



Intelligence and Security Committee

Iraqi Weapons of Mass Destruction – Intelligence and Assessments

Chairman:

The Rt. Hon. Ann Taylor, MP



Intelligence and Security Committee

Iraqi Weapons of Mass Destruction – Intelligence and Assessments

Chairman:

The Rt. Hon. Ann Taylor, MP

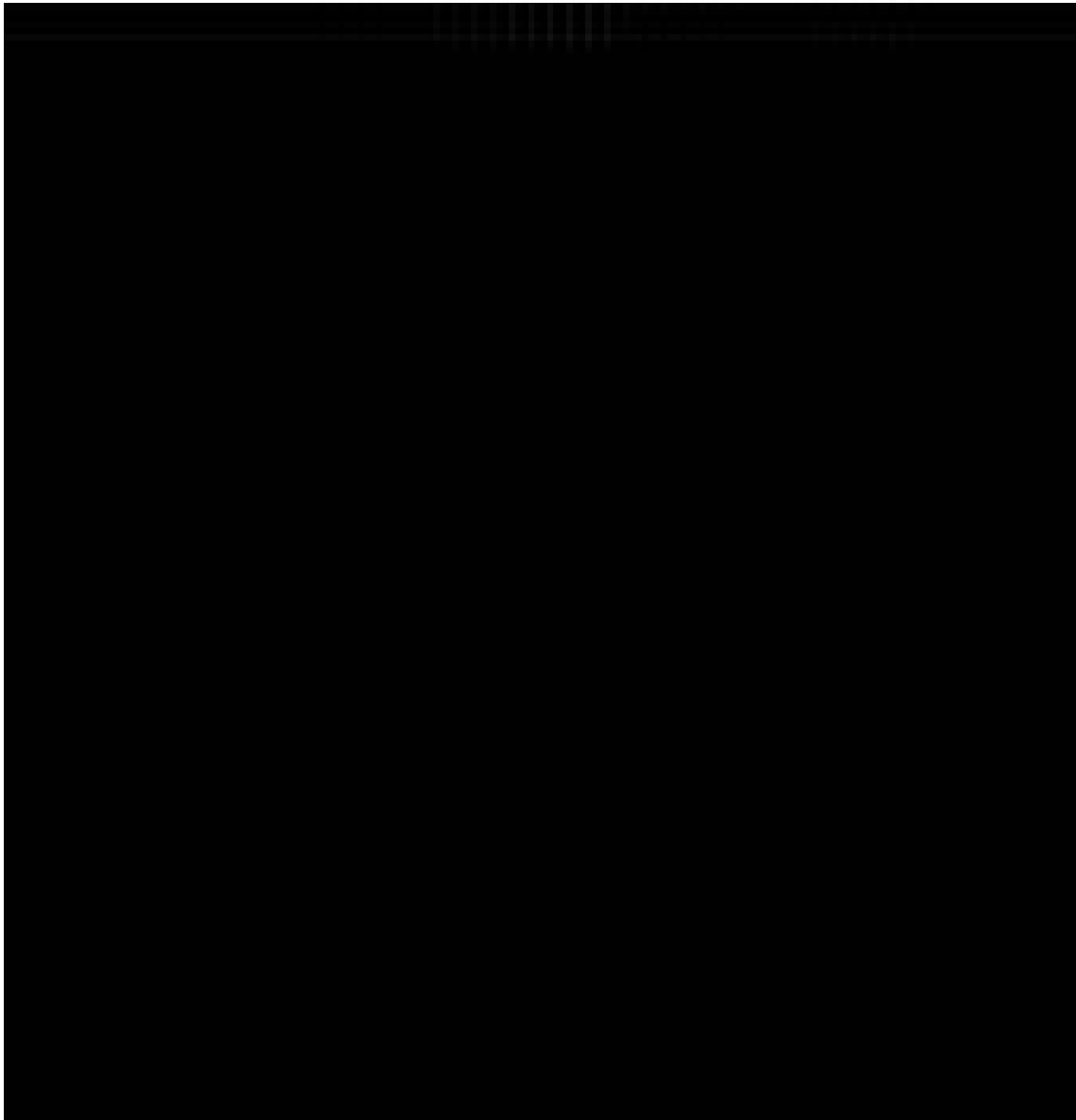
Presented to Parliament by the Prime Minister
by Command of Her Majesty
SEPTEMBER 2003

©Crown Copyright 2003

The text in this document (excluding the Royal Arms and departmental logos) may be reproduced free of charge in any format or medium providing that it is reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the document specified.

Any enquiries relating to the copyright in this document should be addressed to The Licensing Division, HMSO, St Clements House, 2-16 Colegate, Norwich NR3 1BQ. Fax: 01603 723000 or e-mail: licensing@cabinet-office.x.gsi.gov.uk

[The text in this section is extremely faint and illegible due to low contrast and blurring. It appears to be a list or table of contents with multiple columns.]



INTELLIGENCE AND SECURITY COMMITTEE

The Rt. Hon. Ann Taylor, MP (Chairman)

The Rt. Hon. James Arbuthnot, MP

The Rt. Hon. Alan Howarth CBE, MP

The Rt. Hon. The Lord Archer of Sandwell, QC

Mr Michael Mates, MP

The Rt. Hon. Kevin Barron, MP

The Rt. Hon. Joyce Quin, MP

The Rt. Hon. Alan Beith, MP

The Rt. Hon. Gavin Strang, MP

i. The Intelligence and Security Committee (ISC) is established under the Intelligence Services Act 1994 to examine the expenditure, administration and policy of the United Kingdom's three intelligence and security Agencies: the Security Service, the Secret Intelligence Service (SIS) and the Government Communications Headquarters (GCHQ). The Committee also takes evidence from the Security and Intelligence Co-ordinator, the Chairman of the Joint Intelligence Committee (JIC) and the Defence Intelligence Staff (DIS), as well as departments and other organisations that receive secret intelligence from the Agencies.

ii. The Prime Minister, in consultation with the leaders of the two main opposition parties, appoints the ISC members. Nominations for the membership of the Committee are put forward by the Government and Opposition whips, in a broadly similar way to the nomination of select committee members.

iii. The Committee reports directly to the Prime Minister and through him to Parliament by the publication of the Committee's Reports. The members are notified under the Official Secrets Act 1989 and, as such, operate within "the ring of secrecy". The Committee sees significant amounts of classified material in carrying out its duties and it takes evidence from Cabinet Ministers and senior officials – all of which is used to formulate its Reports.

iv. When laying a Report before Parliament, the Prime Minister, in consultation with the Committee, excludes any parts of the Report (indicated by the *** in the text) that would be prejudicial to the continuing discharge of the functions of the three intelligence and security Agencies. To date, no material has been excluded without the Committee's consent.

CONTENTS

The Intelligence and Security Committee	page iv
Contents	pages 1–2
Introduction	pages 3–6
The Committee’s Investigation	pages 7–9
Written Evidence	pages 7–8
Witnesses	pages 8–9
Terminology and Organisations	pages 10–12
Terminology	page 10
Intelligence Sources	page 11
Organisations	page 12
<i>Joint Intelligence Committee (JIC)</i>	<i>page 12</i>
<i>The Assessments Staff</i>	<i>page 12</i>
The JIC Assessments August 1990 to September 2002	pages 13–22
Intelligence Collection	page 13
Content	pages 13–15
<i>First Gulf Conflict 1990/1991</i>	<i>pages 13–14</i>
<i>Post Conflict to 1998</i>	<i>page 14</i>
<i>1999 to September 2002</i>	<i>page 15</i>
Analysis	pages 16–20
<i>Retained Material</i>	<i>page 16</i>
<i>Delivery Systems</i>	<i>page 17</i>
<i>“Within 45 minutes”</i>	<i>pages 17–19</i>
<i>Production of Chemical and Biological Agents and Weapons</i>	<i>pages 19–20</i>
Conclusions	pages 21–22
The 24 September 2002 Dossier	pages 23–32
History	pages 23–25
Content	pages 25–28
<i>A Threat to UK National Interests?</i>	<i>page 26</i>
<i>“Within 45 Minutes”</i>	<i>pages 26–27</i>
<i>Uranium from Africa</i>	<i>pages 27–28</i>
Staff Concerns in the Intelligence Community	pages 28–30
Conclusions	pages 30–32

The Assessments October 2002 to March 2003	pages 33–35
UN Inspections and the Iraqi Chemical and Biological Capability	pages 33–34
Terrorism	pages 34–35
The February 2003 Document	pages 36–37
History	page 36
Conclusions	page 37
Other Issues	pages 38–40
Support to the UN Inspectors	page 38
The Agencies, the Media and the Public	pages 38–39
Briefings	page 39
The Foreign Affairs Committee Report	page 40
Conclusions and Recommendations	pages 41–45
Annex A – SIS Contribution to the February 2003 Document	pages 46–50
Annex B – ISC Comments on Foreign Affairs Committee Report	pages 51–57

INTRODUCTION

1. The Committee has had a long-term interest in the proliferation of Weapons of Mass Destruction (WMD). We have previously discussed the work undertaken by the Agencies to counter the proliferation of WMD in our Annual Reports 1998–99¹ and 2001–02². WMD covers the procurement, development and production of chemical and biological munitions and nuclear devices – together with their delivery systems, which include ballistic and cruise missiles. It also includes the radiological weapons that could be used by terrorists. The risk of being attacked by these weapons or of an accident occurring depends very much on the countries or groups that have access to them. Additionally, the rate at which a WMD capability and their delivery systems can be developed can be accelerated with the support of external technical expertise.

2. There is much confusion in the public mind and disagreement amongst experts about the meaning of WMD. WMD can cause thousands of civilian casualties when used against urban or strategic targets – the Iraqi use of chemical weapons against the Kurdish town of Halabja is an example. However, the same term is used to cover battlefield or tactical munitions including artillery shells with a chemical payload, such as mustard gas, for use against opposing troops.

3. The UK has always had a policy to prevent the proliferation of WMD, which it has implemented through a mixture of diplomacy, international agreements, trade restrictions on certain materials and technologies, and disruption activity by the Secret Intelligence Service (SIS).

4. Following the 11 September 2001 terrorist attacks on the USA, we said that “*the scale of the threat and vulnerability of Western states to terrorists with this degree of sophistication and a total disregard for their own lives was not understood*”³, and the focus on preventing terrorist groups such as al-Qaida from acquiring WMD dramatically increased. Unfortunately, most of the countries that supported terrorist groups, but not necessarily al-Qaida, were also the countries developing and proliferating WMD. This meant that firmer action needed to be taken to prevent proliferation and the passing of WMD to terrorist groups.

¹ Cm 4532

² Cm 5542

³ Cm 5542

5. Since we started taking evidence of the Agencies' work on counter proliferation of WMD in the summer of 2002, a great deal has happened. On 24 September 2002 the Prime Minister took the unprecedented step of publishing a document titled *Iraq's Weapons of Mass Destruction – The Assessment of the British Government*. The document, which became known as the dossier, included sections on Iraq's chemical, biological, nuclear and missile programmes, the history of United Nations' weapons inspections and Iraq under Saddam Hussein. Parliament was recalled on that day and the dossier was debated. In the dossier's foreword, the Prime Minister wrote:

“The document published today is based, in large part, on the work of the Joint Intelligence Committee (JIC)... For over 60 years the JIC has provided regular assessments to successive Prime Ministers and senior colleagues on a wide range of foreign policy and international security issues.

“Its work, like the material it analyses, is largely secret. It is unprecedented for the Government to publish this kind of document. But in light of the debate about Iraq and Weapons of Mass Destruction (WMD), I want to share with the British public the reasons why I believe this issue to be a current and serious threat to the UK national interest.”

6. When the dossier was published, many commentators said that there was not very much that was new in it. The Committee, which had supported the principle of publishing the dossier, commented in our Annual Report 2002–03⁴ as follows:

“In September 2002 some intelligence was declassified and was used to produce a dossier on the Iraqi WMD programme. The Agencies were fully consulted in the publication of the dossier, which was assembled by the Assessments Staff, endorsed by the JIC and issued by the Prime Minister. The Committee supports the responsible use of intelligence and material collected by the Agencies to inform the public on matters such as these.”

7. In November 2002, the United Nations Security Council agreed unanimously to United Nations Security Council Resolution (UNSCR) 1441. This recognised that Iraq had not complied with its obligation to give up its WMD capability and weapon systems, as required by earlier UNSCRs following the end of the first Gulf Conflict in 1991. The UN inspection teams then returned to Iraq with additional inspection powers under UNSCR 1441.

