Wednesday, 25 November 2009

(10.00 am)

THE CHAIRMAN: Good morning. Our objective today is to look at the issue of Iraq's weapons of mass destruction. This will take us from the time of the first Gulf War and the inspections that followed it right up to the final report of the Iraq Survey Group, the organisation with responsibility for providing an account of Saddam's weapons' programmes after the Iraq conflict.

Several reports have already been published on issues relating to weapons of mass destruction. We do not propose in this session to go in detail into areas which have already been examined closely before by other investigations, but what we do hope to do is to elicit a clear account of the history of the international communities' concern about Saddam's weapons, the development of the government's policy on this issue, the threat that the government believed that Iraq's weapons posed, and what was found after the conflict.

I would like to recall that the Inquiry has access to literally thousands of government papers, including the most highly classified for the period we are considering and we are developing a picture of the policy debates and the decision-making process.

These evidence sessions are an important element in

forming the Inquiry's thinking and complementing the documentary evidence. It is important that witnesses are open and frank in their evidence, while respecting national security.

I need to remind witnesses that they will be later asked to sign a transcript of their evidence to the effect that the evidence they have given is truthful, fair and accurate.

What I would like to do at the beginning is to invite each of our witnesses to describe what they were doing over the relevant period and also what their present positions are.

Perhaps, Sir William, can I start with you?

SIR WILLIAM EHRMAN and MR TIM DOWSE

SIR WILLIAM EHRMAN: Thank you, Chairman.

Over the period, I was Director International Security in the Foreign Office from 2000 to October 2002. In October 2002, I became Director General Defence and Intelligence in the Foreign Office until the end of July 2004, and from September 2004 to July 2005 I was Chairman of the Joint Intelligence Committee. My present position is Ambassador to China.

THE CHAIRMAN: Thank you. Mr Dowse?

MR TIM DOWSE: I was, from January 2001 until November 2003,

the head of what was initially called CounterCounter -- sorry, Non-proliferation Department in the Foreign Office and subsequently was named Counter Proliferation Department. In November 2003, I moved to become Chief of the Assessments Staff in the Cabinet Office and, since earlier this year, I have been Director of Intelligence and National Security in the Foreign Office.

THE CHAIRMAN: Thank you very much. To start the questioning, Sir Lawrence, can I turn to you?

SIR LAWRENCE FREEDMAN: Thank you very much.

Just to start us off, perhaps you can give us a brief guide to the concerns that the government had at this time generally of the weapons of mass destruction and the means that they were using to deal with that.

MR TIM DOWSE: I will lead on that. I think the -- if I can give you an overview of the policy that we had in that area, and I apologise that this is quite an arcane subject and it is a little difficult to avoid alphabet soup at times, but we had been concerned -- the British Government, over many years, had been concerned at the proliferation of weapons of mass destruction, and perhaps I should just define "weapons of mass destruction".

It is a term that in general is taken to refer to nuclear weapons, biological weapons, chemical weapons.

Associated with WMD have been efforts to restrain the spread of ballistic missiles. Missiles are not weapons of mass destruction in themselves, but they are a particular means of delivery of nuclear, chemical and biological weapons and it is a means that it is particularly difficult to defend against. So it is consequently regarded as really quite destabilising. So ballistic missiles tend to be associated with WMD more generally.

In the case of Iraq there was a very specific definition of WMD, which was set out in Security Council Resolution 687, which referred not only to the weapons, but to weapons usable material, components, sub-systems, manufacturing facilities of that sort. So there was a rather broader definition of what we were looking at, but in terms of the general approach that we had, as I say, the government had been concerned about the spread of WMD for many years and that was part of a wider international concern.

We had a network of international treaty regimes that were established to try to constrain the proliferation of WMD. The oldest was the Nuclear Non-proliferation Treaty dating from 1970. There was also the Biological and Toxic Weapons Convention, which came into force in 1975 and, after the first Gulf War,

the Chemical Weapons Convention was negotiated and that came into force in 1997.

So there were these treaty regimes which collectively we regarded as expressions of an international consensus against WMD proliferation and they raised the political cost of pursuing WMD.

They -- we felt that the treaties were more effective when they were underpinned by verification provisions. In the case of the Non-proliferation Treaty, it has always been accepted that member states of that treaty should conclude Comprehensive SafeguardsComprehensive Safeguard AgreementsAgreements with the International Atomic Energy Agency, the IAEA, which required them to declare their holdings of nuclear materials, and IAEA inspectors were then permitted to verify those declarations.

The problem with the IAEA safeguards was that they enabled the Agency to confirm the correctness of declarations, but they didn't enable it to confirm the completeness. So if a country, such as Iraq, for example, was inclined to cheat, as we found it to have done during the 1980s, the inspectors didn't automatically have the opportunity to discover --

SIR LAWRENCE FREEDMAN: I think we will get into some of the details of this later on.

MR TIM DOWSE: Sure.

THE CHAIRMAN: Just basic background at the moment.

MR TIM DOWSE: The other Conventions, the Chemical Weapons Convention also had a verification mechanism with it, the Biological Weapons Convention did not have verification provisions, and, in fact, we were trying to negotiate a verification ProtocolProtocol for the BWC at the time of -- in the years that we are talking about, 2001 to 2003.

In addition, we had a range of national and international export controls. The export control regimes, the Nuclear Suppliers Group dealing with nuclear matters, the Australia Group which dealt with chemical and biological materials, these are essentially suppliers' clubs, groups of countries able to -- with the technology to provide these sort of items, which collectively agreed that there were things that should be controlled.

I think the position we were in by 2001 was that these various international regimes had clearly delayed and obstructed proliferation, but we were extremely concerned that in some specific cases determined proliferators were making progress. We were concerned about Iran, we were concerned about Libya, we were concerned about Iraq. We had the case of North Korea which had been caught cheating in 1993, and we had also

begun to get information of the activities of AQ Khan in Pakistan who was offering nuclear assistance for weapons programmes covertly to a number of countries, notably Libya.

So we had a sense that the -- if you like, the international non-proliferation regimes were important but not sufficient, and we were giving quite a lot of attention to how we could reinforce the -- what we called the "tool box" against proliferation, and that's the ...

SIR LAWRENCE FREEDMAN: Thank you very much. That's very helpful. Can we just take some of the issues that you have raised?

You described WMD as consisting of nuclear, biological and chemical. Would you give a rank ordering of importance of those?

MR TIM DOWSE: I think this is something you can debate. I think we tended to be particularly concerned about nuclear. We had concerns about the impact of biological weapons. It is often quite difficult to see how biological weapons would be easily usable in an interstate conflict. They perhaps gave us more concern about their possible use by terrorists. But nevertheless, we were aware that the Soviet Union had had a large biological weapons

programme. We were -- we had discovered in the 1990s that Iraq had had quite a significant biological weapons programme. So biological was certainly a concern.

Chemical weapons -- in a way, chemical weapons are regarded as WMD for -- almost for historical reasons. The experience of the First World War led to attempts originally in the 1920s to control chemical weapons, but they were less of a military concern. But, again, they were part of the corpus of weapons that I think we, and much of the world, believed should be avoided and their spread should not be encouraged.

Obviously, Iraq had used chemical weapons quite extensively in the Iran/Iraq war.

SIR LAWRENCE FREEDMAN: But from what you say, in a way, nuclear weapons could be in a category all of their own. There is a problem, is there not, with weapons of mass destruction?

MR TIM DOWSE: I think people tend to -- when we look at WMD, and we certainly treated them all as weapons to be constrained and the Conventions were there, but probably nuclear was the one that, when we looked at what was happening in terms of proliferation through the 1990s, the nuclear issue was one that particularly bothered us. Iran and Libya were both -- and North Korea, of course -- were all particularly nuclear related and AQ Khan was

offering nuclear assistance.

SIR LAWRENCE FREEDMAN: If we then, from that --

SIR WILLIAM EHRMAN: Could I add just one point?

As Tim Dowse as described it, the concern that we had at the beginning of the century was that the programmes that we had been worried about were maturing. They were maturing in Libya, in Iran, North Korea. We could go into details, if you want, of how they were developing. But, also, added to that you had increasing concern about the use that terrorists might make of these weapons.

In the 1980s, we hadn't been so worried about that but those concerns grew, and, of course, they were greatly accentuated after 9/11 and the possibility of some of those weapons, chemical, biological, falling into terrorist hands, increased our concerns about it.

SIR LAWRENCE FREEDMAN: Thank you. So in terms of your concerns over this period, you mentioned Iran, you mentioned North Korea, you mentioned Libya, you mentioned Pakistan, at least through AQ Khan, and you mentioned Iraq, but in terms of rank ordering again, where would Iraq come on that list, in terms of the most threatening in proliferation terms?

MR TIM DOWSE: It wasn't top of the list. I think in terms of my concerns on coming into the job in 2001,

I would say, we would have put Libya and Iran ahead of Iraq.

SIR WILLIAM EHRMAN: I would like to add to that. In terms of nuclear and missiles, I think Iran, North Korea and Libya were probably of greater concern than Iraq. In terms of chemical and biological, particularly through the spring and summer of 2002, we were getting intelligence, much of which was subsequently withdrawn as invalid, but at the time it was seen as valid, that gave us cause for concern, but I think there is one other thing that you need to recall about Iraq, which was different in a sense from some of the other countries.

First of all, they were in breach of a great many Security Council Resolutions. Secondly, as Tim Dowse has mentioned, Iraq had used chemical weapons both internally against its own people and externally against Iran.

Thirdly, it had started a war against Iran and it had invaded Kuwait and it had also fired missiles to Iran, Kuwait, Israel and Saudi Arabia. So in that sense in terms of use and in terms of -- ignoring a great many Security Council Resolutions, Iraq was unique.

MR TIM DOWSE: Just to reinforce that, we wrote a strategy paper in the middle of 2002, it was the result of

a number of iterations, which specifically said in relation to Iraq that it was a concern, a priority concern, because it might be the exception to a general rule that most WMD programmes are essentially driven for defensive purposes; when we looked at the motivations behind WMD proliferation, we would say most proliferators were looking for a deterrent. They feared for their own security.

