nuclear Inspections in Iraq", 14 June 2001 (Nuclear Control Institute [online 24 Aug 2005]).

- Marshall, Rick: "Ekeus: Weapons of Mass Destruction of higher value than oil: Outgoing UNSCOM chairman urges continued vigilance", US Investigations Services, Washington File, 10 June 1997.
- Mathews, Jessica T.: "A New Approach: Coercive Inspections", Carnegie Endowment for International Peace [online 26 Aug 2005] (2002).
- Orlov, Vladimir and William C. Potter: "The mystery of the sunken gyros", *Bulletin of Atomic Scientists*, November/December (1998): 34–39.
- Pike, John: "Nuclear threats during the Gulf war", *E-prints*, 19 February 1998 (Federation of American Scientists [online 26 Aug 2005]).
- Ritter, Scott: "The Case for Iraq's Qualitative Disarmament", *Arms Control Today*, June 2000 (Arms Control Association [online 24 Aug 2005]).
- Sims, Nicholas A.: "The evolution of biological disarmament", *SIPRI chemical & biological warfare studies*, no. 19 (Oxford: Oxford University Press, 2001).
- "The one that Nearly Got Away: Interview with Rod Barton", *Pacific Research*, 9:2 (1994).
- Vandenbroucke, Lucien S.: "The Israeli Strike against OSIRAQ: the dynamics of fear and proliferation in the Middle East", *Air University Review*, September–October (1984).
- Venter, Al J: "Missing in Iraq: The UN charts Saddam's lethal inventory", *Janes International Defence Review* (1999): 32.
- Youngs, Tim and Mark Oakes: "Iraq: 'Desert Fox' and Policy Developments", *House of Commons Library Research paper*, 99/13, 10 February (1999). (The United Kingdom Parliament [online 26 Aug 2005]).

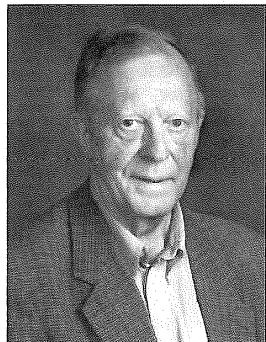
Were WMDs the Real Issue? The International Community versus Iraq 1991–2003

In Resolution 687, after the Gulf War of 1991, the United Nations Security Council unanimously demanded that Iraq get rid of all weapons of mass destruction, and imposed economic sanctions as well as an intrusive inspection regime. The present study describes and analyses the developments that followed in Iraq, the evolving policy of the United States, the divisions that gradually emerged in the Security Council as to how to deal with Saddam Hussein's regime, and the role of the western intelligence agencies.



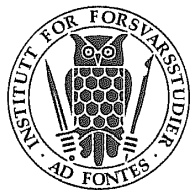
Målfrid Braut-Hegghammer

Målfrid Braut-Hegghammer is a Research Fellow at IFS. She holds a Bsc Econ (International Relations and Strategic Studies) from the University of Aberystwyth, and an MSc from the London School of Economics and Political Science, where she is currently writing a PhD thesis.



Olav Riste

Olav Riste, D.Phil. (Oxon), now retired, was the founder and first director of the Norwegian Institute for Defence Studies, and is professor emeritus of the Universities of Bergen and Oslo. His most recent book is *Norway's Foreign Relations – a History* (Oslo: Universitetsforlaget, 2001 and 2005).



Institutt for forsvarsstudier
Norwegian Institute for Defence Studies

Forsvarsstudier 4/2005

Were WMDs the Real Issue?

The International Community
versus Iraq 1991–2003

Målfrid Braut-Hegghammer
Olav Riste



Institutt for forsvarsstudier
Norwegian Institute for Defence Studies