⁴ Cm 5837

8. The Government published an additional document *Iraq – Its Infrastructure of Concealment, Deception and Intimidation*, which contained intelligence-derived material, in February 2003. However, the document was called into question because it included plagiarised material and the intelligence-derived material had not been highlighted or cleared by the intelligence community. In our Annual Report 2002–03⁵, we reported:

“We believe that the material produced by the Agencies can be used in publications and attributed appropriately, but it is imperative that the Agencies are consulted before any of their information is published. This process was not followed when a second document was produced in February 2003. Although the document did contain some intelligence-derived material it was not clearly attributed or highlighted amongst the other material, nor was it checked with the Agency providing the intelligence or cleared by the JIC prior to publication. We have been assured that systems have now been put in place to ensure that this cannot happen again, in that the JIC Chairman endorses any material on behalf of the intelligence community prior to publication.”

9. In early March 2003, the coalition Governments, based on the UN inspectors’ reports and their own intelligence and assessments, decided that Iraq was non-compliant and the UN withdrew its inspectors.

10. On 19 March 2003 the coalition launched an offensive against Iraq, which has engendered much debate and controversy. The motives of the coalition Governments have been called into question, as has the intelligence on which assessments and subsequent policy decisions were made. In our Annual Report for 2002–03⁶, which we presented to the Prime Minister on 8 May 2003, we concluded:

“It is impossible at the present moment to make any definitive statements about the role of intelligence and the situation in Iraq. Whilst the Committee has been briefed, we intend to examine in more detail the intelligence and assessments available and their use. We will report when our inquiries have been completed.”

11. The purpose of this Report is to examine whether the available intelligence, which informed the decision to invade Iraq, was adequate and properly assessed and whether it was accurately reflected in Government publications. This Report does not judge whether the decision to invade Iraq was correct.

12. On 8 May 2003, the Committee Chairman, the Rt. Hon. Ann Taylor, MP, wrote to the Chairman of the JIC to request all the JIC Assessments relating to Iraq and its WMD dating back to August 1990 and supporting intelligence.

⁵ Cm 5837

⁶ Cm 5837

13. During Prime Minister's Questions on 4 June 2003, the Prime Minister stated that:

*"In relation to all those issues, the Intelligence and Security Committee is at full liberty to go through all the Joint Intelligence Committee assessments and produce a report on them. Because of the importance of the issue, it is only right that a report be published so that people can make a judgement on it."*⁷

14. In response to further questioning, the Prime Minister continued:

"In addition, the Committee can, in accordance with its normal practice, interview those people in the security services who drew up the JIC reports. That is surely a fair way to proceed. I will then publish the report..."

*"I have already said that we will produce all the evidence for the Intelligence and Security Committee. I really think that that is the sensible and right way to proceed. It can then come to a considered judgement and I will publish the report."*⁸

15. On 16 July, the House of Commons voted for a motion that stated:

*"That this House... believes that the Intelligence and Security Committee, established by Parliament by statute, is the appropriate body to consider the intelligence relating to Iraq; and notes that this Committee has already begun its inquiry."*⁹

16. This is that Report. We have examined all the JIC Assessments produced since the Iraqi invasion of Kuwait in 1990 and the Report contains our understanding of the events leading up to the publication of the dossier in September 2002 and the document in February 2003. When examining the JIC Assessments, we also looked at the supporting intelligence in critical areas to ensure that the assessments reflected the intelligence correctly. When examining the intelligence section of the dossier and the February document, we checked that they reflected the then current JIC Assessments.

⁷ Hansard Column 148 4 June 2003

⁸ Hansard Column 149 4 June 2003

⁹ Hansard Column 346 16 July 2003

THE COMMITTEE'S INVESTIGATION

17. Before and during the military action against Iraq, the Committee received regular briefings from the JIC Chairman and the Chief of the Secret Intelligence Service (SIS) on the available intelligence on Iraqi WMD¹⁰. The Chairman, at the Prime Minister's suggestion, saw a draft of the dossier on 19 September 2002 and the JIC Chairman briefed the Committee on the dossier on the morning of 24 September 2002.

18. Shortly after the publication of the February document the Committee questioned the Agency Heads and the JIC Chairman on its production. We noted in our Annual Report 2002–03¹¹ that a new system had been introduced to ensure that all intelligence-derived material published by the Government would, in future, be cleared by the JIC Chairman on behalf of the intelligence community.

19. As a result of these briefings and evidence sessions we concluded that we needed to see the assessments on Iraqi WMD and take additional evidence from witnesses. The Committee notified the Prime Minister that its work on Iraqi WMD was not complete and that it would report further when the work it was currently undertaking was complete.

Written Evidence

20. Following our request on 8 May 2003, the Committee received a total of 93 JIC Assessments covering the period August 1990 to March 2003. We also requested, and the Government provided, a number of draft versions of the 24 September 2002 dossier together with additional written information on the following points:

- a. Ministerial involvement in the production of the 24 September 2002 dossier.
- b. Iraq-related briefings given by the JIC Chairman to Ministers and senior politicians.
- c. The background intelligence on the “45 minutes”.
- d. The background intelligence on the Iraqi intent to acquire uranium from Africa.
- e. The background intelligence used to produce the February 2003 document.
- f. All intelligence-derived material passed to the House of Commons Foreign Affairs Committee (FAC) as part of their inquiry entitled “The Decision to go to War in Iraq”.¹²
- g. The drafts of the 9 September 2002 JIC Assessment.
- h. Additional intelligence reports as requested.

¹⁰ Cm 5837

¹¹ Cm 5837

¹² HC 813-I and HC 813-II

21. The Foreign Secretary also delivered to the Committee a number of telegrams relating to the meetings between UK officials and UN inspectors and the FAC passed on a full copy of the transcript of its private evidence session with the Foreign Secretary and Foreign and Commonwealth Office (FCO) officials on 27 June 2003. We have also received correspondence from parliamentarians and members of the public.

Witnesses

22. In addition to examining the written documents, the Committee saw our US counterparts in Washington DC and in New York we met Sir Jeremy Greenstock, the UK Ambassador to the UN, and UN weapons inspectors. We took evidence from the following witnesses, some of whom came to give evidence on more than one occasion:

Ministers:

The Rt. Hon. Tony Blair, MP – Prime Minister
The Rt. Hon. Jack Straw, MP – Foreign Secretary
The Rt. Hon. Geoff Hoon, MP – Defence Secretary
The Rt. Hon. Dr John Reid, MP – Health Secretary (former Leader of the House of Commons)
The Rt. Hon. The Lord Goldsmith, QC – Attorney General

Parliamentarians:

The Rt. Hon. Iain Duncan Smith, MP
The Rt. Hon. Charles Kennedy, MP
The Rt. Hon. Robin Cook, MP
The Rt. Hon. Clare Short, MP

Officials:

*Sir David Omand KCB – Security and Intelligence Co-ordinator
*John Scarlett CMG OBE – JIC Chairman
accompanied by members of the Assessments Staff
*Julian Miller – Chief of the Assessments Staff
Alastair Campbell – Director of Communications, No.10
*Sir Richard Dearlove KCMG OBE – Chief, SIS
accompanied by other officials from the SIS
*Eliza Manningham Buller – Director General, Security Service
*Dr David Pepper – Director, GCHQ
accompanied by other officials from GCHQ
*Peter Ricketts CMG – Policy Director, FCO
*William Ehrman CMG – Director General for Defence and Intelligence, FCO
Tim Dowse – Head of Counter Proliferation Department, FCO
*Simon Webb CBE – Policy Director, MoD
*Air Marshal Sir Joe French KCB CBE – former Chief of Defence Intelligence
*Martin Howard – Deputy Chief of Defence Intelligence
Dr David Kelly CMG – Special Adviser to the Director, Proliferation and Arms Control Directorate, MoD

* Former or current members of the Joint Intelligence Committee

23. The Committee has co-operated fully with the Rt. Hon. Lord Hutton, whose terms of reference are “*urgently to conduct an investigation into the circumstances surrounding the death of Dr Kelly*”. In order to assist the Hutton Inquiry, the Committee has passed the following material to Lord Hutton for publication:

- a. the redacted transcript of Dr David Kelly’s evidence;
- b. an extract from Sir David Omand’s evidence; and
- c. extracts from Alastair Campbell’s evidence.

TERMINOLOGY AND ORGANISATIONS

Terminology

24. Precise terminology is difficult when discussing Weapons of Mass Destruction (WMD). We use the following terms in this report:

Munitions –	projectiles, bombs, warheads or dispensing systems
Weapons –	munitions and their delivery systems
WMD –	chemical, biological or nuclear munitions and their delivery systems
Chemical/Biological Agent –	the non-explosive fill for chemical/biological munitions
WMD Programme –	means that people and resources are being allocated under a management structure for either the research and development of a WMD capability or the production of munitions. It does not necessarily mean that WMD munitions have been produced, as only when the capability has been developed can weapons be produced.
WMD Capability –	means that a country has the technical knowledge, the production facilities and the necessary raw materials to: a. produce chemical and/or biological agents and weaponise them; and/or b. produce a nuclear device and weaponise it. Having a WMD capability means that chemical, biological and/or nuclear munitions could be produced if required. It does not mean that they have been produced.

Intelligence Sources

25. The SIS collects human intelligence (humint) when agents, who can also be known as sources, report back to their case officer. Sources either operate on their own or quote a sub-source, who may be quoting another sub-source of their own. After a meeting or communication between agent and case officer, the information is checked by the SIS who, after consulting experts as necessary, issue an intelligence report. This report contains the information provided by the agent (who by definition is the single source for the information) and an assessment of the reliability of the agent and any sub-sources, as appropriate, together with SIS comments. The SIS comments will refer the reader of the report to any other intelligence that either confirms or conflicts with the information provided by the agent and will put the report in context where required. This is to ensure that the reader is able to make the best judgement on the veracity of the intelligence. In addition to SIS reporting, humint may also be developed through military or other sources.

26. Remarks have been made about the unreliability of “single source reporting”. Some of the intelligence that agents produce cannot be verified or corroborated by intelligence from other sources. The professional judgement of the agent’s reliability is based on all that is known about the agent and their circumstances, including the reliability of information that can be verified. It is possible to recruit a reliable agent with exceptional access to high-grade intelligence. Examples of agents with unique access are Oleg Gordievsky and Vasili Mitrokhin from the Cold War and Vladimir Pasechnik who reported on Russian biological warfare programmes. These are amongst the most valuable agents that the UK has ever had. Each was the origin of “single source” reporting from the SIS. For much of that reporting there was no collateral intelligence from other sources.

27. Signals intelligence (sigint) is derived from intercepting communications and other signals. Interception operations are run from sites in both the UK and overseas. Sigint reports are produced by GCHQ and can, in addition to the intelligence, contain comments. Imagery intelligence (imint) is produced in the UK by the Joint Air Reconnaissance Intelligence Centre (JARIC), part of the Defence Intelligence Staff (DIS), which reports to the Chief of Defence Intelligence (CDI). The images can be marked or elements highlighted to provide the reader with additional information and images taken over time can be compared to identify changes and developments.

28. UK intelligence producers work closely with a number of foreign intelligence and security services.

Organisations

Joint Intelligence Committee (JIC)

29. The JIC has a history dating back to 1936. It is chaired by a senior official in the Cabinet Office. The JIC brings together the heads of the three intelligence and security Agencies, the Chief and Deputy Chief of Defence Intelligence, senior policy makers from the Foreign and Commonwealth Office (FCO), the Ministry of Defence (MoD), the Home Office (HO), the Treasury and the Department of Trade and Industry (DTI). The Security and Intelligence Co-ordinator, the Head of the Overseas and Defence Secretariat and the Chief of the Assessments Staff are also full members of the JIC, with representatives from other departments, agencies and intelligence allies attending JIC meetings as appropriate. The JIC provides regular intelligence assessments to the Prime Minister, other Ministers and senior officials on a wide range of foreign policy and international security issues.

The Assessments Staff

30. The JIC is supported by the Assessments Staff, which is a mixture of senior and middle ranking officers seconded from various departments, services and disciplines. It is responsible for producing co-ordinated inter-departmental intelligence assessments of situations and issues of current concern. The staff draws on a range of reporting primarily from the intelligence and security Agencies, but also diplomatic reporting and open sources. They work closely with the Agencies and other Government departments in analysing and interpreting the reporting. The draft assessments are subject to more formal inter-departmental scrutiny at the drafting stage in Current Intelligence Groups (CIGs), which are chaired by the relevant Deputy or Chief of the Assessments Staff and bring together experts from Government departments and the Agencies. During its weekly meetings the JIC discusses and agrees assessments before they are circulated to Ministers and senior officials. In cases of urgency, the Assessments Staff can produce immediate intelligence updates. Assessments on less prominent issues can be issued by CIGs, in which case they are noted by the JIC but not normally discussed.