In the case of Iraq, we thought that might be the exception. Saddam's history of aggression against his neighbours, against his own people, meant that it was extremely difficult, I think, to make a firm calculation that he, when equipped with WMD, would not again attack within the region.

SIR LAWRENCE FREEDMAN: Although you could argue that there was a defensive case and, indeed, the Iraqis would argue, taking into account Iran, who you have also pointed out was developing capabilities in Israel, so they would have a defensive argument, but rather than get diverted on to that, let me just go back to many things you have now said.

We have talked about the distinctions between the different types of weapons and you have indicated that nuclear is the most important but that's not what you necessarily had concerns about, that with Iraq that

wasn't a major concern. Is that fair enough?

MR TIM DOWSE: In a general statement, I agree, we were more focused on nuclear issues than we were on others.

SIR LAWRENCE FREEDMAN: We talked about programmes a bit and Sir William, I think, mentioned the maturity. The word "programme", like weapons of mass destruction, can include an awful lot from something that is a gleam in a professor's eye to a fully-fledged delivery capability.

Can you just indicate the different stages that a programme might involve?

SIR WILLIAM EHRMAN: Could I maybe illustrate that with regard to some of the countries concerned? Take Libya as one example. Between 1998 and 2003, the assessments that were being carried out painted a picture of steady progress on Libya's nuclear and ballistic missile programmes. It had been identified by 2003 as a prime customer of AQ Khan network. We were also concerned about activity in the chemicals weapons field and about work at research sites on dual-use potential to support biological weapons-related work.

With Iran, Iran had used ballistic missiles in the Iran/Iraq war in the 1980s. It had acquired Scud B missiles from Syria and from North Korea and after -- it also produced Scud C slightly longer-range missiles.

After the war, North Korea sold to Iran production technology for Scud B and Scud C and in the mid-1990s, it bought a few examples of North Korean No-Dong 1 missiles. These were longer-range and, from that, it developed its own missile, the Shahab 3, of 1300 kilometres. Iran's nuclear fuel activities had developed steadily over more than two decades by 2001 to 2003.

It had announced, or the IAEA had reported, a large Iranian conversion facility at Isfahan; a large facility for gas centrifuge fuel enrichment; it had indigenous facilities to manufacture centrifuge components; it had obtained P2 centrifuges; it had got technical drawings, whose origin the IAEA had concluded was AQ Khan. So we were considerably worried about the development in Iran.

As for North Korea --

SIR LAWRENCE FREEDMAN: I think you have made your point that there are a variety of different stages and the example you have given us from Iran is quite interesting perhaps as a comparative with what was thought to be the case with Iraq.

Can we move on to Iraq itself? You have mentioned all the things before that Iraq was known to have done, but these were all prior to 1991 in terms of attacking its neighbours and actually using these weapons.

So, since 1991, do you believe that it had been effectively contained?

MR TIM DOWSE: I would say we regarded the effect of the -- certainly with WMD -- the weapons inspectors, UNSCOM's activities, the IAEA's activities through the 1990s until 1998, as effectively disarming Iraq. But there were a quite a large number of unanswered questions, things that we were unsure about.

In terms of its nuclear activities, we were pretty confident that the IAEA did succeed in dismantling Iran's nuclear capability. It couldn't, of course, do anything about the, if you like, intellectual property: what was in the minds of the scientists, and we were pretty sure that documentation was kept, but I think we did feel that Iraq was contained with regard to its nuclear programme.

With chemical and biological weapons, we were less confident because there were more unanswered questions left at the time that the inspectors departed in 1998 and we were getting reporting, although it wasn't extensive, but what we got was worrying, that Iraq was continuing to pursue chemical and biological activities. There was, for example, the issue of the mobile BW production facility.

SIR LAWRENCE FREEDMAN: Obviously we will come to that.

MR TIM DOWSE: So we had a concern that certainly, their intent was to rebuild a capability and that they might still retain stocks of both weapons and agents that the inspectors hadn't found.

In the case of missiles, we were -- again, we had fairly clear reporting, which was subsequently proved to be correct, that they were seeking to develop missiles that had not -- that had breached the limits that were put on them under Resolution 687.

In the -- the inspectors again had -- UNSCOM had destroyed most of Iraq's long-range missiles, but there was some discrepancy in accounting. We weren't sure whether all had gone and we thought there were probably a small number still hidden somewhere.

SIR LAWRENCE FREEDMAN: What I'm interested in getting at here is the nature of the threat. There seem to be possibly two issues. There is a question of being in compliance with the UN Resolutions and actually being threatening.

Is it the second or is it the first?

MR TIM DOWSE: I think the assessment was that it was a potential threat, that, while the sanctions were there, the threat remained potential. If the sanctions were to go, if you like, the door to the box was to be opened, then we were -- our assessment was that Saddam

would very quickly aim to rebuild his WMD programmes and then would pose a threat to his neighbours and international peace.

SIR LAWRENCE FREEDMAN: But that assumed that, when the box was opened, all the other treaties and Conventions and so on that you mentioned right at the start, would not be applied to Iraq, or Iraq would ignore them.

MR TIM DOWSE: I think the view was that Iraq would be likely to ignore them. It had got a long history of, even under the very tight controls imposed by Resolution 687 -- certainly it had a long history of cheating, attempting to hide, attempting to evade those controls. So I would say we had very little doubt that Saddam would try to rebuild his programmes.

SIR WILLIAM EHRMAN: I would say that there were two threats, the one described by Tim Dowse in the region, the potential threat. But there was also the fact that he was supporting terrorist groups, Palestinian terrorist groups, and although we never found any evidence linking him closely to AQ Khan and we did not -- sorry, to Al-Qaeda, and we did not believe that he was behind, in any way, the 9/11 bombings, he had given support to Palestinian terrorist groups and also to a group called the MEK, which was a terrorist group directed against Iran.

SIR LAWRENCE FREEDMAN: But there was no evidence that he was giving them, or had promised to give them, chemical weapons?

SIR WILLIAM EHRMAN: No, we never found any evidence that chemical or biological material had been passed by the Iraqi regime to terrorists, but, obviously, in the future, we didn't know what might happen, but there was no evidence that that did happen.

SIR LAWRENCE FREEDMAN: The main thing he was doing was promising sums of money to the families of suicide bombers. He wasn't going much beyond that?

SIR WILLIAM EHRMAN: He was doing that, but he was also providing material support to Islamic Jihad, to Hamas to Hezbollah.

SIR LAWRENCE FREEDMAN: But you didn't find any evidence of passing chemical or biological weapons or even promising to Al-Qaeda --

MR TIM DOWSE: No, we obviously looked at this very carefully, particularly because of media reports that there were connections and concerns after 9/11, and we did find some evidence of contacts between Iraqi officials and individuals in Al-Qaeda in the late 1990s. Abu Mus'ab Al-Zarqawi, who subsequently became quite well-known in Iraq during the insurgency, was present in Baghdad, we believed, at the end of the

1990s/2000.

But the judgment we came to was that these had been quite sporadic contacts. There hadn't been, if you like, anything that looked like a relationship between the Iraqis and Al-Qaeda, and, in fact, after 9/11, we concluded that Iraq actually stepped further back, that they didn't want to be associated with Al-Qaeda. They weren't natural allies.

SIR LAWRENCE FREEDMAN: This is quite an important difference with some elements in the American administration.

Did you have discussions with your colleagues in the United States about the various allegations that were being made in the opposite direction?

MR TIM DOWSE: I didn't, because it was a counter-terrorist issue wasn't it?

SIR WILLIAM EHRMAN: Yes, we did. They put more weight on some of the links that Tim Dowse has described at the end of the 1990s than we did, but our view was that there was no evidence to suggest collaboration between -- serious collaboration of any sort between Al-Qaeda and Saddam Hussein's regime.

MR TIM DOWSE: Speaking from my subsequent experience as Chief of the Assessments Staff, that was generally -- I think that view was shared by our colleagues in the

US.

SIR LAWRENCE FREEDMAN: But not always in the Administration.

MR TIM DOWSE: Our colleagues in the intelligence community.

SIR LAWRENCE FREEDMAN: Just in terms of where we are, therefore, there is no reason to take this problem particularly seriously at this time in terms of actual capabilities of terrorist groups benefiting from Iraq.

Let's then move on to the nuclear. There is no concern at this time that Iraq is about to become a nuclear power here. That's correct?

MR TIM DOWSE: No. As I say, our concern was that if the sanctions eroded, and we were concerned that the sanctions regime was eroding, if the sanctions went away, we were quite confident that Saddam would try to rebuild his nuclear capability, and I think we had an assessment that he would be able to do so within about five years.

SIR LAWRENCE FREEDMAN: That would be quite a stretch, wouldn't it? If you look at all that Iran has to do, it still doesn't have a nuclear capability. We have been talking about putting advanced infrastructures since 2001/2002 or something, as you say. Seven years on, nobody is suggesting that Iran has a bomb at this moment.

It would have been pretty good work, wouldn't it, for Iraq to get a nuclear weapon in five years?

MR TIM DOWSE: Well, they weren't starting from scratch. We found in 1991 that, at that time, we also had a five-year assessment of how long it would take them to acquire a weapon and actually --

SIR LAWRENCE FREEDMAN: These assessments are always five years, aren't they?

MR TIM DOWSE: Not always. But we subsequently found that they had been far further advanced than we had expected.

SIR LAWRENCE FREEDMAN: But they had all been destroyed.

MR TIM DOWSE: Yes, but as I say, the intellectual capital was still there, and, once you know how to do it, it is simply a matter of getting the kit.

SIR WILLIAM EHRMAN: I think the IAEA assessment after 1991 was that they might have got there by 1993, so just two years.

As Tim says, our assessment around 2000 was that they could not get a nuclear weapon while they remained under sanctions, but if the sanctions disappeared, the estimate was five years.

SIR LAWRENCE FREEDMAN: That assumes that when sanctions disappeared, part of the deal would not be that they agreed to normal IAEA safeguards.

SIR WILLIAM EHRMAN: Part of the deal would certainly be

that they would have to agree to normal IAEA safeguards, but if they were cheating...

SIR LAWRENCE FREEDMAN: At the moment, at the time, they were not, however, a threat, and we're having to make some pretty, I would say, heroic assumptions on their part to get them to a nuclear capability by saying that.

SIR WILLIAM EHRMAN: We never claimed it at the time.

SIR LAWRENCE FREEDMAN: So we're now down to biological and chemical. Let's take the chemical, where, as you have indicated, they had used them before to quite horrific effect against their own people as well as the Iranians.

The key thing here is the means of delivery, isn't it? What was assessed about the means of delivery of chemical weapons?

MR TIM DOWSE: They had used aircraft, aerial bombs, they had used artillery, they had used rockets, battlefield rockets, as a means of delivery. They had developed warheads for ballistic missiles for delivering chemical and biological weapons.

Now, most of that -- in fact, we believed that most of that capability had been destroyed, although, as I said, there were considerable accounting difficulties at the time that the UNSCOM inspectors left in 1998. There was a large number of both munitions and agent unaccounted for. We had debates with the technical

experts at the time as to, for example, how long a biological agent might remain lethal, something like anthrax, and there were differences between the experts, but there was certainly a school of thought which said that they could still remain lethal, if hidden, from 1991.

SIR LAWRENCE FREEDMAN: That's biological, I was just trying to stick to chemical.

MR TIM DOWSE: Okay. Chemical agent similarly. But in a way you are right that the agent was not the key feature, because any country with an advanced petrochemical industry, such as Iraq, could produce agent quite quickly. They had experience of developing the munitions. As I say, the aerial bombs, the rockets. So we didn't regard that that would be a particular constraint on them.

SIR LAWRENCE FREEDMAN: But you also mentioned earlier that you tended to see chemical weapons in terms of battlefield use rather than interstate use.

MR TIM DOWSE: Clearly, there was a concern that -- what I would say, looking from our own perspective, in NATO forces who have practised for many years to operate in a chemical environment, I don't think we would have regarded use of chemical weapons as particularly a battlefield problem for us.

But clearly, as we saw during the first Gulf War in 1991, the threat of ballistic missiles armed with possible chemical warheads to be used against cities caused a very, very wide range of concern and near panic in some of Iraq's neighbours. So that -- the idea that use of missiles as, if you like, terror weapons in the context of a conflict -- was something that we were worried about.

SIR LAWRENCE FREEDMAN: That would require maintaining some Scuds and, again, there is a question of an accounting discrepancy.

MR TIM DOWSE: There was an accounting -- we didn't believe that they had a large number of long-range missiles. Al Husseins were the version that we are talking about, which was an extended-range version of the Scud. We referred at various times in the assessments to "a handful". Eventually, we -- it took quite a lot of number crunching by the technical experts in the Defence Intelligence Staff -- we came to a conclusion of "up to 20". The American assessment was slightly larger, but not way out --

SIR WILLIAM EHRMAN: Can I make one comment on battlefield use, which is that Saddam did regard that as valuable and he indeed regarded it as something which had turned back the Iranians during the Iran/Iraq war when they

were advancing on the Al Faw peninsula. He valued those.

SIR LAWRENCE FREEDMAN: It was in this context that the famous 45 minutes came up, presumably?

MR TIM DOWSE: Well, yes. The 45 minutes report -- speaking personally, when I saw the 45 minutes report, I did not give it particular significance because it didn't seem out of line with what we generally assessed to be Iraq's intentions and capabilities with regard to chemical weapons.

My own personal assumption on reading it was that it was referring to something like multi-barrelled rocket launchers, the sort of weapon or delivery system that could be kept ready for rapid deployment in the event of a conflict.

As I say, it subsequently took on a rather iconic status that I don't think those of us who saw the initial report really gave it. It didn't seem -- it wasn't surprising.

SIR LAWRENCE FREEDMAN: It wasn't surprising because it was in the context of an assumption that Iraq had some chemical stocks, that they had artillery, that they could fire these, and Saddam saw it as of value for battlefield use. This was the general view amongst the intelligence agencies?

MR TIM DOWSE: Yes, and this was based on the JIC assessments. We had a -- there were assessments over a number of years. I think the difficulty that we had was that, after the withdrawal of the UNSCOM inspectors at the end of 1998, we lost quite a lot of our insight into what was happening in Iraq. One of the reasons we wanted the inspectors to return was because we wanted to have some eyes and ears, if you like, on the ground reporting to the UN.

SIR LAWRENCE FREEDMAN: This is a slightly different problem. We are assuming for the moment that the intelligence that you are working with is correct, and, obviously, what if it wasn't.

MR TIM DOWSE: Yes.

SIR LAWRENCE FREEDMAN: What we are trying to work out is what it meant. Now, you have indicated what seemed to you to be a pretty nondescript observation, but it got an iconic status because, in a sense, it got lost in translation. It became not a chemical weapon for use on the battlefield, but a weapon of mass destruction for use in an interstate war; otherwise, why mention the 45 minutes?

MR TIM DOWSE: I don't think we ever said that it was for use in a ballistic missile, but --

SIR LAWRENCE FREEDMAN: But you did say it wasn't.

SIR WILLIAM EHRMAN: I think we referred to it as "munitions", and I think when that was looked at by the Butler Review, they said it should have referred to battlefield weapons.

SIR LAWRENCE FREEDMAN: Just to conclude, on going through the systems: biological weapons and again you have given some reasons why these were an uncertain weapon, that Iraq had a programme. So how did you assess that programme in 2001 as a threat rather than as an activity?

MR TIM DOWSE: In 2001 the -- and again, we -- certainly in context, immediately after the first Gulf War, for a number of years the Iraqis denied having a biological programme at all. Then, with the defection of Hussein Kamil, in 1995, he exposed the fact that there had been a very substantial biological programme, as we had suspected. In fact, I think we found it was rather greater than we had previously assessed.

Action was then taken to dismantle large elements of that programme. There was a particular biological production facility that UNSCOM did dismantle and destroy. We were never confident that UNSCOM had found everything biological. It was particularly difficult to identify. Very much of the equipment used for biological weapons is dual-use. It has legitimate

uses in medical applications or agricultural applications. So we -- and there was a discrepancy in the amount of growth media that Iraq had ordered. There was quite a large quantity that was never accounted for by UNSCOM. So we had concerns in 1998 that not everything had been destroyed or uncovered.

Again, then we got intelligence reporting, very fragmentary, but nevertheless quite convincing, of Iraqi attempts to continue to pursue development of biological weapons. I mentioned the mobile facilities. We had probably got less, I think, on biological than we did on chemical or missiles.

SIR WILLIAM EHRMAN: Our assessment in April 2000 was that there was continuing research and production of BW agent and that Iraq seemed to be exploring the use of mobile facilities.

SIR LAWRENCE FREEDMAN: The same defector who told you in 1995 that there was a big programme, there was still documentation around about it, also told you that everything had been destroyed in 1991.

MR TIM DOWSE: But the Iraqis then made a declaration of their programme that they had previously denied and we found that some things had not been destroyed. So the whole experience of the 1990s was of Iraq withholding information, attempting to conceal activities,

attempting to conceal equipment, weapons, and having to be dragged, if you like, to the truth step by step.

Against that background, personally, I think it was a reasonable conclusion to come to that, once the inspectors had left in 1998, the Iraqis would then pursue their programmes in a more uninhibited way.

SIR LAWRENCE FREEDMAN: But we are still talking about evidence of non-compliance, the rudiments of a capability, not necessarily something, to use Sir William's term: full maturity.

MR TIM DOWSE: We thought that -- in the case of both chemical and biological weapons, we thought that a capability could be reconstituted very quickly.

SIR LAWRENCE FREEDMAN: How many?

MR TIM DOWSE: I think in the case of chemical we said it would be a matter of weeks; in the case of biological a matter of months to deliver a useable capability.

SIR LAWRENCE FREEDMAN: So if they could develop a capability that quickly, and they were still in the process of developing missile delivery systems, which is where we can agree there was hard evidence about, what inference of all of that might have been that it didn't make any sense to hold stocks that might cause you embarrassment, just wait until you have got the delivery capability ready, and then, at a later date, worry about

stocks.

MR TIM DOWSE: It might, and we tended to -- in general, we would refer to the unaccounted for items, but I think we were always conscious that there is a danger in assessment of intelligence -- and, of course, this is primarily an issue for the Joint Intelligence Committee rather than the Foreign Office itself -- but a danger in mirror imaging.

Just because we wouldn't do it that way, doesn't mean that somebody else would not do it that way. The Iraqis did quite a lot of things that seemed to us to be irrational, but, by their lights, presumably it was not. They buried things in the sand, entire aircraft, which was not something that would seem a particularly rational thing to us, but they did it.

SIR LAWRENCE FREEDMAN: Just to conclude this line, the position that we are in in 2001/2002, is we have had no inspectors in from 1998. As I recall, an expert report for the United Nations had said that the process of dismantling of Iraqi weapons of mass destruction had been largely successful during the course of the 1990s. They had been found out cheating. Now we are trying to work out what is going on.

Are you saying this was a reasonable assumption that naughty things were going on but your evidence was

pretty sparse?

SIR WILLIAM EHRMAN: There was a combination. There were the unanswered questions when UNSCOM left and then there was a certain amount, not a great deal, of intelligence over the following years, and that intelligence grew in the summer of 2002. But there was not a huge volume of intelligence of new things happening after the inspectors left in 1998, but, of course, we didn't know.

SIR LAWRENCE FREEDMAN: Did it ever strike you that the extra intelligence coming through in 2002 might not be wholly coincidental?

SIR WILLIAM EHRMAN: No.