THE JIC ASSESSMENTS AUGUST 1990 TO SEPTEMBER 2002

Intelligence Collection

31. Since the invasion of Kuwait in August 1990, Iraq has been a JIC First Order of Priority collection requirement for the Agencies. The collection activity has focused mainly on three activities – the protection of the deployed UK armed forces (Northern and Southern No-fly Zones) and the Iraqi WMD capabilities, programmes and munitions. Effort was also allocated to monitoring compliance with the sanctions described in UN Security Council Resolutions (UNSCRs).

32. JIC Assessments take into account all sources of information, including intelligence provided by the Agencies. **Iraq was a hard target, but the SIS successfully ran a number of agents against Iraq and Saddam's regime. These agents provided intelligence over a wide range of topics, although the SIS acknowledged that coverage on some subjects was stronger than on others. GCHQ and DIS, working in partnership with allies, also produced valuable intelligence on Iraq, particularly to protect deployed forces and on the Iraqi WMD programmes, capabilities and procurement activities.**

Content

33. The Committee examined all the JIC Assessments relating to Iraqi WMD from August 1990 to September 2002. Below are summaries of the JIC Assessments taken at three different times: the first Gulf Conflict; the period whilst UN inspectors were in Iraq; and the period just before the dossier was produced in 2002.

First Gulf Conflict 1990/1991

34. Iraq:

had chemical weapons ready to use and therefore had both a programme and the capability;

had biological weapons ready to use and therefore had both a programme and the capability;

did not have nuclear weapons. It had a programme and was trying hard to develop the capability; and

had ballistic missiles ready to use and therefore had a strategic delivery capability.

35. These assessments, produced in 1990 and 1991, were later shown to be broadly accurate when describing Iraq's actual WMD capability and programmes. However, it took a significant amount of time and effort by UN inspectors and intelligence services to find the evidence and uncover the programmes and capabilities to confirm these earlier assessments. For example, Iraq denied that it had a biological capability and programme until 1995 when pressure from the UN inspectors and the defection of Hussein Kamel (Saddam Hussein's brother-in-law) forced Iraq to declare its programme, which included the weaponisation of some biological agents. The main area of discrepancy in these assessments was in the Iraqi nuclear programme, which the UN found to be more advanced than the JIC had assessed it to be.

Post Conflict to 1998

36. Iraq:

had agreed to give up all its WMD as part of the end of hostilities agreement and UNSCR 687, but Saddam Hussein was not committed to decommissioning Iraq's WMD. He believed that "having" WMD was essential to his survival;

did not co-operate with the UN inspectors; and

started a programme of concealment, deception and unilateral, unverified destruction of weapons and facilities.

The UN inspectors found chemical and biological weapons, a nuclear weapons programme and ballistic missiles. They destroyed or secured all that they found and recorded discrepancies in the Iraqi declarations.

Intelligence indicated that:

some chemical and biological agents or weapons, as well as a small number of ballistic missiles, were retained and concealed; and

the chemical, biological, ballistic missile and nuclear programmes continued, but at a lower level due to the presence of UN inspectors.

37. These assessments were consistent throughout the period. The UN inspectors continued to find evidence of the pre-1991 programmes and munitions. However, the UN inspectors were working under extreme pressure, intimidation and non co-operation from the Iraqis. Eventually, the UN pulled out the inspectors in 1998. Between 16 and 19 December 1998 the UK and the US attacked WMD-related plants and organisations.

1999 to September 2002

38. The JIC assessed that Iraq:

continued the programme of concealment and deception to hide its WMD work;

was not compliant with any of the UN Security Council Resolutions that required it to give up its WMD programmes;

retained a limited amount of chemical and biological weapons and up to 20 al Hussein missiles (range 650km) from 1991;

had a chemical and biological weapons capability;

had the capability and facilities to produce ballistic missiles. There was a successful programme to produce ballistic missiles in excess of the UNSCR 687 range limit (150km) and missiles were manufactured. However, intelligence suggested that the Iraqis had not yet developed chemical and biological warheads for these new missiles and it would take 6 months to overcome the “technical difficulties”; and

did not have nuclear weapons capability. It had a programme to develop the capability above its 1990 knowledge and was intent on sourcing the necessary raw materials.

39. The JIC assessed that Iraq had the necessary command and control mechanisms to give authority to launch chemical or biological attacks, although this could be more difficult if conflict had begun.

40. These assessments were based on historical data provided by the UN inspectors, recent intelligence provided by the Agencies and allies and whatever open source material was available. The pre-1998 assessments had been informed by the UN inspections, but thereafter on-the-ground capability was limited to secret intelligence, mainly from GCHQ and SIS and other humint sources, supported by imint.

Analysis

41. The JIC Assessments, which are based on all sources of information including secret intelligence, are the consensus view of the UK intelligence community. Based on the information available, the JIC¹³ judged that Iraq had the capability, including raw materials, to produce chemical agents within weeks and biological agents within days, together with the capability to weaponise these agents – a process that did not take long if empty munitions were available. The JIC also judged that Iraq had retained chemical and biological agents and weapons, together with up to 20 al Hussein ballistic missiles from pre-1991 production. The JIC reported that intelligence indicated that the production of chemical and biological weapons was taking place. Iraq also had a ballistic missile programme that was producing missiles with a range in excess of the 150km allowed by UNSCRs and a nuclear programme.

42. The Iraq Survey Group has yet to report. It is interviewing scientists and examining locations and equipment before making its judgement. However, it is possible for the Committee to comment on the assessments and their relationship to the underlying intelligence.

43. We looked at the specific intelligence that underpinned the JIC Assessments of a number of key issues. These concerned the retention of pre-1991 ballistic missiles, chemical and biological agents and weapons, the delivery systems, the time taken to deploy and use these weapons and the current production of chemical and biological agents and weapons. In conducting this work, we took the view that whilst the distinction between *agents* and *weapons* is an important one, Iraq might have chosen to manufacture and weaponise chemical and biological agents when it needed them.

Retained Material

44. Intelligence from October 2000 reported that Iraq had up to 20 al Hussein 650km range ballistic missiles. Prior to receiving this intelligence the JIC had assessed, based on information provided by the UN inspectors, uncertainties in the Iraqi declarations post 1991 and knowledge of the Iraqis' use of these missiles, that a small number of al Hussein missiles had been retained. **The JIC did not know the location or state of readiness of these missiles but judged that the engineering expertise was available to maintain the missiles effectively.**

45. The JIC also assessed¹⁴ that Iraq may have retained some chemical and biological agents and munitions from the stocks it manufactured prior to the first Gulf Conflict in 1991. This assessment was based on the uncertainties again in Iraqi declarations and UN findings in Iraq, as well as intelligence about Iraq's possession of chemical and biological weapons. However, although Iraq possessed the technology to stabilise some agents, **it was not known what type of chemical agents had been retained and consequently if they would still be effective.**

¹³ JIC Assessment 9 September 2002

¹⁴ JIC Assessment 15 March 2002

Delivery Systems

46. The JIC Assessments clearly describe the weapon systems assessed to be capable of delivering chemical and biological munitions as:

free-fall bombs for aircraft;
artillery shells and rockets (range up to 25km);
helicopter and aircraft sprayers;
al Hussein ballistic missiles (range 650km);
al Samoud/Ababil ballistic missiles (range 150km plus); and
L-29 remotely piloted vehicles.

47. The assessments also spell out the difficulties and complications with using these systems. Iraq:

had, at most, 20 al Hussein missiles that had been hidden since 1991 and were in an unknown condition;
probably did not have chemical or biological warheads for the al Samoud/Ababil missiles;
had free-fall bombs, and helicopter and aircraft sprayers, including the L-29 remotely piloted vehicle, but the use of them would be difficult given the allied air superiority over the Northern and Southern No-fly Zones.

48. The JIC assessed that the Iraqis might use chemical and biological weapons against neighbouring states or concentrations of Western forces. We were told that the weapons systems most likely to be used to deliver chemical and biological munitions against Western forces were artillery and rockets. These are battlefield weapons, which can be used tactically to great effect, but they are not strategic weapons.

“Within 45 minutes”

49. The JIC reported that the Iraqi military could use chemical and biological weapons within 20–45 minutes. On the question of deployment time, the Committee examined the SIS report on which this was based. The report was dated 30 August 2002. It reported, amongst other things, that on average it took 20 minutes to move BCW (*sic*) munitions into place for attack. The maximum response time was 45 minutes.

50. This report was raised at the JIC meeting on 4 September, which was considering an assessment titled *Iraqi use of Chemical and Biological Weapons – Possible Scenarios*. The intelligence had not been included in the original draft of the assessment because the SIS report was issued after the meeting of the Current Intelligence Group where the assessment was drafted. The JIC asked for recent intelligence, which it described as important and valuable¹⁵, and which included the 30 August SIS report, to be assessed and included in the assessment. The Assessments Staff then further discussed the intelligence with the DIS and SIS before the revised JIC Assessment was circulated for comment. The JIC formally issued the assessment on 9 September. The assessment contained the following reference to the readiness time in the section sub-titled Chemical and Biological Capabilities in the main body of the assessment (it was not repeated in the assessment's Key Judgements):

“Intelligence also indicates that chemical and biological munitions could be with military units and ready for firing within 20–45 minutes.”

51. The Committee questioned the Chief of the SIS on the intelligence and its sourcing. He told us that the sourcing was regarded as reliable. The senior military officer named and quoted in the report was in a position to comment on the deployment of chemical and biological weapons.

52. We then questioned the JIC Chairman and the Assessments Staff over the use of this piece of intelligence in the 9 September assessment. The JIC Chairman confirmed that this was the only piece of intelligence the UK had with definite times associated with the deployment or use of chemical or biological munitions by Iraq. The Assessments Staff stated that they, and the people they had consulted, did not know what munitions the Iraqi officer was referring to or their status. Nor did they know from where and to where munitions might be moved. They assessed that the Iraqi officer was referring to the time needed to move the biological and chemical battlefield munitions from where they were held by Iraqi Security units in forward-deployed storage sites to pre-designated military units.

53. We were told that this was consistent with the Assessments Staff's and the DIS experts' understanding of the Iraqi military and its capability to use weapons. The assessed intelligence was included in the draft JIC Assessment¹⁶ as follows:

“Intelligence also indicates that from forward-deployed storage sites, chemical and biological munitions could be with military units and ready for firing within 45 minutes.”

¹⁵ Minutes of JIC Meeting 4 September 2002

¹⁶ Draft JIC Assessment of 5 September 2002

54. However, the DIS and SIS advised against referring to forward-deployed storage sites since they were not specifically mentioned in the intelligence report, and the JIC agreed a revised form of words:

“Intelligence also indicates that chemical and biological munitions could be with military units and ready for firing within 20–45 minutes.”

55. We noted that the time taken to deploy the munitions was also altered between the draft and final assessments. The Iraqi officer had reported that the *average* time was 20 minutes, with a maximum of 45 minutes. Therefore the time range was not the 20–45 minutes stated in the JIC Assessment because munitions could have been deployed in less than 20 minutes. Whereas the draft JIC Assessment had followed the precise terms of the intelligence report, the issued JIC Assessment did not. We were told that the difference between the times would not have been significant for the readers of strategic JIC Assessments and that the DIS would have briefed field commanders on the actual details of the intelligence report.

56. That the Iraqis could use chemical or biological battlefield weapons rapidly had already been established in previous conflicts and the reference to the 20–45 minutes in the JIC Assessment added nothing fundamentally new to the UK’s assessment of the Iraqi battlefield capability. Additionally, the JIC Assessment did not precisely reflect the intelligence provided by the SIS.

57. The JIC did not know precisely which munitions could be deployed from where to where and the context of the intelligence was not included in the JIC Assessment. This omission was then reflected in the 24 September dossier, which we discuss later in the Report.

Production of Chemical and Biological Agents and Weapons

58. In 2000 the JIC reported¹⁷ that there was clear evidence of continuing Iraqi biological warfare research and the production of biological agents. There was less evidence of continuing Iraqi chemical warfare activity and there was no evidence of munitions being filled with chemical agents since the first Gulf Conflict. The JIC assessed that biological agents could be produced within days of an instruction to start, but that it would take weeks before small but significant amounts of mustard gas could be produced; they assessed that it would be months before similar amounts of sarin and VX could be manufactured¹⁸.

¹⁷ JIC Assessment 19 April 2000

¹⁸ JIC Assessment 1 December 2000

59. In May 2001 the JIC reported that since 1998 their knowledge of developments in Iraq's WMD and ballistic missile programmes was "patchy". It judged that the intelligence it had gave grounds for concern as Iraq was becoming "bolder". Recently acquired intelligence had suggested that VX had been produced whilst the UN inspectors were in Iraq, which the JIC acknowledged was uncorroborated reporting, and that rocket artillery sub-munitions had been filled with VX between 1996 and 1998.

60. However, intelligence indicated that by early 2002, Iraq had made sure that all sensitive weapons and chemical technology were well hidden in case of further UN inspections¹⁹. The JIC assessed that under these dispersed conditions surge production was not possible. It judged that Iraq might have retained some stocks of chemical agents and that significant quantities could be produced within weeks (in case of mustard gas) or months (sarin and VX) and in the case of VX might already have been produced. It judged that Iraq had available, either from pre-1991 stock or more recent production, a number of biological agents – more of which could be produced within days. The JIC also concluded that a decision to begin chemical and biological weapons production would probably go undetected.

61. In September 2002, the JIC judged that Iraq had, either from pre-1991 or more recent production, both chemical and biological agents and weapons. It also reported that recent intelligence indicated that the production of chemical and biological weapons was taking place. Taken together, these meant that Iraq had or was producing chemical and biological agents and they were being weaponised. The JIC judged that even if Iraq's stocks of chemical and biological weapons were limited, they would allow for focused strikes against key military targets or strategic targets, such as Israel and Kuwait.

62. The September 2002 JIC Assessment that Saddam *had* chemical and biological weapons was therefore a strengthening of the JIC's judgement in March 2002, in which the assessment had been that he *had* chemical and biological agents and *may* have biological and chemical weapons. There was intelligence to support this change.

63. The assessments did not indicate when production was supposed to have taken place, whether pilot batches of agents or weapons had been produced to prove capability or whether fuller scale production had occurred. There was uncorroborated, but technically credible, reporting that 5 tons of VX had been produced in 1998 and 20–30 tons of biological agent had been produced in 1998–99. **The JIC could not quantify the amounts of chemical or biological agents and weapons produced within the assessments because there was insufficient intelligence on production amounts and weapon quantities.**

¹⁹ JIC Assessment 15 March 2002

Conclusions

64. JIC Assessments are based on all sources of information, not just the secret intelligence provided by the Agencies and allies. The JIC is the senior official body in the UK intelligence community and examines the available intelligence and information in order to produce assessments for Ministers and senior officials – the policy makers. It is important to ensure that key judgements set out in JIC Assessments reflect the degree of confidence with which they are made and do not rely on the reading of the whole assessment to make this clear. The JIC minutes from the meeting of 4 September state that the then draft of the JIC Assessment issued on 9 September:

“needed to make clearer which of its judgements were based on firm intelligence, which were based more on informed assessment or interpretation, and where the major intelligence gaps in the UK’s knowledge and understanding of Iraq’s capabilities remained.”

65. Since 1991, when Iraq started to conceal its WMD programmes from both the UN inspectors and foreign intelligence services, the JIC has recognised and correctly reported that Iraq continued to harbour WMD ambitions based on its existing capabilities. Iraq was an extremely difficult target, against which the UK had some successes. However, once the UN inspectors left in 1998, the UK’s visibility of WMD activity in Iraq was even less complete. Consequently, the JIC made assessments and judgements based on limited new information or intelligence. In fact the 9 September 2002 JIC Assessment starts with the following, which reflected the JIC’s wish to highlight the difference between intelligence and assessment:

“Recent intelligence casts light on Iraq’s holdings of WMD and its doctrine for using them. 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.”

66. It was clear to all that Saddam Hussein was defying the international community, ignoring UNSCRs, breaking embargoes and engaging in an extensive programme of concealment. **Based on the intelligence and the JIC Assessments that we have seen, we accept that there was convincing intelligence that Iraq had active chemical, biological and nuclear programmes and the capability to produce chemical and biological weapons. Iraq was also continuing to develop ballistic missiles. All these activities were prohibited under UNSCRs.**

67. The JIC Assessment produced on 9 September, entitled *Iraqi Use of Chemical and Biological Weapons – Possible Scenarios*, was more assertive than the 15 March JIC Assessment because of new intelligence, but much of it was still explicitly based on judgement and assessment. When the JIC produced this assessment it was against the background of possible military action unless Iraq complied with UNSCRs. It therefore needed to inform policy makers of the threat posed by Iraqi chemical and biological weapons. The JIC was not clear what chemical and biological agents and weapons had been produced and the scale of any production between 1991 and 2002, but it judged that production of agents and weapons had taken place during this period. **Whilst the 9 September JIC Assessment was a balanced assessment of scenarios, it did not highlight in the key judgements the uncertainties and gaps in the UK’s knowledge about the Iraqi biological and chemical weapons.** These points were covered in the main text of the assessment.

THE 24 SEPTEMBER 2002 DOSSIER

History

68. The Prime Minister told us that he had long been concerned about the proliferation of WMD. In early 2002, the Overseas and Defence Secretariat (OD Sec) commissioned a paper for the Prime Minister concerning four countries of concern which were developing and proliferating WMD, including Iraq. It was suggested that a paper along these lines might be produced for public consumption – outlining these countries’ WMD programmes and ambitions. A draft paper was co-ordinated by OD Sec but, following consultation, a consensus was reached that it was not a suitable subject for a public document. After a conversation between the Foreign Secretary and Alastair Campbell, whose job as Director of Communications and Strategy it would have been to present such a document, the idea of producing a four-country paper was dropped in March 2002.

69. However, it was agreed that work would continue on the element of the paper addressing Iraqi WMD, with a view to possible publication. Between April and June 2002, the FCO produced papers on the history of UN weapons inspections in Iraq and Saddam’s human rights record, which went to departments for comment. The paper on Iraqi WMD was reviewed during the summer and a draft was produced and circulated at official level on 19 August to departments and the Agencies for comment.

70. On 3 September, the Prime Minister asked for a paper on Iraqi WMD capabilities, non-compliance with UNSCRs and human rights record to be prepared for publication. The next day OD Sec sent copies of the three papers it currently had (the two FCO papers from earlier in 2002 and an old draft of the paper on Iraqi WMD) to the FCO, MoD, Cabinet Office and No.10. These papers were circulated so that they could form the basis for discussion at an *ad hoc* meeting on the presentational aspects of the “Prime Minister’s Iraq dossier” that had been scheduled for 5 September. The Assessments Staff also started work to improve the Iraqi WMD paper and they circulated revised drafts to officials in departments for comment, on both 4 and 5 September.

71. At the meeting on 5 September, which was chaired by Alastair Campbell and attended by officials from various departments, it was agreed that the OD Sec co-ordinated draft needed to be rewritten to include other issues and that John Scarlett, the JIC Chairman, would produce a new version with the Assessments Staff. The meeting focused on how the document should look and the audience for which it was being written. It did not cover the existing drafts in any detail nor any intelligence-related matters. John Scarlett told the meeting that he was content to take on responsibility for producing the dossier only if he were given complete control of the contents. This was agreed.

72. On 9 September, the Drafting Group had its first meeting, which was chaired by Julian Miller, Chief of the Assessments Staff. On the same day, Alastair Campbell chaired another *ad hoc* meeting, attended by departments, which discussed a number of presentational issues associated with the eventual publication of the dossier. After the meeting, Alastair Campbell wrote to confirm that John Scarlett had been given full editorial control.

73. The first draft of the dossier was produced on 10 September and contained a foreword and an executive summary in addition to the main text. It was circulated to JIC members with the recommendation that it should be drawn to Ministers' attention for comment. A copy of the draft was also sent to No.10 for Alastair Campbell. The draft was discussed at the JIC meeting held on 11 September and the Drafting Group received comments as follows from Ministers:

Prime Minister	No comments were made.
Treasury	On the basis of advice from policy officials, the Chancellor's private office concluded that the draft did not require the Chancellor's personal attention. No comments were made.
FCO	The Foreign Secretary commented on 11 September and Mr Mike O'Brien MP, Minister of State FCO, on 12 September.
HO	The draft was brought to the attention of the Home Secretary but no comments were made.
MoD	The draft was brought to the attention of the Defence Secretary but no comments were made. The Defence Secretary told the Committee that his " <i>reaction in a political sense was that I was concerned that this was insufficiently dramatic to make our case as strongly as I would have liked it to be made</i> ".
DfID	On the basis of previous instructions, the International Development Secretary's private office concluded that the draft did not require her personal attention. No comments were made.
DTI	The draft was copied to the Secretary of State for Trade and Industry and Mr Nigel Griffiths MP, Parliamentary Under-Secretary of State DTI, but no comments were made.

The Committee understands that the draft was not sent to the Deputy Prime Minister.

74. The WMD section of the 10 September draft was also shown to the US Central Intelligence Agency (CIA) on 11 September and they made comments.

75. The Assessments Staff received comments from a number of departments, including No.10, the MoD and the FCO. A further draft of the executive summary, main text and conclusions was produced on 16 September, and was sent to JIC members and passed to No.10 on 17 September. The Prime Minister and Alastair Campbell replied with comments on the same day. Further comments were received from Alastair Campbell and Jonathan Powell between 17 and 19 September.

76. The Prime Minister also decided that he would sign the foreword to the dossier. A draft of this new foreword was written by Alastair Campbell and sent to John Scarlett on 17 September, who distributed it to JIC members for comment. Sir David Omand told the Committee that he suggested a number of drafting amendments to the foreword. John Scarlett stated that he checked and amended it for factual accuracy and consistency with the text but regarded the foreword as a policy statement by the Prime Minister.

77. The Drafting Group met for the second time on 17 September to consider the draft dossier and it was also briefly discussed at the JIC meeting on 18 September. A final draft of the dossier (executive summary, main text and conclusions) was produced and circulated to the JIC on 19 September and a number of comments were passed back to John Scarlett. The final version of the dossier, approved by the JIC, was passed to Alastair Campbell on 20 September. The conclusions section had been dropped from this version.

78. John Scarlett told the Committee that he spent the next few days getting the final version ready for printing and publishing on 24 September. He stated that he was wholly content with the finished product, including the foreword, as were the other JIC members. The Agency Heads and other JIC members have confirmed this.

Content

79. The Committee has examined the dossier and its drafts and has compared them with the classified JIC Assessments available at that time. The Iraqi WMD paper issued on 4 September reflected the March 2002 JIC Assessments and some later intelligence. The first version of the draft dossier, produced for John Scarlett by the Assessments Staff on 10 September, was more assertive in its language than the 4 September paper. The assessment of the Iraqi chemical and biological programmes and capabilities was less qualified, reflecting new intelligence that had been incorporated in the 9 September JIC Assessment. The subsequent draft on 19 September was, in some respects, a toned-down version of the 10 September draft, except where new intelligence had been received.

80. The published text of the dossier stated that Saddam was continuing to produce chemical and biological agents, although there was no indication of the amount of agent produced, and that biological and chemical weapons had been produced since 1991, again without an indication of the quantity. It also stated that Iraq had a range of delivery means available to it. This was contrary to UNSCR 687 and Saddam's agreement to it.

A Threat to UK National Interests?

81. Based on this inquiry and evidence that the Committee has taken in the past, we believe that it is in the UK's national interests to prevent and disrupt the development and proliferation of WMD. The Agencies devote a significant part of their effort to preventing and disrupting the attempts by states and terrorist groups to acquire these weapons.

82. There has been considerable discussion as to whether or not Saddam, his regime and his WMD posed a threat to the national interests, as the Prime Minister claimed in the foreword to the dossier. On the question of what direct threat Saddam, his regime and his WMD posed to UK interests, the evidence is that the UK forces deployed in the region to enforce the Southern and Northern No-fly Zones were threatened by conventional weapons, and could have been threatened by any biological or chemical weapons that Saddam possessed. Additionally, if al Hussein missiles had been retained and they were operational with conventional or chemical and biological warheads, they could have attacked UK forces in Cyprus or those conducting operations in the region. Saddam's WMD programmes and his continued support of them increased this threat.

83. **Saddam was not considered a current or imminent threat to mainland UK, nor did the dossier say so. The first draft of the Prime Minister's foreword contained the following sentence:**

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

This shows that the Government recognised that the nature of the threat that Saddam posed was not directly to mainland UK. It was unfortunate that this point was removed from the published version of the foreword and not highlighted elsewhere.

“Within 45 Minutes”

84. As the Committee has already stated in paragraph 57, the context of the intelligence provided by the SIS on the 45 minutes claim was omitted from the 9 September JIC Assessment. This was to cause problems with the dossier.

85. The Committee noted that the 45 minutes claim was included once in the executive summary and once in the main text of the 10 September draft of the dossier. In the 16 September draft it was included in the executive summary, twice in the main body of the text and repeated in the conclusions. In the 19 September draft the claim was in the executive summary and twice in the main body of the text, the conclusions having been dropped. In the published dossier, the 45 minutes claim was included four times; once each in the foreword and executive summary and twice in the main text.