SIR LAWRENCE FREEDMAN: You just assumed -- because as we looked --

MR TIM DOWSE: Again, I think you have to -- I think where we were at the time, we had had the ten years of experience of UNSCOM, even when the inspectors were there, of Iraq's cheating, of concealing, of playing games really with the inspectors. After the first few years of UNSCOM, where considerable progress was made in destroying Iraq's declared missiles, its CW munitions, most of the progress that was made after about 1994/1995, came about through intelligence breaks.

There was a document that UNSCOM acquired from an Iraqi Ministry that the Iraqis had not intended them to

acquire, that showed that there had been a far greater number of chemical weapons, for example, produced in the 1980s, than Iraq had declared. There was Hussein Kamil's defection, exposing a BW programme that Iraq denied.

So with that experience of the way Iraq had behaved while the inspectors were there, once the inspectors had gone, although our level of information went down, the assumption was made -- and I think it was a reasonable assumption -- that Iraq would feel even more unconstrained and be prepared and have an interest in trying to rebuild its programme, and although the intelligence we received was not great, what we did receive was consistent with that view.

Now, I mean, Lord Butler's Inquiry looked at this and one of their conclusions was that we had got ourselves into a particular mindset and we tended to view the information against that set of pre-conceived assumptions and we shouldn't have done that. He was right, and I certainly made a point, when I subsequently became Chief of the Assessments Staff, to ensure that we didn't roll forward assumptions, that we tested -- that we challenged ourselves on every occasion and I think that, although our intelligence assessment process is generally robust, a key element of it is that we have to

be prepared to ask difficult questions and challenge our own assumptions, and I think in respect of Iraq that broke down. I think it is understandable that it broke down, because of the experience of the 90s, but nevertheless, it was a failure of the system.

SIR LAWRENCE FREEDMAN: Thank you for that. Sir John will pick that up in a moment.

I still just want a final thought from you. The evidence that you had was sufficient to give you worry to reinforce your views about what Saddam Hussein might do.

How immediate a threat did you assess it at the time?

SIR WILLIAM EHRMAN: We never assessed it as an immediate threat and that was never stated. What we said there was was a clear and present threat, but we never said there was an immediate threat.

SIR LAWRENCE FREEDMAN: What is the difference between "clear and present" and "immediate"?

SIR WILLIAM EHRMAN: Well, there was a clear threat, we thought, partially of what he might have, what the intelligence was telling us he had, also the intent for the future, and "present" in the sense of the intelligence that we were getting at the time, but, as has been said, much of that turned out to be invalid.

MR TIM DOWSE: Throughout most of 2001 and certainly the first half at least of 2002, I was probably devoting more of my attention, as head of the Non-Proliferation Department, to Iran and Libya and AQ Khan than I was to Iraq.

Our main activity in relation to Iraq was supporting the effort to get smart sanctions and, in particular, to get an agreed Goods Review List that would tighten the constraints on what the Iraqis could import that was either of direct relevance to WMD or conventional weapons, or dual-use.

SIR LAWRENCE FREEDMAN: You were reasonably content that, if you do that, then this clear and present threat wouldn't turn into an immediate threat?

MR TIM DOWSE: That was -- as I said, the assumption was that specifically in relation to nuclear -- more than an assumption, the calculation was that, provided sanctions remained, that Iraq would not be able to develop a nuclear weapon, and in the case of chemical and biological, well, we were concerned about what he was doing, but we believed that the sanctions were having a -- we wanted to strengthen them but we did feel that they were having an impact.

SIR LAWRENCE FREEDMAN: Thank you.

THE CHAIRMAN: Thank you. I was, of course, a member of the

Butler Committee, and memories remain, but a question of -- a preliminary question really to either or both of you: was the reliability of the assessments you were able to make at the moment when UNSCOM were thrown out of Iraq actually a better basis than anything we had by 2002 or 2003?

Part of that, I suppose, was how much were we still reliant on UNSCOM material and then deriving or inferring from that, after UNSCOM was chucked out, what was likely to be the cases?

MR TIM DOWSE: There was certainly concern in the FCO -- I had a concern in 2001 that the position that we were basing ourselves on was still very heavily dependent on UNSCOM information and, if I recall, I actually wrote to the then Chief of the Assessments Staff in April, I think, 2001, to say "Can we not produce an update of our assessment which -- and put more into the public domain -- that isn't looking back to 1998?"

It was certainly a concern that we didn't have very much more, and our assessment wasn't that different until early 2002 than it had been in 1998.

THE CHAIRMAN: Thank you. I have a question on the methodology. We have talked already about accounting discrepancies between stuff declared and stuff found and destroyed. It is a pretty shaky piece of methodology,

isn't it? It is the difference between two rather large numbers and the margin of error on either number is bigger than the result. So it isn't something you could rely on or put very much confidence in.

Were there any other methodological approaches other than the hunt for fresh and new intelligence from whatever sources?

SIR WILLIAM EHRMAN: I recall that, firstly, starting with the old evidence, it was looked at, if I recall, in 2002, and we put something up to Ministers. This was following the DIS, Defence Intelligence Staff, assessment, which slightly changed what we thought were the outstanding amounts and issues.

But I agree with you, beyond that, we had to look for new intelligence and there was not a great deal.

THE CHAIRMAN: Yes. I suppose one other line -- and a theme that is beginning to interest the Committee more generally -- is the assessment of the state, the mentalities in Iraq, both in the leadership and in the population, and one line is interpreting Saddam's own behaviour and the behaviour of the clique around him at the top of the regime.

Was any effort devoted to that kind of interpretation from your side? He had a long history of deception, not only in this field, but more generally.

He had, clearly, a great wish to exert the place of Iraq within the region as a powerful nation state. There was a nationalist drive going on. He was protecting his own survival and that of his friends and relatives. There was propaganda for all these purposes, and, as Tim Dowse said in another context, by our standards, a kind of irrationality that comes up now and again.

So what I'm asking really is, was there anything, any juice in the lemon to be squeezed out of trying to peer behind the curtain into the mind of the regime of Saddam?

SIR WILLIAM EHRMAN: I think maybe we are going to come on to intelligence gaps, or gaps in our general knowledge, and how these were explained to Ministers and, indeed, used by Ministers in 2002 to 2003.

But one point I think I would make, after the final report of the ISG -- one of its conclusions was that, while Saddam had long-term strategic intent to reconstitute WMD, his priority between 1991 and 2003 was to get out of sanctions.

Now, I think we probably got his long-term strategic intent right. What we didn't have information on was his current strategic intent, if you like. The ISG showed that most things were destroyed in 1991.

The other thing which also has come out from his

own -- from the FBI transcript tapes is that he didn't want to show Iran that he had very little. Those two are, of course, in conflict to some extent, but we did not, at the time, surmise that.

THE CHAIRMAN: No, he really had two contradictory objectives, didn't he? One was to project in the region the notion that Iraq was a powerful WMD-armed or potentially WMD-armed state, but at the same time to persuade the international community that they didn't represent a WMD-based threat, so sanctions could go or be wound down.

MR TIM DOWSE: I think the point that you are maybe driving towards is that we spent a lot of time looking at, if you like, the nuts and bolts of these proliferation programmes and perhaps less looking at the political context in terms of the nature of the Iraqi regime. And it was, of course, a particularly difficult target for intelligence because, with a regime dominated by one man, really you are trying to say what's in the mind of one man and that's the most difficult thing of all.

Again, it is something that, of course, Lord Butler's report touched on, that we should have perhaps spent more time bringing the political context together with the programmatic analysis by the technical experts, and again I don't disagree. It is something

that we changed, the way we did some of these things after -- in the light of Lord Butler's conclusions.

THE CHAIRMAN: That is a parenthetical question and doesn't indeed perhaps deserve an answer, but with long hindsight now, is it possible that Saddam, in pursuing those two contradictory objectives that we have just described, was not actually getting the reality, the truth, from his own immediate supporters and friends?

Who would go to Saddam and say, "No, we haven't actually got battlefield chemicals fairly immediately available", if the money had been siphoned off to someone else?

SIR WILLIAM EHRMAN: The only piece of evidence I could produce to try to comment on that question is something again from the FBI transcripts, which he said, which was, "If I had had CBW, I would have used them against the coalition".

THE CHAIRMAN: Implying that he therefore was not being told he had them when he hadn't?

MR TIM DOWSE: I think, on the other hand, some of the other interviews that were conducted by the Iraq Survey Group with senior Iraqi military officers for example, many of them believed that the WMD existed.

THE CHAIRMAN: Yes, in the hands of others in the military and they would be brought to the battlefield when

needed.

MR TIM DOWSE: Exactly.

THE CHAIRMAN: One line I was driving at was this: that not a lot of fresh intelligence was coming out post UNSCOM's departure, but, because of the change in the nature of the assessment of the threat, a mounting appetite from people such as yourselves, not least, as well as Ministers, thought more -- better -- better-founded intelligence, pressure, therefore, on the intelligence collection agents -- and we will be talking to them probably in the private session about that -- but can you make a basic connection between mounting pressure to produce new intelligence in a very difficult environment, which Iraq certainly was, wasn't it, and the fact that a considerable amount of that intelligence produced since 1998 was subsequently withdrawn?

Is there a connection between the two or is it likely that any intelligence-gathering exercise in a Saddam-type regime country would be found to be unreliable?

SIR WILLIAM EHRMAN: I wouldn't just limit it to Iraq. I do think you have to look at the intelligence being collected on all of these threats. The tolerance, as Peter Ricketts put it to you yesterday, for these programmes, reduced after 9/11.

So there was a lot of pressure for intelligence on all the other countries of concern and that intelligence was very largely validated by what happened subsequently.

In Iraq that was not the case. The Butler Review, of course, spoke about the validation procedures within SIS. You mentioned that you will be talking more to the agencies on that. But it wasn't just Iraq. What I would say was that Iraq was obviously a top priority for gaining intelligence. It was a priority 1, and indeed, if I recall rightly, from July 2002, an urgent priority. So other resources could be moved from other priorities to it.