86. The dossier was for public consumption and not for experienced readers of intelligence material. The 45 minutes claim, included four times, was always likely to attract attention because it was arresting detail that the public had not seen before. 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 movement on the battlefield, not to any other form of chemical or biological attack, should have been highlighted in the dossier. The omission of the context and assessment allowed speculation as to its exact meaning. This was unhelpful to an understanding of this issue.

Uranium from Africa

87. The claim that Iraq had expressed an intention to obtain uranium from Africa was not included in the JIC Assessments prior to September 2002. The SIS told the Committee that this was because the initial intelligence was not acquired until June 2002 and the JIC did not produce an assessment on the Iraqi nuclear programme between June and September. However, the intelligence was included in the Iraqi WMD paper that was circulated for comment in August and in the first draft of the dossier, produced on 10 September.

88. In the foreword to the dossier the Prime Minister said:

“What I believe the assessed intelligence has established beyond doubt is that Saddam... continues in his efforts to develop nuclear weapons.”

The executive summary states that:

“As a result of the intelligence, we judge that Iraq has.... sought significant quantities of uranium from Africa, despite having no active civil nuclear programme that could require it,”

while the main body of the text stated that:

“... there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa.”

89. The Committee questioned the Chief of the SIS about the reporting behind these statements. We were told that it came from two independent sources, one of which was based on documentary evidence. One had reported in June 2002 and the other in September that the Iraqis had expressed interest in purchasing, as it had done before, uranium from Niger. GCHQ also had some sigint concerning a visit by an Iraqi official to Niger.

90. The SIS's two sources reported that Iraq had expressed an interest in buying uranium from Niger, but the sources were uncertain whether contracts had been signed or if uranium had actually been shipped to Iraq. In order to protect the intelligence sources and to be factually correct, the phrase "*Iraq has sought the supply of significant quantities of uranium from Africa*" was used. At the time of producing the dossier, nothing had challenged the accuracy of the SIS reports.

91. In February 2003 the International Atomic Energy Authority (IAEA) received from a third party (not the UK) documents that the party had acquired in the autumn of 2002 and which purported to be evidence of Iraq's attempts to obtain uranium from Niger. In March 2003 the IAEA identified some of the documents it had received as forgeries and called into question the authenticity of the others.

92. The third party then released its documents to the SIS. The SIS then contacted its source to check the authenticity of its documentary evidence. The SIS told us that its source was still conducting further investigations into this matter.

93. The SIS stated that the documents did not affect its judgement of its second source and consequently **the SIS continues to believe that the Iraqis were attempting to negotiate the purchase of uranium from Niger. We have questioned the SIS about the basis of its judgement and conclude that it is reasonable.**

Staff Concerns in the Intelligence Community

94. The Committee spoke to the heads of both the SIS and GCHQ to see if any staff members had complained to anyone in their management chain about the drafting and production of the dossier or the February 2003 document. We also consulted the Staff Counsellor, who is directly available to all members of the three intelligence and security Agencies, to see if any staff member had contacted him with questions of conscience about their work on Iraqi WMD. To date, no complaint has been made or any other similar action taken by any member of staff. Members of the Assessments Staff and the DIS are not covered by the Staff Counsellor. The Committee asked the JIC Chairman, John Scarlett, if any of the Assessments Staff had reported or complained about the production of these two documents. He stated that none had.

95. We also asked Sir David Omand if he was aware of any concerns in the intelligence community. He replied that in the organisations for which he had responsibility he was not aware of any concerns, but that the Committee would need to ask the MoD about the DIS as that was not his responsibility. Sir David then wrote to the MoD to inform it that we were likely to raise this issue when the Defence Secretary came to give evidence.

96. Prior to his first appearance before us on 22 July, the Defence Secretary received a minute that stated that two members of the DIS had written with concerns over the text in the draft dossier. The recommendation of this MoD minute was that any attempts by the Committee to see the letters from the staff or to take evidence from them should be resisted but that the Committee should be informed of the areas of concern.

97. When we spoke to the MoD on 22 July about whether or not any DIS staff had expressed concerns about the drafting of the dossier, the Defence Secretary told us that “*there had been a dispute*” in the context of the 45 minutes claim about whether it was better to say that the intelligence was “*showing*” or “*indicating*”. The Defence Secretary did not tell us that two members of the DIS had written with concerns. Nor did his officials, even when pressed on this matter, after the Defence Secretary had left.

98. The then CDI, Air Marshal Sir Joe French, told us that:

“...for each paper I would have the range of specialists who had been involved in them, obviously splitting hairs on particular words. But ultimately, putting 45 minutes in a military context when this was going through, I had to make a corporate decision on which draft we would actually live with. So the fact that this discussion goes on was just a weekly event as far as I was concerned – lively debate within the DIS.”

99. We were told that all the concerns had been discussed within the DIS as part of the normal drafting process. The Defence Secretary said that:

“I think that’s a rather healthy indication and I think it’s a rather healthy situation that people have both the self-confidence to say ‘hang on, we think this word is not quite as accurate as it should be’, and moreover that the system not only tolerates that but encourages it.”

We recognise that such debate is healthy and that at the end of a discussion a decision needs to be made, and that the CDI makes the decision for the DIS.

100. It was not until shortly before his appearance before the Hutton Inquiry that the current Deputy Chief of Defence Intelligence (DCDI), Martin Howard, informed us that two members of the DIS had written to their line managers on 19 and 20 September with concerns over the language used in the draft dossier. These letters had also been copied to the then DCDI, but not to the Defence Secretary or the JIC Chairman.

101. Their concerns centred on the language used in the draft dossier, which was not in their view supported by the intelligence available to them on the current production of chemical and biological agents and weapons. We were told that there was further intelligence of a nature so sensitive that it was only released on a very restricted basis. We have seen that intelligence and understand the basis on which the CDI and the JIC took the view they did.

102. In order to clarify the way in which the concerns of the two DIS members were handled, we also asked the Defence Secretary and senior officials to give further evidence to us. Prior to this second appearance, the Defence Secretary gave us copies of the original letters of concern and the Committee decided not to take evidence from the two staff members. During this second evidence session, we were told that they were not regarded by the DIS management as representing formal complaints about the text used in the draft dossier as the drafting process was, at that time, still continuing.

104. We regard the initial failure by the MoD to disclose that some staff had put their concerns in writing to their line managers as unhelpful and potentially misleading. This is not excused by the genuine belief within the DIS that the concerns had been expressed as part of the normal lively debate that often surrounds draft JIC Assessments within the DIS. We are disturbed that after the first evidence session, which did not cover all the concerns raised by the DIS staff, the Defence Secretary decided against giving instructions for a letter to be written to us outlining the concerns.

105. It is important that all DIS staff should be made aware of the current procedures for recording formal concerns on draft JIC Assessments. We recommend that if individuals in the intelligence community formally write to their line managers with concerns about JIC Assessments, that the concerns are brought to the attention of the JIC Chairman.

Conclusions

106. The JIC Chairman, with the support of the Assessments Staff, other departments and the Agencies, produced the 24 September dossier, which was endorsed by the whole JIC.

107. The dossier was founded on the assessments then available.

108. During the drafting process, a wide range of departments and Agencies, including No.10 and the DIS, made comments on the drafts. The Assessments Staff and the JIC Chairman made changes to the draft as they saw fit. The JIC Chairman stated unequivocally to us that he did not at any time feel under pressure, nor was he asked to include material that he did not believe ought to be included in the dossier. We accept this assurance. 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.

109. Alastair Campbell did not chair meetings on intelligence matters. He chaired meetings on the presentational aspects of these issues, which were appropriate to his position as Director of Communications and Strategy. Only Ministers or members of the intelligence community chair meetings on intelligence matters.

110. The use of the phrase “*continued to produce chemical and biological weapons*” in the foreword and the absence of detail on amounts of agents produced in the executive summary and main text could give the impression that Saddam was actively producing both chemical and biological weapons and significant amounts of agents. However, the JIC did not know what had been produced and in what quantities – it had assessed, based on intelligence, that production had taken place. We believe that this uncertainty should have been highlighted to give a balanced view of Saddam’s chemical and biological capacity.

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

112. The dossier was for public consumption and not for experienced readers of intelligence material. The 45 minutes claim, included four times, was always likely to attract attention because it was arresting detail that the public had not seen before. 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 movement on the battlefield, not to any other form of chemical or biological attack, should have been highlighted in the dossier. The omission of the context and assessment allowed speculation as to its exact meaning. This was unhelpful to an understanding of this issue.

113. The SIS continues to believe that the Iraqis were attempting to negotiate the purchase of uranium from Niger. We have questioned them about the basis of their judgement and conclude that it is reasonable.

114. The Agencies and the JIC reported that none of their staff had concerns about the 24 September dossier. Two individuals in the DIS wrote to their line managers to register their concerns. We were told that these concerns were discussed within the DIS in the normal way. CDI agreed the text of the draft dossier, which was informed by intelligence that he, but not the two individuals, had seen. The concerns were not brought to the attention of the Defence Secretary or the JIC Chairman.

115. We regard the initial failure by the MoD to disclose that some staff had put their concerns in writing to their line managers as unhelpful and potentially misleading. This is not excused by the genuine belief within the DIS that the concerns had been expressed as part of the normal lively debate that often surrounds draft JIC Assessments within the DIS. We are disturbed that after the first evidence session, which did not cover all the concerns raised by the DIS staff, the Defence Secretary decided against giving instructions for a letter to be written to us outlining the concerns.

116. It is important that all DIS staff should be made aware of the current procedures for recording formal concerns on draft JIC Assessments. We recommend that if individuals in the intelligence community formally write to their line managers with concerns about JIC Assessments the concerns are brought to the attention of the JIC Chairman.

THE ASSESSMENTS OCTOBER 2002 TO MARCH 2003

117. The JIC produced eight assessments on Iraq-related matters during the period October 2002 to March 2003. The assessment of Iraq's WMD capability remained constant, although additional intelligence became available on the action being taken by the Iraqis to conceal and deceive the UN inspectors. Only limited intelligence was available on Saddam's plans to use chemical and biological weapons. Additionally, the JIC assessed the likelihood of terrorist organisations obtaining WMD technology, agents or munitions from Iraq and the likelihood of Iraq-sponsored terrorist attacks.

UN Inspections and the Iraqi Chemical and Biological Capability

118. The key judgement of the 11 October 2002 JIC Assessment was that Saddam was determined to retain Iraq's proscribed weapons programmes. It also judged that he was confident that he could prevent the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), operating on the basis of existing UNSCRs, from finding any evidence before military options started to close off in spring 2003. Concealment and dispersal of sensitive items were the main elements of Iraq's strategy for dealing with UNMOVIC, but if inspections were conducted under a tougher regime, and if specific intelligence on WMD locations was forthcoming, UNMOVIC might find evidence of Iraq's WMD programmes. The JIC did not expect a repeat of the blatant Iraqi policy of intimidation and obstruction that the United Nations Special Commission (UNSCOM) encountered but the JIC assessed that if inspectors came close to uncovering evidence of WMD, Iraq would employ a wide range of tactics to delay their work.

119. The Assessments Staff produced an intelligence update on 27 November 2002. It reiterated an earlier JIC Assessment²⁰ that if Saddam were to be faced with the likelihood of military defeat and removal from power, he would be unlikely to be deterred from using chemical and biological weapons by any diplomatic or military means.

120. It was assessed that Saddam was prepared to order missile strikes against Israel, with chemical or biological warheads, in order to widen the war should hostilities begin. Saddam had also identified Bahrain, Jordan, Qatar and Kuwait as targets. The update also contained recent intelligence that Saddam would use Chemical or Biological Weapons (CBW) if allied forces approached Baghdad, if Basra, Kirkuk and Mosul fell to allied control, or if Iraqi military units rebelled.

121. In December 2002, the JIC assessed that Iraq's ability to use CBW might be constrained by its available stocks of agent and the difficulty of producing more while UN inspectors were present. The JIC acknowledged that it did not know the extent of Iraq's stocks of CBW.

²⁰ JIC Assessment 9 September 2002

122. The JIC Assessment issued immediately prior to coalition action against Iraq, dated 19 March 2003, stated that a report from a reliable source in mid-March indicated that Iraq's chemical weapons remained disassembled and that Saddam had not yet ordered their assembly. The JIC judged that Iraq had a usable CBW capability, deliverable by artillery, missiles and possibly unmanned aerial vehicles. It judged that Iraq possessed up to 20 al Hussein missiles with a range of 650km and hundreds of shorter range missiles, mostly with a range of 150km or less. These missiles might be able to deliver CBW, although intelligence suggested that Iraq might lack warheads capable of the effective dispersal of such agents.

123. During the period that the UN inspectors were in Iraq, although they were not getting full co-operation from the Iraqis, it is reasonable to assume that they would have had some inhibiting effect on any production and storage of chemical and biological agents and munitions. We were told that this was because Iraq had concealed or hidden its fixed production facilities and any manufactured material as part of its programme of concealment. We do not consider that this was fully reflected in the JIC Assessments nor was it reflected in the February 2003 document.

124. We note that the JIC continued to assess that Saddam had the firm intention to use CBW in the event of a conflict. It is a matter of record that no chemical or biological weapons were used but that some al Samoud missiles were fired at Kuwait.

Terrorism

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

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

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

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

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

THE FEBRUARY 2003 DOCUMENT

History

129. In January 2003, the Government was conscious that the UN inspectors had found very little in Iraq and that consequently the public's perception of Iraq was changing. The Iraq Communications Group (ICG), which had been established in December 2002 and was chaired by Alastair Campbell, met to discuss how the problems faced by the UN inspectors and the history of Iraq's deception and concealment could be publicly highlighted. The SIS representative at the meeting offered to provide a briefing note on the organisation of deception, concealment and intimidation in Iraq as the Service had acquired a body of information on these matters. The ICG then commissioned the Coalition Information Centre (CIC) to produce a document, which would be used as background briefing for journalists.

130. The SIS provided the CIC with an intelligence-derived paper, which is reproduced at Annex A, for them to use. Alastair Campbell explained in his evidence to the Foreign Affairs Committee how Dr Al-Marashi's article came to be included without attribution in the document and then amended by the drafters better to reflect the actual situation in Iraq. We will not comment on that matter in this report, but we will focus on how the intelligence-derived material was used in the document. The bulk of the intelligence-derived material was used in sections 1 and 3 of the document, although some material was included in section 2.

131. The document was originally given to a number of journalists over the weekend of 1 and 2 February and then placed in the Library of the House on 3 February. The Prime Minister described the document as follows:

*"We issued further intelligence over the weekend about the infrastructure of concealment. It is obviously difficult when we publish intelligence reports, but I hope that people have some sense of the integrity of our security services. They are not publishing this, or giving us this information, and making it up. It is the intelligence that they are receiving, and we are passing on to people. In the dossier that we published last year, and again in the material that we put out over the weekend, it is very clear that a vast amount of concealment and deception is going on."*²¹

²¹ Hansard Column 25 3 February 2003

Conclusions

132. The Committee took evidence on this matter from the Chief of the SIS on both 12 February and 17 July and separately from Alastair Campbell on 17 July. Both agreed that making the document public without consulting the SIS or the JIC Chairman was a “cock-up”. Alastair Campbell confirmed that, once he became aware that the provenance of the document was being questioned because of the inclusion of Dr Al-Marashi’s work without attribution, he telephoned both the Chief of the SIS and the JIC Chairman to apologise.

133. **We conclude that the Prime Minister was correct to describe the document as containing “further intelligence... about the infrastructure of concealment.... It is the intelligence that they [the Agencies] are receiving, and we are passing on to people.”**

134. **However, as we previously concluded²², it was a mistake not to consult the Agencies before their material was put in the public domain. In evidence to us the Prime Minister agreed. We have reported the assurance that we have been given that in future the JIC Chairman will check all intelligence-derived material on behalf of the intelligence community prior to publication.**

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

²² Cm 5837

OTHER ISSUES

Support to the UN Inspectors

136. Both the SIS and the DIS supported UNMOVIC and IAEA. The SIS provided the UN inspectors with about 170 intelligence reports between December 2000 and March 2003. The DIS also provided regular briefings. Both the Prime Minister and the Foreign Secretary told the Committee that all UK-owned intelligence that was relevant to these UN inspections was passed to the teams. The UK provided intelligence packs on 19 sites, of which the UN inspectors managed to inspect 10. Four of these sites had weapons or weapons-related technology hidden but only two related to the WMD programme. One of these sites was the home of the Iraqi scientist who had concealed a large amount of documents relating to the pre-1991 nuclear programme.

137. **The UN inspectors told us that they were content with the support that they received from the UK. Ministers told us that the UK provided the UN inspectors with all the intelligence support that it could within the third party rules²³.**

The Agencies, the Media and the Public

138. The Committee had previously questioned the Agencies about their relationship with the public and the media. Press enquiries about the Security Service and SIS are handled by the Home Office and FCO press offices respectively. GCHQ has its own Press Officer, who is authorised to offer on-the-record statements about local community and organisational matters. Additionally, the Heads of the Agencies, and nominated senior staff members, are authorised to have contact with the media. The JIC and the DIS do not have a direct relationship with the media; contact is handled through the Cabinet Office and MoD press offices respectively.

139. The Prime Minister described the publication of the dossier as unprecedented. It was, in that it was the first time that the JIC had produced a document designed to inform the public. However, limited amounts of intelligence and assessments had previously been made public by this Government during the military action in Kosovo in 1999 and in the aftermath of the 11 September 2001 terrorist attacks on the USA.

140. However, when the dossier was first published it was rather poorly received, in that many commentators said that it contained nothing much that was new. Only since the coalition military action has it become a *cause célèbre*. This, and the uncertainty and bad publicity associated with the February 2003 document, suggest that the way intelligence material is used to inform the public needs to be reviewed.

²³ *The Third Party rule is an agreement that operates between intelligence agencies of different states and within states. It means that when an intelligence agency shares intelligence with another party that party is bound not to share the intelligence with anyone else (a third party) without the express permission of the originating agency. If an agency or party breaks this rule, it risks losing the trust of the other party, which may consequently be less inclined to share intelligence in the future.*

141. The JIC plays a key role in supplying independent assessments to Ministers and senior policy makers to inform their decision making. It is highly likely that Governments in future will feel that they have to brief the public using intelligence-derived material. The public's perception of the reliability of the assessments and underlying intelligence is therefore very important.

142. It is vital that the JIC's and the Agencies' credibility and effectiveness are not degraded or diminished by the publication of their product in an inappropriate manner. We will examine the Agencies' relationship with the media and the use of intelligence-derived material by the Government to brief the public, taking account of any relevant recommendations of the Hutton Inquiry. We will report in due course.

Briefings

143. During the conduct of this inquiry the Committee asked for details of the various Iraq briefings given to Cabinet Ministers and senior Parliamentarians, other than the ISC, by the JIC Chairman. The details are as follows:

18 September 2002	Rt. Hon. Iain Duncan Smith, MP
19 September 2002	Rt. Hon. The Lord Goldsmith, QC, Rt. Hon. Donald Anderson, MP, Rt. Hon. Bruce George, MP and Rt. Hon. Ann Taylor, MP
9 January 2003	Rt. Hon. John Reid, MP
24 January 2003	Rt. Hon. John Reid, MP
30 January 2003	Rt. Hon. John Reid, MP
6 February 2003	Rt. Hon. Bruce George, MP and Rt. Hon. Donald Anderson, MP
10 February 2003	Rt. Hon. John Reid, MP
11 February 2003	Rt. Hon. The Lord Goldsmith, QC
12 February 2003	Rt. Hon. Charles Clarke, MP, Rt. Hon. Tessa Jowell, MP, Lord Grocott, Rt. Hon. Clare Short, MP, Rt. Hon. The Lord Williams and Rt. Hon. Iain Duncan Smith, MP
13 February 2003	Rt. Hon. Margaret Beckett, MP, Rt. Hon. Peter Hain, MP, Rt. Hon. Patricia Hewitt, MP, Rt. Hon. Helen Liddell, MP, Rt. Hon. Paul Murphy, MP and Rt. Hon. Andrew Smith, MP
14 February 2003	Rt. Hon. Hilary Armstrong, MP
19 February 2003	Rt. Hon. David Blunkett, MP
20 February 2003	Rt. Hon. Charles Kennedy, MP and Rt. Hon. Robin Cook, MP
24 February 2003	Rt. Hon. Baroness Symons and Leaders of the Opposition Parties in the House of Lords
10 March 2003	Rt. Hon. Sir John Stanley, MP

The Foreign Affairs Committee Report

144. The FAC conducted an inquiry, titled *The Decision to go to War in Iraq*²⁴, which was published on 7 July 2003. The FAC had taken evidence from the Foreign Secretary, William Ehrman and Peter Ricketts (both FCO Officials) in public and private, Alastair Campbell and others in compiling their report, as well as written submissions. The FAC agreed to the Foreign Secretary's suggestion that they provide us with the unredacted transcript of their private session with the Foreign Secretary and the classified FCO memoranda.

145. In its report the FAC came to a number of conclusions and made recommendations. Our comments can be found in Annex B and the paragraph numbering is as in the FAC report.

²⁴ HC 813-I and 813-II

CONCLUSIONS AND RECOMMENDATIONS

- A. This Report does not judge whether the decision to invade Iraq was correct. It is the purpose of this Report to examine whether the available intelligence, which informed the decision to invade Iraq, was adequate and properly assessed and whether it was accurately reflected in Government publications. (Paragraph 11)

The Assessments August 1990 to September 2002

- B. Iraq was a hard target, but the SIS successfully ran a number of agents against Iraq and Saddam's regime. These agents provided intelligence over a wide range of topics, although the SIS acknowledged that coverage on some subjects was stronger than on others. GCHQ and the DIS, working in partnership with allies, also produced valuable intelligence on Iraq, particularly to protect deployed forces and on the Iraqi WMD programmes, capabilities and procurement activities. (Paragraph 32)
- C. The Iraq Survey Group has yet to report. It is interviewing scientists and examining locations and equipment before making its judgement. However, it is possible for the Committee to comment on the assessments and their relationship to the underlying intelligence. (Paragraph 42)
- D. Based on the intelligence and the JIC Assessments that we have seen, we accept that there was convincing intelligence that Iraq had active chemical, biological and nuclear programmes and the capability to produce chemical and biological weapons. Iraq was also continuing to develop ballistic missiles. All these activities were prohibited under UNSCRs. (Paragraph 66)
- E. The JIC assessed that Iraq had up to 20 al Hussein missiles and had retained some chemical and biological agents and weapons from 1991. The JIC did not know the location or state of readiness of the missiles but judged that the engineering expertise was available to maintain the missiles effectively. The JIC did not know what type of chemical and biological agents had been retained and consequently if the agents would still be effective. (Paragraphs 44 and 45)
- F. That the Iraqis could use chemical or biological battlefield weapons rapidly had already been established in previous conflicts and the reference to the 20–45 minutes in the JIC Assessment added nothing fundamentally new to the UK's assessment of the Iraqi battlefield capability. Additionally, the JIC Assessment did not precisely reflect the intelligence provided by the SIS. (Paragraph 56)
- G. The JIC did not know precisely which munitions could be deployed from where to where and the context of the intelligence was not included in the JIC Assessment. This omission was then reflected in the 24 September dossier, which we discuss later in the Report. (Paragraph 57)

- H. In its assessment of 9 September the JIC judged that Iraq had, either from pre-1991 or from more recent production, both chemical and biological agents and weapons. It could not quantify the amounts of chemical or biological agents and weapons produced within the assessments because there was insufficient intelligence on production amounts and weapon quantities. (Paragraph 63)
- I. Whilst the 9 September 2002 JIC Assessment was a balanced assessment of scenarios, it did not highlight in the key judgements the uncertainties and gaps in the UK's knowledge about the Iraqi biological and chemical weapons. (Paragraph 67)

The 24 September 2002 Dossier

- J. The JIC Chairman, with the support of the Assessments Staff, other departments and the Agencies, produced the 24 September dossier, which was endorsed by the whole JIC. (Paragraph 106)
- K. The Committee has examined the dossier and its drafts and has compared them with the classified JIC Assessments available at that time. The Iraqi WMD paper issued on 4 September reflected the March 2002 JIC Assessments and some later intelligence. The first version of the draft dossier, produced for John Scarlett by the Assessments Staff on 10 September, was more assertive in its language than the 4 September paper. The assessment of the Iraqi chemical and biological programmes and capabilities was less qualified, reflecting new intelligence that had been incorporated in the 9 September JIC Assessment. The subsequent draft on 19 September was, in some respects, a toned-down version of the 10 September draft, except where new intelligence had been received. The dossier was founded on the assessments then available. (Paragraphs 79 and 107)
- L. During the drafting process, a wide range of departments and Agencies, including No.10 and the DIS, made comments on the drafts. The Assessments Staff and the JIC Chairman made changes to the draft as they saw fit. The JIC Chairman stated unequivocally to us that he did not at any time feel under pressure, nor was he asked to include material that he did not believe ought to be included in the dossier. We accept this assurance. 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. (Paragraph 108)
- M. Alastair Campbell did not chair meetings on intelligence matters. He chaired meetings on the presentational aspects of these issues, which were appropriate to his position as Director of Communications and Strategy. Only Ministers or members of the intelligence community chair meetings on intelligence matters. (Paragraph 109)