But I think one thing you have to remember is there is no linear correlation between setting the priority and then producing intelligence, and it takes a very long time to train people and to get the results you want.

THE CHAIRMAN: Certainly in the case of human intelligence. Less so, perhaps, with other techniques.

MR TIM DOWSE: I think actually that Sir William does mention an important point when you think about the context in which we were reading the intelligence on Iraq. It was being provided by the same Agencies, and frequently by the same people in terms of agency

officials, who were also providing us with intelligence on Iran, on AQ Khan, on Libya, which was consistently proving extremely accurate, and when we were dealing with all these issues together I think that probably increased our confidence, or it decreased our inclination to question what they were giving us on Iraq.

SIR WILLIAM EHRMAN: Could I add one more question? Because I think behind your question is another one, which is, "Why didn't we review it all?" and I would answer that with three points.

One was that, until March 2003, we were not receiving contradictory intelligence to what we got up to then. We did, in the very final days before military action, receive some on CBW use that it was disassembled, that you might not have the munitions to deliver it. But up to then, we were not getting contradictory intelligence.

Secondly, some of the intelligence was proving valid with UNMOVIC and they were finding, for example, the rocket motors, the nuclear documents. So that was giving to some extent some assurance.

Thirdly, UNMOVIC itself, on 6 March, published its unresolved disarmament issues in which they said that Saddam Hussein would have to take 128 actions to resolve those unresolved issues.

So against all of that background, maybe that was one of the reasons that there wasn't a major review done. But, as Tim Dowse says, after the war, a challenge team was put into the Assessments Staff to challenge just the sorts of situations which were in at that time, before the war.

THE CHAIRMAN: Right. We have been exercising a certain amount of hindsight to advantage, but let's go back, if we may, to the period leading up to 2003. So we're in 2001/2002.

Iraq is going up the scale in terms of the assessed threat. The Ministers' appetite for briefing on these matters is clearly mounting in parallel, if I am right, and rightly so.

What was the experience of briefing Ministers, specifically on WMD issues? As you said at the beginning of this session, a lot of this is extremely technical and nerdy. There are important complications that need to be understood and hoisted in.

I just wonder, how often were Ministers offered briefings? Did it include the entire range of Cabinet Ministers who had a direct departmental interest, I suppose Defence, Foreign Secretary, Attorney and others. Could you say a little bit about that first?

SIR WILLIAM EHRMAN: I think there were five areas in which

Ministers were briefed. One was through the JIC assessments which went automatically to all the members of the Committee on Security and Intelligence. I can only speak at that period for the Foreign Secretary, but he publicly -- in public evidence to the Foreign Affairs Committee has said that he read every one of those JIC assessments.

Secondly, there were notes and policy papers that were put to Ministers. You will recall the interdepartmental policy paper in March 2002, which briefed on the threat as seen then, and it also briefed on the limitations of the intelligence at that time.

There were individual intelligence reports, which went to the Foreign Secretary and, again, in public evidence he has said that he asked questions on some of those intelligence reports.

Fourthly, he was briefed through meetings with the Agency heads and, again, in public evidence that he has given, he said that he would ask them about the reliability and accuracy of some of the intelligence that he was getting.

Lastly, there was, of course, in the run-up to the war, many office meetings where intelligence wasn't the only issue, but where those working on the intelligence side were represented, and he could raise questions on

that.

MR TIM DOWSE: Perhaps just to add to that a little bit from the viewpoint of my department, we tended to provide specific advice on ad hoc issues. This is in 2001, the beginning of 2002. So to the Foreign Secretary -- this is Robin Cook at that time --

to give you an example, at the very beginning of 2001, as soon as I had come into the job, the Daily Telegraph carried a story that Iraq had produced two nuclear weapons and we rapidly produced a brief for the Foreign Secretary that said we didn't believe this was correct.

There was an occasion later in that year when, shortly after 9/11, the Foreign Secretary asked what would be Iraq's ability to use WMD to hit back if it was attacked, and we provided an assessment there, drawing on the JIC papers, essentially summarising what the recent JIC papers had said.

So there were, if you like, ad hoc notes, but we didn't automatically, every time there was an increase in intelligence, brief the Foreign Secretary. Partly because he would get the material directly and also because, in general, the individual items of intelligence were not changing the picture radically from the assessments that the JIC was producing.

THE CHAIRMAN: I need to pursue that. There was, I think, an observation in the Butler Report about the lack of preparation of Ministers in a general sense to understand and take in the significance of intelligence and how to interpret it.

There is also a question about the coordination within Whitehall of the total intelligence picture on Iraq that Ministers could derive, not just the Foreign Secretary but Ministers generally. There was a Permanent Secretary role within the Cabinet Office to do that. Was that, as far as you could sense, being operated effectively and actively at the time?

SIR WILLIAM EHRMAN: I can only again comment from the Foreign Office point of view, but there were the JIC assessments and then the Chairman of the JIC, also, himself, was coming to some of the office meetings that the Foreign Secretary held.

MR TIM DOWSE: I certainly never felt, either with Robin Cook or with Jack Straw, that they didn't understand the picture that was being given to them by intelligence. They -- questions would be asked from time to time and I think Robin Cook was in some respects perhaps more interested in the conventional weapons issues than the WMD issues, but he certainly didn't -- I never got the impression that he didn't understand

what he was reading.

THE CHAIRMAN: There were two things, weren't there, that Ministers needed to be aware of? I'm asking whether they were, not only the Foreign Secretary but more generally. One is the inherent shakiness of intelligence information coming out of a very hard target country that we know Iraq was, and the second is, not only the intelligence reports that they were getting and seeing, but also the gaps, the things that weren't coming up.

SIR WILLIAM EHRMAN: Perhaps I can comment on the gaps. We mentioned already the question of current strategic intelligence, but can I comment on three other areas?

First of all -- and one has to remember that Mr Straw, when he was Foreign Secretary, was going through this all in minute detail, because he was often going to New York and speaking on these issues at the Security Council, but, first of all, there were the unanswered questions from UNSCOM, and I have referred to a submission put up to him slightly revising those, but of course, there were huge gaps which were brought out by the document published on 6 -- 7 March and, of course, Mr Straw used that document very extensively in the Security Council debate on 7 March. So that's one area.

Secondly, there was the British intelligence and the

policy advice up to the war. There was what was said in the JIC assessments and I certainly wouldn't underestimate the degree to which those were read and understood by the Foreign Secretary.

Just to give you just a few of the things that were said, April 2000: the picture was limited on chemical weapons. May 2001: the knowledge of WMD and ballistic missile programmes was patchy. March 2002: the intelligence on Iraqi WMD and ballistic missiles is sporadic and patchy. The interdepartmental advice to Ministers in March 2002: Iraq continues to develop WMD although the intelligence is poor. August 2002: there is little intelligence on Iraq's BCW doctrine, and we know little about Iraq's CBW work since late 1998. The assessment of the 9 September 2002: intelligence remains limited.

But then, after that time, there were also some other gaps and issues which came to Ministers because the intelligence shifted from September 2002 in the run-up to the war. There was work done on the links between the Iraqi regime and terrorism because we were very interested in that and very worried lest any materials did fall into the hands of terrorists. The gap there, in a sense, was a positive gap, that we didn't see evidence of that, and nor did the

British Government ever claim that there was that link.

There was the likely nature of Iraq's dealings with the United Nations, and particularly the handling of UNMOVIC and IAEA inspections. I will come back to that in a minute. But then the third big area that was being investigated was Iraqi military preparations and options may be of more interest to the MoD, although we would also have to think of our posts in the region and what we did about them. The assessment then, in December of 2002, was that we did not know the extent of Iraq's stocks of chemical and biological weapons.

But then the third area was the handling of the inspections and, of course, we were putting a great deal of weight on the work that UNMOVIC was doing at that time. There were two JIC assessments. There were frequent summaries, intelligence updates, daily intelligence highlights.

The biggest gap in all of that, and one which Ministers were extremely well aware of and used extensively, was the lack of interviews with scientists. Ministers were constantly pressing, and Mr Straw was pressing, UNMOVIC and the IAEA to take scientists out of Iraq where they could be interviewed privately. So those are three areas of what I would call intelligence gaps, all of which were flagged up to Ministers.

THE CHAIRMAN: Right. You draw attention to the fact that the focus of assessment rather shifted in the late months of 2002 against the mounting evidence of a military campaign.

Really -- this is not quite the language perhaps -- from a balanced assessment to a worst indication assessment. Is that fair?

SIR WILLIAM EHRMAN: I wouldn't say to a worst case assessment, because I don't think that there was any fundamental revision over that period of the assessments that had been made up to that period, and the reason for that was that there was not any intelligence coming in to contradict, but there certainly wasn't intelligence coming in which in my view significantly exacerbated the picture, and nor can I recall a JIC piece which heightened the threat, if you like, compared with that seen back at the end of the summer/early autumn 2003.

MR TIM DOWSE: Yes. I suppose -- the one thing that did change was the reporting received in September 2002 -- well, end of August/beginning of September -- that referred to current production of chemical and biological agents, as I recall.

Again, in a way, it didn't come as a great surprise, although it was -- it was clearly a step -- it enabled us to firm up an assessment that previously had been

rather carefully caveated.

THE CHAIRMAN: In terms of military planning, a fairly crucial difference.

MR TIM DOWSE: I'm sure the MoD would agree.

THE CHAIRMAN: Whether or not you are going into a chemical warfare environment.

MR TIM DOWSE: I mean, the Foreign Office were a consumer, essentially, of the intelligence and of the intelligence assessments, although we contributed to the assessments as well. But, again, it is a little bit like the 45 minutes, it helped to fill out a picture but what it tended to do was confirm an expectation that we already had.

SIR WILLIAM EHRMAN: The CBW points were important. I'm not sure that they greatly increased over the autumn and the early spring, but they certainly led to action by the Foreign Office in terms of CB protection for staff and evacuation of dependents from a number of posts which might have been the subject of attack.