N. The use of the phrase “*continued to produce chemical and biological weapons*” in the foreword and the absence of detail on amounts of agents produced in the executive summary and main text could give the impression that Saddam was actively producing both chemical and biological weapons and significant amounts of agents. However, the JIC did not know what had been produced and in what quantities – it had assessed, based on intelligence, that production had taken place. We believe that this uncertainty should have been highlighted to give a balanced view of Saddam’s chemical and biological capacity. (Paragraph 110)

O. Saddam was not considered a current or imminent threat to mainland UK, nor did the dossier say so. The first draft of the Prime Minister’s foreword contained the following sentence:

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

This shows that the Government recognised that the nature of the threat that Saddam posed was not directly to mainland UK. It was unfortunate that this point was removed from the published version of the foreword and not highlighted elsewhere. As we said in our analysis of the JIC Assessments, the most likely chemical and biological munitions to be used against Western forces were battlefield weapons (artillery and rockets), rather than strategic weapons. This should have been highlighted in the dossier. (Paragraphs 83 and 111)

P. The dossier was for public consumption and not for experienced readers of intelligence material. The 45 minutes claim, included four times, was always likely to attract attention because it was arresting detail that the public had not seen before. 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 movement on the battlefield, not to any other form of chemical or biological attack, should have been highlighted in the dossier. The omission of the context and assessment allowed speculation as to its exact meaning. This was unhelpful to an understanding of this issue. (Paragraph 86 and 112)

Q. The SIS continues to believe that the Iraqis were attempting to negotiate the purchase of uranium from Niger. We have questioned them about the basis of their judgement and conclude that it is reasonable. (Paragraph 113)

- R. The Agencies and the JIC reported that none of their staff had concerns about the 24 September dossier. Two individuals in the DIS wrote to their line managers to register their concerns. We were told that these concerns were discussed within the DIS in the normal way. CDI agreed the text of the draft dossier, which was informed by intelligence that he, but not the two individuals, had seen. We have seen that intelligence and understand the basis on which CDI and JIC took the view they did. The concerns were not brought to the attention of the Defence Secretary or the JIC Chairman. (Paragraph 114)
- S. We regard the initial failure by the MoD to disclose that some staff had put their concerns in writing to their line managers as unhelpful and potentially misleading. This is not excused by the genuine belief within the DIS that the concerns had been expressed as part of the normal lively debate that often surrounds draft JIC Assessments within the DIS. We are disturbed that after the first evidence session, which did not cover all the concerns raised by the DIS staff, the Defence Secretary decided against giving instructions for a letter to be written to us outlining the concerns. (Paragraph 104 and 115)
- T. It is important that all DIS staff should be made aware of the current procedures for recording formal concerns on draft JIC Assessments. We recommend that if individuals in the intelligence community formally write to their line managers with concerns about JIC Assessments the concerns are brought to the attention of the JIC Chairman. (Paragraph 105 and 116)

The Assessments October 2002 to March 2003

- U. During the period that the UN inspectors were in Iraq, although they were not getting full co-operation from the Iraqis, it is reasonable to assume that they would have had some inhibiting effect on any production and storage of chemical and biological agents and munitions. We were told that this was because Iraq had concealed or hidden its fixed production facilities and any manufactured material as part of its programme of concealment. We do not consider that this was fully reflected in the JIC Assessments nor was it reflected in the February 2003 document. (Paragraph 123)
- V. The JIC assessed that any collapse of the Iraqi regime would increase the risk that chemical and biological warfare technology or agents finding their way into the hands of terrorists, not necessarily al-Qaida. The Prime Minister was aware of this. He believed that there was an alternative risk of leaving a possible nexus between terrorism and WMD and made his judgement accordingly. (Paragraphs 126–128)

The February 2003 Document

- W. We conclude that the Prime Minister was correct to describe the document as containing “*further intelligence... about the infrastructure of concealment... It is the intelligence that they [the Agencies] are receiving, and we are passing on to people.*” (Paragraph 133)
- X. We previously concluded²⁵ that it was a mistake not to consult that Agencies before their material was put in the public domain. In evidence to us the Prime Minister agreed. We have reported the assurance that we have been given that in future the JIC Chairman will check all intelligence-derived material on behalf of the intelligence community prior to publication. (Paragraph 134)
- Y. The publicity surrounding the February 2003 document was such that it devalued the input of the Agencies. It was counter-productive in that attention was distracted from the concealment, intimidation and deception of the Iraqi regime. (Paragraph 135)

Other Issues

- Z. The UN inspectors told us that they were content with the support that they received from the UK. Ministers told us that the UK provided the UN inspectors with all the intelligence support that it could within the third party rules²⁶. (Paragraph 137)
- AA. It is vital that the JIC’s and the Agencies’ credibility and effectiveness are not degraded or diminished by the publication of their product in an inappropriate manner. We will examine the Agencies’ relationship with the media and the use of intelligence derived material by the Government to brief the public, taking account of any relevant recommendations of the Hutton Inquiry. We will report in due course. (Paragraph 142)

²⁵ Cm 5837

²⁶ *The Third Party rule is an agreement that operates between intelligence agencies of different states and within states. It means that when an intelligence agency shares intelligence with another party that party is bound not to share the intelligence with anyone else (a third party) without the express permission of the originating agency. If an agency or party breaks this rule, it risks losing the trust of the other party, which may consequently be less inclined to share intelligence in the future.*

SIS Contribution to the February 2003 Document

BRIEFING NOTE ON THE INFLUENCE OF THE IRAQI INTELLIGENCE AND SECURITY SERVICES

Iraq: Impact of regime

Iraq has a widespread network of intelligence and security organisations whose job it is to keep Saddam and his regime in power. While the reach of this network outside Iraq may have lessened since the Gulf War of 1990/1991, inside Iraq its grip is formidable over all levels of society below a handful closest to Saddam himself. Commentators compare Iraq with the repressive regimes in Syria and Egypt but these are mild in comparison. The best analogy is to Stalin's Soviet Union in the 1930s with show trials, the terror and the systematic deceit of all foreign visitors by all who meet them, on pain of torture and death.

Iraq's internal security service is the Directorate of General Security (or DGS). The DGS has an Iraq-wide network of offices and agents on the look out for Iraqis who express opinions or behave in a way which might lead to unrest. Each street, every office and school, every hotel and coffee shop has an officer or NCO assigned to cover it and one or more agents in it who report what is said and what is seen. The DGS runs a programme of provocation where the DGS agent in a coffee house or work place will voice dissident views and report on any who agree. Worse a DGS agent or officer will sometimes approach an Iraqi official pretending to recruit him for some opposition or espionage purpose and then arrest him if he does not report it. The DGS also looks for foreigners who might be breaking Iraqi law or seeking to stir up anti-regime feeling among native Iraqis. Technically it is illegal for an Iraqi official or military officer to talk to a Foreigner without permission from a security officer.

The Directorate of General Intelligence (or DGI) provides the external arm of Saddam's instruments of repression and, historically at least, was responsible for carrying out terrorism and assassination. Weakened following the Gulf War by the worldwide expulsion of many Iraqi "diplomats", the DGI still has the power abroad to monitor Iraqi dissidents and their families. It has long been known to use the fruits of this monitoring to gather intelligence and to force Iraqis living abroad to work for Saddam by threatening dire consequences for relatives still inside Iraq. These are no idle threats: the DGI is also very active inside Iraq, particularly in monitoring the activities of foreigners on Iraqi soil and Iraqis who have contact with foreigners. It is said that an Iraqi cannot work for a foreign firm inside Iraq without also working for the DGI. All Iraqis working with foreigners have to have a special permit which is not granted unless they work for the DGI. The DGI carries out provocations similar to those of the DGS. These include false approaches to Iraqi officials overseas to see whether they report them to Baghdad.

To make sure that members of the DGS, the DGI, senior army officers and place holders in the regime toe the line, Saddam created the Special Security Organisation (or SSO) with a membership of people drawn from the tribes most loyal to him. This relatively small but insidious organisation watches the watchers and supervises the rings of personal security around Saddam himself.

All of these organisations have their own courts and, more ominously, perhaps, their own prisons.

The Ba'ath Party should not be forgotten. To get anywhere in Iraqi society you must be a member of this Party. If you are (and indeed if you are not), your name and address will be known to your district Ba'ath Party representative who will know if you are showing signs of deviating from unswerving support for Saddam. The Party has its own militias tasked with suppressing unrest. The scale of this surveillance is difficult to overstate. When the Royal Marines occupied the Ba'ath Party offices in Sirsank in Northern Iraq in 1991 they found records detailing every inhabitant of the town, their political views, habits and associates. This included a map showing every household, colour coded to show those who had lost sons in the war against Iran and those who had had family members detained or killed by the security apparatus or Baath Party.

Surveillance is a feature of everyday life in Iraq. The DGS, DGI and SSO all run elaborate surveillance systems including mobile teams that follow a target, fixed observation points overlooking key intersections and choke points on routes through Baghdad and other major cities, networks of agents in most streets (the watchmen on buildings, the guards on checkpoints, the staff in newspaper kiosks) all linked by modern real time communications. The effect is to make it extremely difficult and dangerous to try to hide activity from the State.

So if you are an UNMOVIC inspector working in Iraq, what conditions are you operating under? And if you are an Iraqi in the street, how much freedom do you have to think and act as you like? What is it like to be a successful Iraqi, but one with doubts about the regime?

UNMOVIC personnel

Before you get to Iraq, your name will have been given to at least one and probably several of the Iraqi intelligence and security services. You can count on their trying to find out as much as possible about you. Do you have family, perhaps, for future reference? Do you have any weaknesses that can be exploited? Are you young, nervous, susceptible, in need of medication?

Your arrival has been so long in coming that Saddam has had plenty of time to hide anything he does not want you to find. So you know your task, in a country which does not want you there, is going to be near to impossible before you start.

You are taken to your hotel, where your room is waiting for you. The Iraqis are quite capable of installing, and probably have installed, an eavesdropping device somewhere inside it. And your telephone will be monitored. Someone (the DGI, probably) will be listening to you round the clock. If your telephone goes while you are asleep but the line goes dead when you answer, or you are subjected to verbal abuse, it's likely to be the DGI at the other end of the line.

From the moment you enter Iraq, you will be watched. Where do you go, where do you stay, whom do you talk to, whom do you telephone, what do you eat? Forget any idea that your bedroom safe or the one at reception will protect your valuables. When you are out, your room will be searched.

You will be escorted helpfully by security guards and among them will be members of the DGI. Your driver? If he's Iraqi, he's probably DGI too. The DGI are trained in the use of weapons.

Your journeys will be monitored by security officers stationed on your route, of which advance warning will have been given when you left your hotel. Any changes of destination you make will be notified ahead by telephone or radio so that your arrival is helpfully anticipated.

Is your vehicle equipped with an eavesdropping device? Does it have a tracking device fitted in case you manage to travel under your own steam? Is your helpful escort wearing a body microphone to record what you and your colleagues say? Very likely.

Are your escorts being a bit too helpful to you by engaging in long arguments with other Iraqi officials so that you can get in and do your job – while any incriminating evidence is hastily being hidden behind the scenes?

Inspectors' co-ordination meetings have to take place somewhere. The meeting rooms will be arranged for the inspectors and so will the eavesdropping devices. Perhaps there will be video coverage too, to check the faces of the inspectors and put an identity to who is strongest or weakest.

Interviews between inspectors and scientists or key workers take place somewhere. The rooms are arranged for the inspectors and so is the monitoring of speech and perhaps video. Any staff in the building will be DGI officers there to watch for any strange behaviour such as whispered conversations, the passing of notes or conversations away from microphones. The interviewees will know that they are almost certainly being overheard by Iraqi intelligence or security so will be suitably bland or even misleading in their responses to the inspectors' questions.

The inspectors want to interview people outside Iraq. The interviewees will know only too well what will happen to them, or their relatives still in Iraq, if it is even suspected that they have said too much or given anything away.

The inspectors will use technologies to detect the hidden Iraqi programmes. Many of these are safety systems from the nuclear and chemical industries which are also available to the Iraqis whose job it is to conceal the programmes and the weapons produced. So when a detectable chemical or substance is hidden the Iraqis do not just hide it and hope the Inspectors will not find it. They check that the technologies which they know the Inspectors have and use will not detect what they have hidden. The same is true of Ground Penetrating Radar: when the Iraqis bury an illicit piece of equipment (say a missile warhead) or substance they check the site with Ground Penetrating Radar to determine whether the Inspectors will be able to detect the cache.

The Inspectors' personal security and peace of mind is a concern both to the individual inspectors and to UN management. So the Iraqis disrupt their work and daily lives by staging demonstrations wherever they go and having stooges make threatening approaches to Inspectors (such as the Iraqis who recently tried to enter the Inspectors' compound armed with knives or climbed into UN vehicles which were going out on an inspection. The whole effect is one of intimidation and psychological pressure.

The Iraqi in the street

Are you a member of one of Saddam's favourite tribes? Yes? Then join the Ba'ath Party (or perhaps you have been a member since a boy) and work your way up the social ladder towards the Presidential palace. But do not show dissent from the Party line or gather too much power around you. Remember that anyone who is a threat to Saddam or the regime will not be tolerated. And if you are a threat, someone will know and they will report you, to the Party, to the DGS, to the DGI or to the SSO. You do not want to disappear, do you? You do not want anything to happen to your wife or children, do you?

If you are not a member of a favoured tribe, how can you better yourself? You must join the Ba'ath Party, of course. You can join one of the security or intelligence services and work your way up, perhaps. But what of these organisations' reputations? You have heard the stories about arrests, imprisonment, torture, even of death. Perhaps you know someone who is a prisoner in one of the prisons? You will certainly know some family that has suffered for stepping out of line, or seeming to.

Working for a foreign firm might suggest a way of bettering your lot. However, you soon find that your application is known about by the DGI, who let you know that your getting that job depends on your willingness to spy for the DGI inside the firm. Should you take the job and have an opportunity to travel, the DGI will know and give you instructions about reporting in. If you do not want to, well the DGI know where your family live inside Iraq, don't they? And do not think that living abroad will protect you yourself. Remember that the DGI has a long arm, if it wants to have.

As for politics, you know which way to vote at the elections, since to vote any other way will be to show dissent against Saddam, and that has consequences. That's how Saddam received 100% of the vote in October 2002 securing his presidency for another 7 years. Remember that in September 2001, the UN Secretary General released a report on human rights in Iraq by the UN Special Rapporteur in which the latter noted that membership of certain political parties is punishable by death, that there is a pervasive fear of death for any act or expression of dissent, and that there are current reports of the use of the death penalty for such offences as "insulting" the President or the Ba'ath Party. "The mere suggestion that someone is not a supporter of the President carries the prospect of the death penalty."

And the overall effect of the systems to control and intimidate you are to make you suspicious of all except your closest family and to make you see State surveillance where there is none. The penalty of being suspected of opposition or espionage – torture and death for you and your family, perhaps even down as far as male cousins, children included – is so severe that you dare not take any risks.

The successful member of the regime

You are a Party member and, perhaps, bear the name of a favoured tribe. You have rank, perhaps in the army or a government ministry. In Saddam's Iraq, you have made it, with money, perks, a nice home, luxuries.

However, while you do not want to lose your status, not only for its own sake but because no-one stumbles in Saddam's regime, they fall into the abyss [like Saddam's sons-in-law who fled Iraq, returned and were murdered], and you loathe the hardships caused by sanctions, you have grown to dislike Saddam's regime and understand how it has brought about the poverty of so many of the Iraqi people. And you know, better than most, that the stories of imprisonment, torture and assassination are true. You know about the army officers executed on a regular basis merely for being suspected of dissent or disloyalty, such is the power of the SSO. In fact, you feel that the all-pervading atmosphere of suspicion and fear brought about by the security and intelligence apparatus set up by Saddam to watch you and watch itself is no longer tolerable. But what can you do? If you show dissent, you will fall. Your family will probably fall with you. You will achieve nothing except feed the system you now want to see reformed.

The route of political opposition is closed because to dissent is to fall.

To leave the country might be safe for you, but it might not, of course, because the DGI serves overseas. And in any case, you cannot take all of your relatives with you, so some will inevitably remain behind and could be targets of Saddam's revenge.

So, sitting it out may be best, waiting for another President to succeed Saddam, one day.

Annex B

ISC Comments on Foreign Affairs Committee Report²⁷

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

The UK certainly used US intelligence, but we do not support the statement that the UK was “heavily reliant” on the US, defectors or exiles. The UK intelligence community had a number of their own reliable sources, including sources in Iraq.

2. *We conclude that the March 2002 assessment of Iraq’s WMD was not “suppressed” as was alleged, but that its publication was delayed as part [sic] an iterative process of updating and amendment, which culminated in the September dossier.*

The Government decided not to publish a dossier in March 2002 because the time was not right to produce either a document on the WMD capabilities of four countries including Iraq or on the Iraqi WMD capability alone. The 24 September dossier was a new piece of work, produced by the JIC Chairman, based on earlier material and new intelligence.

3. *We conclude that it is too early to tell whether the Government’s assertions on Iraq’s chemical and biological weapons will be borne out. However, we have no doubt that the threat posed to UK forces was genuinely perceived as a real and present danger and the steps taken to protect them were justified by the information available at the time.*
4. *We recommend that, in its response to this Report, the Government sets out whether it still considers the September dossier to be accurate in what it states about Iraq’s chemical and biological programmes, in light of subsequent events.*

The Committee agrees that “the jury is still out” on the existence of chemical and biological weapons in Iraq. However, we have no doubt that Iraq had the capability to produce chemical and biological weapons and therefore the necessary protective steps had to be taken by UK forces deployed to Iraq.

5. *We recommend that, in its response to this Report, the Government gives its current assessment of the status of the al Samoud 2 missile infrastructure. We further recommend that in its response to this Report the Government sets out whether it still considers the September dossier to be accurate in what it states about Iraq’s ballistic missile programme generally, and the retained al Hussein missiles in particular, in light of subsequent events.*

²⁷ HC 813-1

The JIC expressed uncertainty about the operational readiness of the al Hussein missiles and assessed that the al Samoud missiles might not be able to carry chemical and biological warheads.

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

We agree.

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

The Foreign Secretary has written to the FAC.²⁸

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

We state in this Report that the SIS had two independent sources for the Iraqi intention to purchase uranium from Niger. The SIS is still awaiting the clarification of the documentary evidence from one of the sources; the other source's reliability has been examined and is considered to be sound. The SIS continues to believe that the Iraqis were attempting to negotiate the purchase of uranium from Niger. We have questioned them about the basis of their judgement and conclude that it is reasonable.

9. *We conclude that the 45 minutes claim did not warrant the prominence given to it in the dossier, because it was based on intelligence from a single, uncorroborated source. We recommend that the Government explain why the claim was given such prominence.*
10. *We further recommend that in its response to this Report the Government set out whether it still considers the September dossier to be accurate in what it states about the 45 minutes claim, in light of subsequent events.*

²⁸ FAC Press Notice 40, 30 July 2003

The dossier was for public consumption and not for experienced readers of intelligence material. The 45 minutes claim, included four times, was always likely to attract attention because it was arresting detail that the public had not seen before. As the 45 minutes claim was new to its readers, the context of the intelligence and any assessment needed to be explained. As we have said in paragraph 26 of our Report, single source reporting can be valuable and does not necessarily need corroboration in order to be of use. The fact that the intelligence was assessed to refer to battlefield chemical and biological munitions and their movement on the battlefield, not to any other form of chemical or biological attack, should have been highlighted in the dossier. The omission of the context and assessment allowed speculation as to its exact meaning. This was unhelpful to an understanding of this issue.

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

We agree.

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

Alastair Campbell did not chair meetings on intelligence matters. He chaired meetings on the presentational aspects of these issues, which were appropriate to his position as Director of Communications and Strategy. Only Ministers or members of the intelligence community chair meetings on intelligence matters.

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

We agree.

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

The Committee concludes that the September dossier was founded on the assessments then available. We have sought but found no evidence that any members of the intelligence and security Agencies, the Assessments Staff and the JIC either complained or sought to distance themselves from the dossier. Two members of the DIS did write to their line managers about concerns they had over the language used in the draft dossier. These concerns were handled as part of the DIS discussion. We cover this in greater detail in paragraphs 94 to 105 of our Report.

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

This Committee has access to the relevant intelligence and assessments and to those who handle them. We too hold in high regard the staff of the intelligence and security Agencies, the Assessments Staff and the DIS. The Agencies' staff make tremendous efforts, sometimes at great personal risk, to gain valuable secret intelligence for the UK in order to safeguard national security and economic well-being as well as to prevent and detect serious organised crime.

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

The language used in the September dossier drew from the then current JIC Assessments and more recent intelligence.

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

We agree.

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

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

We previously concluded²⁹ that it was a mistake not to consult the Agencies before their material was put in the public domain. In evidence to us the Prime Minister agreed. We have reported the assurance that we have been given that in future the JIC Chairman will check all intelligence-derived material on behalf of the intelligence community prior to publication.

20. *We recommend that the Government offers every assistance to Mr Marashi in tracing his relatives in Iraq.*

That is not a matter for us.

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

The publicity surrounding the February 2003 document was such that it devalued the input of the Agencies. It was counter-productive in that attention was distracted from the concealment, intimidation and deception of the Iraqi regime.

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

We believe that the Prime Minister was correct when he described the February document as *containing* further intelligence. It also contained other material. He said in evidence to us that it was a mistake to publish the document without consulting the intelligence community and that systems are now in place to ensure that intelligence-derived material is cleared by the JIC Chairman prior to publication.

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

Plagiarism is unacceptable and the Government has apologised.

24. *We recommend that any paper presented to Parliament – whether laid on the Table, made available at the vote office or placed in the Library – for the purpose of explaining the Government’s foreign policy be signed off by an FCO Minister. We further recommend that any FCO document presented to Parliament which draws on unofficial sources should include full transparency of sources, and attribution where appropriate.*

²⁹ Cm 5837

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

This is not a matter for us.

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

Any unauthorised disclosure of classified material should be investigated. We have indicated elsewhere in this Report our intention to review the links between the Agencies and the media and to report.

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

The Intelligence and Security Committee, since it was first appointed in 1994, has examined JIC Assessments on request. We recognise the importance of the JIC in supplying independent, regular intelligence assessments to the Prime Minister, other Ministers and senior officials on a wide range of foreign policy and international security issues, and in the requirements and priorities process. We are satisfied that the JIC has not been subjected to political pressures, and that its independence and impartiality has not been compromised in any way.

28. *We recommend that the Intelligence and Security Committee be reconstituted as a select committee of the House of Commons.*

The Intelligence and Security Committee is established under the Intelligence Services Act 1994 – it is therefore a matter for Parliament to decide if the nature of the Committee is to be changed.

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

The Intelligence and Security Committee requires, and has regular access to, intelligence papers and personnel to enable us to discharge our statutory duties. Prior to the Intelligence Services Act 1994, no select committee had access to the Agencies or to intelligence papers.

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

This is not a matter for us.

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

The September dossier was an unprecedented document in that it was the first time that acknowledged work by the JIC had been published. As we have previously stated, the information contained within the dossier was founded on the then current JIC Assessment. We agree that the jury is still out on the accuracy of the intelligence, the assessments, and therefore the dossier.

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

As we said earlier, the February document contained a significant amount of intelligence-derived material provided by the SIS. However, its publication without consulting the SIS or the JIC Chairman was a mistake – as was the inclusion of material without attribution. The Government has apologised for both these mistakes and assured us that systems are in place to prevent them from happening again. However, as the FAC correctly states, the furore over the assembly and publication of the document diverted attention from its contents.

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

We agree.

ISBN 0-10-159722-3



9 780101 597227



Published by TSO (The Stationery Office) and available from:

Online

www.tso.co.uk/bookshop

Mail, Telephone, Fax & E-mail

TSO

PO Box 29, Norwich NR3 1GN

Telephone orders/General enquiries: 0870 600 5522

Order through the Parliamentary Hotline Lo-call: 0845 7 023474

Fax orders: 0870 600 5533

E-mail: book.orders@tso.co.uk

Textphone: 0870 240 3701

TSO Shops

123 Kingsway, London WC2B 6PQ

020 7242 6393 Fax 020 7242 6394

68-69 Bull Street, Birmingham B4 6AD

0121 236 9696 Fax 0121 236 9699

9-21 Princess Street, Manchester M60 8AS

0161 834 7201 Fax 0161 833 0634

16 Arthur Street, Belfast BT1 4GD

028 9023 8451 Fax 028 9023 5401

18-19 High Street, Cardiff CF10 1PT

029 2039 5548 Fax 029 2038 4347

71 Lothian Road, Edinburgh EH3 9AZ

0870 606 5566 Fax 0870 606 5588

TSO Accredited Agents

(see Yellow Pages)

and through good booksellers