THE CHAIRMAN: Yes. I would like to -- looking ahead to the break, which we will take in a few minutes -- my colleagues will want to come in with some other questions. Just before we do that, and we will take up the issue of the dossiers after the break, it is just by way of paving, to ask about the history of putting

intelligence on Iraq's WMD programmes or, indeed, other comparable intelligence into the public domain before we get to December 2002. Is there a history in doing that?

MR TIM DOWSE: At the time of Desert Fox in 1998 -- and I recall this because at that time I was the Deputy Chief of the Assessments Staff dealing with WMD proliferation -- the -- there was a document produced -- I think it was produced for distribution to members of Parliament -- setting out an assessment of the state of Iraq's deception, its behaviour towards the UNSCOM inspectors, and that did draw on intelligence material. It wasn't made explicit, but it did. We referred to it, I think, as an "unclassified JIC paper".

SIR WILLIAM EHRMAN: There was one thing which I remember, but it is well outside my area, so it would need to be checked, but that was, I believe, that something was put out during the Kosovo campaign at the time, that may also have used intelligence. But as I say --

MR TIM DOWSE: Not Iraq.

SIR WILLIAM EHRMAN: No, not in Iraq.

THE CHAIRMAN: I think we have just come across the first trace of something about bin Laden, but again, it is not Iraq.

MR TIM DOWSE: In the aftermath of 9/11, before the invasion of Afghanistan, the government did issue a dossier which

set out -- I think in that case explicitly drawing on intelligence information -- why we believed bin Laden was responsible for the attack on the Twin Towers. And that was regarded as a rather successful action.

There was a feeling that, if we were going to be in a position where we were taking international military action, that the government needed to explain both to Parliament and to the public why it was doing what it did. And when you are in a world where the threats of terrorism, of proliferation of weapons of mass destruction, develop in secret, it is not like the Cold War when most people accepted there was a threat from the Soviet Union, even if the debate was how big it was. When you are dealing with terrorism and proliferation, the threat itself develops in secret and you need intelligence to tell you of its existence as well as of its scale.

So you can hardly avoid, I think the feeling was, drawing on intelligence to explain your actions in those circumstances. I think this was again a point that was discussed with Lord Butler. You can question the way it was done, but the need to do it I think remained.

THE CHAIRMAN: There are issues we can come to after the break about caveating and language, and the difference

between that -- different kinds of judgment, different qualities of judgment, but let's park that for now. Can I ask my colleagues if they would like to follow up on this?

BARONESS USHA PRASHAR: I just need some clarification. You said earlier that while other countries were a priority, as far as Iraq was concerned, you were looking at the question of smart sanctions because there was a view that Iraq could be contained if you got -- you know, if the sanctions remained.

When did the view change in terms of getting greater intelligence, or were these two policies being pursued in parallel? Because I wasn't quite clear, when did that change, if it did, take place?

MR TIM DOWSE: We were always looking for more intelligence. That was a constant. In terms of the pursuit of the smart sanctions, the Goods Review List, as I say, which was my department's particular involvement in that exercise, that actually continued really right through to the end of 2002.

In fact, in May 2002, the UN Security Council agreed a resolution which put the Goods Review List in place. Essentially approved the smart sanctions. There were still differences of view, I think, particularly between the United States and Russia, over what the contents of

the list should be, and it was reviewed again in November and December of 2002, but right up to the end of 2002 there were Security Council discussions and resolutions that were pursuing the smart sanctions approach. So that process never stopped. It became -- it became, if you like, less important, or attracted less attention as the inspectors returned and that track began to take primacy, but it never stopped.

BARONESS USHA PRASHAR: Okay.

SIR MARTIN GILBERT: Mr Dowse, I'm wondering if you could tell us a little more about the paper you mentioned in mid 2002, in which you singled out that the non-defensive aspect of Iraq's WMD and to what extent this was based on intelligence aspects and to what extent it did involve a question of Saddam's past form and psychology and intentions.

MR TIM DOWSE: It was really based on past form and this was a -- intended as a comprehensive counter proliferation strategy and it was the result, as I said, of a number of iterations that we began early in 2001 because we had this concern that the problem of WMD proliferation globally was an increasing problem. So we needed to address it in a more comprehensive and more proactive way. So the culmination, if you like, of this was the mid-2002 document.

When looking at countries of concern, the countries we thought were the priorities, in the case of Iraq -- I'm not quoting exactly, but from memory we said something of the sort -- Iraq is a priority because it may be the exception to the broader rule that WMD programmes are generally acquired for defensive purposes. Saddam has a history of aggression and it was thinking in terms of both his attack on Iran and his attack on Kuwait -- both of which by normal standards one would regard as rather irrational acts in view of the consequences they brought to Iraq, but it was the -- it was, I say, the political context with Iraq that made it a priority in that respect.

SIR MARTIN GILBERT: And it put Iraq itself on, as it were, a higher level --

MR TIM DOWSE: It put it among the top priorities. This was in July/August 2002. Alongside Libya, alongside Iran, alongside North Korea.

THE CHAIRMAN: Sir Roderic?

SIR RODERIC LYNE: A couple of questions, I think in the first instance to Sir William. You have talked about the way in which we shared our assessments with the United States. Without going into any detail of sensitive issues of intelligence sharing, to what extent

was the assessment which you described, that Iraq did not present an immediate threat but was a clear and present danger, shared by our other close allies to whom we talk a great deal and with whom we share a great deal?

SIR WILLIAM EHRMAN: Let me go through one or two of those conditions, leaving aside, as you say, the United States.

I think the first thing to say is that nobody really challenged the picture that we presented right the way up to March 2003. The Russians said, "Well, show us the proof", but they didn't actually say, "We fundamentally disbelieve you".

The Germans made no particular comment. The Prime Minister of Spain said publicly, "We all know Saddam Hussein has weapons of mass destruction."

The Chinese didn't express a view publicly but nor did they challenge the picture that we were presenting to them.

I think some of the things the French said are quite interesting. The French Foreign Minister in the debate in New York on 5 February 2003, spoke about presumptions about VX, mustard gas, anthrax and botulinum toxin. President Chirac, in February, said to the press, "Are there nuclear arms in Iraq? I don't

think so. Are there other WMD? That's probable. We have to find and destroy them."

In March, he was asked by the press whether he thought there were still prohibited weapons in Iraq and he said, "There are undoubtedly some. We are in the process of destroying the missiles which have an excessive range and there are probably other weapons."

So I think the short answer is we were not being challenged by other countries. The difference, of course, which arose in New York, was: what do you do about it?

SIR RODERIC LYNE: Yes, we discussed that yesterday and that's obviously going to come back.

What about the countries in the region? I mean, they are hearing all of these statements made, not just by ourselves and the Americans, but by other countries. They are sitting next door to Saddam Hussein. We are all of us, the west, talking intensively to them, discussing the threat from Iraq with them.

How seriously threatened did they feel, the neighbours of Iraq, by Iraq in this period of 2001/2002/2003?

SIR WILLIAM EHRMAN: I think Kuwait obviously had particular concerns, but with the other countries I think what they were looking for and hoping for -- they didn't challenge

what we said on the intelligence side, but then, of course, they didn't have maybe some of the resources that we had to produce that sort of picture.

But I think what they were hoping for throughout that period was P5 unity to try to deal with the issue. That was their worry. What they, I think, were fearing was if there was lack of P5 unity, everything broke down. If Saddam got out of sanctions and there were differences among the main countries, what would happen in the future.

But there was no challenge that I recall to the picture that we were painting of what we saw.

MR TIM DOWSE: Of course we distributed the dossier, the September dossier, really quite widely, internationally. Apart from countries in the region, I recall handing copies to my colleagues at a G8 non-proliferation experts' meeting in Ottawa in early October 2002, and, as William says, the conclusion -- the reaction I got was, "Oh, this is very interesting". Nobody said, "We think this is wrong". Something of a collective shrug of the shoulders on some of their parts.

I also, as part of broader non-proliferation discussions, had talked about Iraq with both Iranian officials and Israeli officials. Not surprisingly, none

of them disagreed. The Iranians slightly added to our knowledge.

SIR RODERIC LYNE: So while the assessment that we had formed wasn't being challenged, the countries most vulnerable to Saddam Hussein were primarily concerned that P5 should maintain its unity. They weren't in a state of alarm that they felt that he had the capability and the intent to come and attack them again in the near future. That wasn't their prime concern?

SIR WILLIAM EHRMAN: No, as I have said previously, we were not saying that there was an imminent threat. We never said that and I don't think that was their immediate concern. Their concern was more for the long-term, because they had seen the threat from Saddam in the past, and this had been made real and exercised, and that was their -- more their concern.

SIR RODERIC LYNE: Perhaps I can turn to something that Mr Dowse said about the long-term and about how one dealt with it.

You said more than once that if the sanctions regime had gone, there was concern that Saddam would rebuild his WMD capabilities and could develop a nuclear capability within about five years, but that, despite the leakages in sanctions, the fact that the regime wasn't working very well, it was at this time continuing

to curtail his capabilities.

So does it follow from that that if the sanctions regime had been maintained, either in its existing form or in some improved form, smarter sanctions, that that would have continued to contain the threat of WMD from Iraq?

MR TIM DOWSE: The nuclear threat. I think that certainly was our view, that if the sanctions regime had been maintained, that the nuclear threat would have been contained and there would have been constraints on his other activities, although we believed he was making progress with missiles, with chemical and biological weapons, despite the constraints.

The problem was, I think -- we did not have high confidence that the sanctions regime would be maintained. Our general experience of sanctions, going back to Rhodesia, was that they tend to be a diminishing asset. Over time, the countries subject to sanctions find ways around them, and that was certainly the experience we were beginning to see with Iraq, as you were discussing with the witnesses yesterday. The international support for a robust sanctions regime, we felt, was diminishing. So the trend line seemed to us to be bad.

SIR RODERIC LYNE: If our allies, partners and countries in

the region were all agreed that there was a need to prevent him becoming a threat again at some point in the future, would they not have wished to make sure that some means of containing that threat had remained?

SIR WILLIAM EHRMAN: There is an alternative to containing it, which is removal.

SIR RODERIC LYNE: "Removal", meaning?

SIR WILLIAM EHRMAN: Removal of the long-term threat. Saddam always maintained the long-term intent, as the Iraq Survey Group brought out very strongly in its report, that he would have reconstituted his WMD when the opportunity arose.

So then you come back to a policy decision, and the policy of Ministers -- and that was again stated in past evidence to various inquiries -- was to remove or reduce threats posed.

Now, after 9/11, tolerance, as we have been mentioning several times, diminished for mere containment, if you like and there was more emphasis on trying to remove the threat. If you take 2001 to 2003, we actually faced, in my view, six threats, which -- the threat from Libya was removed, the threat from AQ Khan was removed -- speaking purely from a counter-proliferation point of view, not taking into account any other political issues, but we removed the long-term

threat from Iraq by the action that was taken.

We disrupted but did not remove the Al-Qaeda threat in Afghanistan, didn't -- we removed it in Afghanistan but not, of course, elsewhere. We reduced the threat in the case of Iran through diplomatic action and their agreeing to suspend their enrichment activities in October 2003, and with North Korea it was again a diplomatic process in place. But there were policy choices as to whether you constrained or chose to remove threats.

SIR RODERIC LYNE: As you have just said, there were a number of different ways in which removal could be effected. One means of removal was effected in Libya, another with AQ Khan but less effectively in Afghanistan and, up to this point, in Iran.

Now, what removal options existed in the case of Iraq? What were the options that were being discussed by Ministers and senior officials in 2001 to 2003 for removal?

SIR WILLIAM EHRMAN: I think one of the things that came out very clearly in the case of Iraq was that, whilst Saddam Hussein remained in power, unless he changed his mind very fundamentally and he was given a last chance to do so through 1441, but if he didn't, it was very hard to see a way of removing the threat without

military action.

SIR RODERIC LYNE: Thank you.

MR TIM DOWSE: Just to add on that and perhaps to also answer your question, through 1991 -- sorry, 2001/2002, the main option that we were looking at was getting the inspectors back in, and with a more robust regime for inspection than had been the case under UNSCOM.

So the get-out clauses that Saddam had managed to negotiate in the 1990s, such as giving immunity from inspection for his enormous palaces, for example, would not be available to him --

THE CHAIRMAN: I think this is a natural point, because we will come back to this after the break with UNMOVIC and before that I think we need to talk about the dossiers, but so far we have managed to take matters up to late 2002/early 2003. I'm glad to have done that much, but we have still quite a lot of ground to cover.

I'm proposing that we should break for ten minutes. For those in the room who need to take a break, you will need to hand in your security passes and also get back here before the session recommences in ten minutes' time or so, because, once the door is closed, we can't reopen it until the end of the morning session. Thank you very much.

(11.40 am)

(Short break)

(11.50 am)

THE CHAIRMAN: Let us resume now. I would like us to turn to the September 2002 dossier. Just to start with, can I ask each of you what your understanding of the essential purpose of the dossier was and then of its general effect? Sir William, would you like to start?

SIR WILLIAM EHRMAN: I think the purpose of the dossier, as I saw it, was to produce information to show why Iraq should be -- action should be taken to bring Iraq into compliance with its obligations under Security Council Resolutions.

MR TIM DOWSE: Rather similarly, I was regarding it as material to help support the government's case that the situation with respect to Iraq and WMD could not be simply allowed to drift on as it was: that action needed to be taken. The action, as far as I was concerned at the time, was to try and get the inspectors back.

THE CHAIRMAN: Could you perhaps both of you say something about the effect, both at the time of publication but then subsequently to the publication of the dossier?

MR TIM DOWSE: At the time of publication, of course, there was a certain media furore in the UK, although most of the -- I think the technical commentators took the view

that the dossier didn't contain anything very new. I think that was somewhat the reaction elsewhere.

The Foreign Office posts around the world reported back on the reaction of their host governments and I think we were perhaps a little disappointed that it didn't receive more reaction.

The -- as I mentioned, my experience of sharing copies with my G8 colleagues and, as I say, I think the --

THE CHAIRMAN: That, of course, was an insider audience.

MR TIM DOWSE: That was an insider audience, yes. On the lay audience, they had it filtered through newspaper headlines.

THE CHAIRMAN: Sir William?

SIR WILLIAM EHRMAN: I don't think I have any different view.

THE CHAIRMAN: Okay. Given its immediate reception by the lay audience, at whom of course it was addressed, and then the subsequent furore that has lingered on, with hindsight, was it a good idea?

SIR WILLIAM EHRMAN: I think I -- that's addressed extensively in the Butler Review and I had no problems at all with the conclusions Butler reached.

THE CHAIRMAN: This, of course, is a lesson to learn to the Inquiry and the Butler Committee did reach a conclusion,

but has nothing changed in the interval? The Butler Report came out, for example, before the ISG report.

SIR WILLIAM EHRMAN: I can merely say that I don't think it would be wise to say that intelligence should never be used in support of -- informing Parliament and the public about reasons for policies and action which the government wishes to take. But the conclusion that was reached in the Butler Review about separating assessments and advocacy to me still stands.

MR TIM DOWSE: For my part -- I think I touched on this earlier -- I think that in a democratic country governments are always going to have an obligation to try to explain to the electorate, and to Parliament, why they feel it necessary to take action, particularly if it is going to involve military action, to remove threats. And if those threats are threats that develop in secret, as terrorism and proliferation often do, then inevitably one is going to have to draw on intelligence material.

Now, one can look at the way it is done and the Butler Report commented on that and I wouldn't -- certainly wouldn't disagree with that. Obviously -- you mentioned the result of the Iraq Survey Group -- it is good when one puts one's assessments in the public

domain, it is always preferable for them to be based on accurate information. We thought we were doing that at that time.

THE CHAIRMAN: Thank you. It would help the transcribers if your microphone could go nearer. Thank you.

I would like to turn now to the production of the dossier. First of all, we shall be taking evidence from John Scarlett as the draftsman and the authoriser. So, from your own standpoints, it is really to ask how much involvement you had as the production process of the dossier went forward, remembering that there was a long history, a pre-history, of the preparation of this material. Sir William?

SIR WILLIAM EHRMAN: I had no involvement in the drafting of the dossier. There were others from the FCO who attended some of the drafting meetings and I was not a member of the JIC at the time.

MR TIM DOWSE: As you say, there was a long history and, in fact, right back at the beginning of 2001, the Foreign Office Board expressed an interest in drawing on intelligence and unclassified material to put more in the public domain to explain policy towards Iraq.

But I suppose the process really began in March 2002, when there was an exercise to produce a broader paper on four countries, setting out concerns

about the problem of proliferation and I was -- that was led by the Cabinet Office. I was involved because my department was involved in commenting on the draft.

At the time, I expressed a number of concerns about the draft and, in fact, it was subsequently -- though I don't think particularly because of my concerns -- it was dropped, that idea, towards the second half of March. It was decided not to pursue that and to look -- the process then changed to produce a series of separate papers and that then itself changed until eventually the conclusion was to simply produce a paper about Iraq.

In the actual process -- the rather hurried process -- in September of drafting the dossier that was in the end published, my department was involved. I attended, I think, two drafting meetings at the Cabinet Office. Actually, they weren't drafting meetings, they were really to review the drafts that had been produced by the Assessments Staff in close collaboration with the Defence Intelligence Staff and the Agencies.

My recollection of those meetings -- both of them were chaired by the Chief of the Assessments staff -- was there were a number of quite technical discussions on specific aspects as to whether the wording was correct, which was in the first of those meetings.

In the second, there was a -- there was a discussion as to what elements of the main body of the text should we put into an executive summary, so it was essentially a stylistic and structural discussion, and I think actually myself -- I made relatively little contribution.

As I recall, the only substantive contribution I think I made was to make the suggestion that we should spell out that the Al Hussein missile could reach as far as the Sovereign Base Areas in Cyprus, and I think a map was included in the dossier showing that. But that was really the extent of the -- of my department's involvement.

We did, of course, provide the history of UNSCOM inspections, which was a particular section of the dossier. The first draft of that was produced by Dr David Kelly. He produced rather a long draft, as I recall, and we compressed it somewhat.

Otherwise, the Foreign Office provided the section of the dossier on Saddam's human rights record, but that was not dealt with by my department. That was produced by William Patey's department.

THE CHAIRMAN: Thank you. We have a very detailed account in the Hutton Inquiry Report of the construction of the dossier, almost line by-line, and I don't think there is

any need for this Inquiry simply to rehearse that.

Similarly, you rightly said the Butler Committee looked at the dossier in the round and reached certain conclusions.

What I would like to ask each of you is, were the claims in the dossier, particularly perhaps in the executive summary and in the Prime Minister's foreword, which, even at the time, if one stood back from it, you would wish to see differently written or excluded?

SIR WILLIAM EHRMAN: I do not have the foreword sufficiently in my mind to answer that question.

THE CHAIRMAN: Perhaps I can give one example, which is in the Prime Minister's foreword. It says:

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

The Butler Committee, I think, came to a view that it was not a statement it was possible to make on the basis of intelligence. Intelligence does not have that degree of certainty attached to it.

Would either of you care to comment?

MR TIM DOWSE: I think, with hindsight, the Butler Committee made a fair comment. I have to say I didn't see the foreword before the document was published, but in terms of the content of the dossier, Butler did make

a number of comments about areas in which the assessment could have been or should have been caveated, and you know, with hindsight, that was probably correct. I mean, we did think at the time that it was soundly based on solid intelligence evidence.

THE CHAIRMAN: Would you regard the absence of a reference in the final version of the dossier, not I think in earlier versions, of any reference to the aluminium tubes requiring to be re-engineered as a caveat or as a more substantive omission?

MR TIM DOWSE: We were quite careful. I do recall the discussion about the aluminium tubes. At one point we, I think, were not intending to make any reference to them in the dossier. At a very late stage before publication, as I recall, Vice-President Cheney made some public comments on US television related to the aluminium tubes and we felt that it would look odd if we said nothing on the subject. It would open us up to questions.

So -- but we were quite careful in what we said, specifically saying that we couldn't confirm that they were intended for a nuclear programme, although the quality of the aluminium was of a type that was usable for centrifuge production. But there was, as I recall, quite a debate going at the time between the

technical experts on the application or otherwise of the tubes to a nuclear programme.

THE CHAIRMAN: Right. Sir Lawrence?

SIR LAWRENCE FREEDMAN: I know, it is an extremely interesting statement because Vice-President Cheney was very clearly on one side of a particular debate that was going on that, as you correctly said, was incredibly technical, very hotly argued. It was a very controversial statement to include the aluminium tubes, because there was quite strong contrary evidence that these were for rockets that had been used in the 1990s and had nothing to do with a nuclear programme.

Were you aware of just how intense that debate was in the United States?

MR TIM DOWSE: I wouldn't say -- at the time, no. Subsequently, it has obviously become more public about that. I was aware that our technical experts were discussing with their US opposite numbers the nature of the tubes and, indeed, our experts were debating among themselves the nature of the tubes. It left us in a position -- and I think that was reflected in the dossier -- where we could not say that we had no doubt these were intended for a nuclear application. So we were quite cautious in the way we phrased it in the dossier.

SIR LAWRENCE FREEDMAN: But including them turned something that was a matter of conjecture and controversy into something that had a higher status, because the other position which you deal with -- I'm going to take you to Vice-President Cheney's comment -- was just to leave them out because it wasn't reliable information at that time, or a reliable assessment rather than information.

MR TIM DOWSE: As I say, we didn't present it as a definite judgment as to what their application was. We said the aluminium did have applications, but we were quite careful not to go further than that, and I think there was some concern, even then, that Vice-President Cheney had spoken very specifically and with a great deal of confidence that these were for a nuclear purpose and that, you know, we were not going to go that far.

So there was scope for difference between the UK and US positions to be identified.

SIR LAWRENCE FREEDMAN: But a casual reader would assume that they had only been included because you thought that this was relevant.

MR TIM DOWSE: We didn't think -- we hadn't reached a conclusion that it definitely was not relevant.

I mean, the debate was continuing. We had not concluded that the tubes were definitely not for a nuclear purpose. The point that Sir John mentioned, the fact

they would have to be re-engineered to be applied for a nuclear -- for a centrifuge programme, was a point that Lord Butler said we should have included, and I'm not going to disagree with that, but we didn't rule out the possibility that they were going to be re-engineered.

THE CHAIRMAN: I have one other question I would like to ask and then I think Sir Roderic would like to ask one.

I want to quote again, in the light of what we were discussing before the break, about briefing Ministers and their comprehension and understanding of the nature of and limitations of intelligence.

The Prime Minister's foreword says, of course:

"We cannot, of course, publish the detailed raw intelligence. I and other Ministers have been briefed in detail on the intelligence and are satisfied as to its authority."

There has been ex post criticism that there and at other points in the foreword there was an implication that, "We know much more than we can put here and it is of great certainty", or at least of high certainty. The word "authority", for example.

What I don't know is how far either of you were aware of the wording of the foreword for the actual issue.

SIR WILLIAM EHRMAN: I was not aware.

MR TIM DOWSE: I didn't see the foreword.

THE CHAIRMAN: Thank you very much. Sir Roderic?

SIR RODERIC LYNE: Just one thing on the foreword. The Prime Minister said:

"The picture presented to me by the JIC in recent months has become more, not less, worrying. It is clear that, despite sanctions, the policy of containment has not worked sufficiently well to prevent Saddam from developing these weapons."

Now, coming back to the discussion we were having just before the break, is it your view -- which I think before the break I would have inferred that it was not -- that the policy of containment actually had had the effect of preventing him from developing weapons at that time or that it had not had that effect?

MR TIM DOWSE: In the case of nuclear weapons, it had had that effect.

SIR RODERIC LYNE: It had that effect?

MR TIM DOWSE: I think we were clear on that and I think we said so in the dossier. In the case of chemical, biological and missiles, on the basis of the intelligence we had, our assessment was that he was developing those weapons, and continuing to, and the Iraq Survey Group confirmed that in the case of missiles

and did not confirm it in the case of chemical and biological.

So I think the foreword, in saying that the policy of sanctions had not prevented him from continuing to develop those weapons in respect of missiles, chemical and biological, on the basis of the information we had at that time, I would have said that was an accurate statement.

THE CHAIRMAN: I have just got a couple of more short questions before moving on to UNMOVIC and this concerns the February 2003 dossier. For the record, can I ask: were either of you consulted about the contents or publication of it?

SIR WILLIAM EHRMAN: No.

MR TIM DOWSE: No.

THE CHAIRMAN: No, in either case. In that case, I needn't ask you about any role you had in its production or whether there was any intelligence material in it or where it came from. Thank you.

Sir Lawrence?

SIR LAWRENCE FREEDMAN: Thanks. I now want to move on to the questions of inspections, and in particular UNMOVIC.

First, perhaps we can just establish where we had left off with UNSCOM and the role of inspections. Is it correct that the role of inspections was to validate

disclosures from Iraq?

MR TIM DOWSE: Yes, and that's quite an important point, that in fact became quite relevant in the months immediately before the invasion, when UNMOVIC had returned: that the inspectors were not supposed to be detectives. They were intended to verify Iraqi compliance with the resolutions. So Iraq was expected to make full declarations of its WMD, ballistic missile holdings and programmes, and the inspectors were then there to verify. And UNMOVIC -- its title was the UN Monitoring Verification and Inspection Commission and that was intended to underline that.

SIR WILLIAM EHRMAN: That was repeated again in 1441. The purpose of the inspectors was to monitor and verify.

Perhaps I can return to something Sir Roderic raised before the break, which I did not have an opportunity to comment on, because he asked, "Well, if you got the inspectors back in, would that not have been the most successful way of handling the issue?"

Just before the conflict broke out, the French Government made a proposal that we should increase the number of inspectors to compel Iraq to disarm.

We took issue with that proposal because we did not believe that inspectors could ever compel Iraq to disarm. Their purpose was only -- the most they could

do would be to monitor and verify.

SIR LAWRENCE FREEDMAN: I want obviously to come back to that later on. Can we just start, therefore, with the challenge that has now been posed?

You stated that statements from the Iraq Government were hard to believe, because they'd been lying and cheating throughout the 90s. We also now know that in 1991 most -- I accept it may not have been destroyed, but most of the chemical and biological weapons had been destroyed and the nuclear infrastructure dismantled.

Why was it impossible to validate this fact?

MR TIM DOWSE: Well, it would have been easier if the Iraqis had been open and honest in their dealings with the inspectors. I mean, what I would say fundamentally we were dealing with was a basic lack of trust in the credibility of the Iraqi regime. If we had had confidence that what Iraq told us was true, that their claims of having no weapons, having no programmes, were true, we would have had, I think, more confidence that the inspectors could do their job and ensure essentially against reconstitution. The difficulty we faced was that we didn't have very much confidence. In fact, we had almost no confidence that what the Iraqis were telling us was true.

So the intention -- when looking at why did we then

want the inspectors back at all, there are a number of reasons. First of all, because there was a whole series of UN Security Council Resolutions that said that Iraq should accept inspections and cooperate with them and UN Security Council Resolutions should be observed.

Secondly, it was a policy that commanded quite -- really widespread international support and that was something that mattered. We wanted to have a very wide international consensus in support of disarming Iraq and return of the inspectors was something that the international community could, if you like, consolidate a common view around.

They were not unhelpful in themselves. I mean, although we always took the view that, unless they had very good intelligence, the inspectors would face a huge challenge in uncovering hidden programmes or equipment or materials, they at least complicated Iraqi decision-making.

For the Iraqis never to be sure if a UN inspector was not going to turn up on the doorstep -- and remember the UNMOVIC inspection regime was going to be rather more robust and a strong inspection regime: there was going to be the opportunity for challenge inspections, for no-notice inspections and to go to areas that previously had been labelled off limits, such as

Saddam's palaces -- so it would introduce a great level of uncertainty at least into Iraqi activities and we wanted to complicate their decision-making.

Finally, I think, as I said earlier, they would be a source of information for us. We did feel, after UNSCOM inspectors left in 1998, that our insight into what was happening in Iraq dropped considerably. So we hoped that through reports to the Security Council from the numbers of inspectors on the ground, that we would begin to get more of a picture, and something that our own intelligence agencies could then take forward and build on, and one of the things that we were doing was providing intelligence to the inspectors themselves.

SIR WILLIAM EHRMAN: Could I add two points to what Mr Dowse said?

Firstly, you asked: why didn't we validate all of this? It wasn't just that the British didn't validate it; UNSCOM, of course, left with a very large number of unresolved issues.

Secondly, although the IAEA had been in Iraq and had been looking at the nuclear programme, the other means of verification attached to international treaties in the chemical field and Iraq did not accede to the chemicals weapons convention until this year.

So the Organisation for the Prevention of Chemical

Weapons, which could have carried out the inspections thereafter, was not able to do that with Iraq not having signed and ratified that Convention.

SIR LAWRENCE FREEDMAN: And UNSCOM had plenty of chemical weapons experts on its team.

SIR WILLIAM EHRMAN: Yes, but if you are saying without UNSCOM --

SIR LAWRENCE FREEDMAN: The point I was trying to get at was a rather fundamental problem -- please correct me if I am wrong -- that, when Iraq destroyed its weapons in 1991, it did so in rather a hurry and without keeping very good records. Is that correct?

SIR WILLIAM EHRMAN: That's correct, but going back to Mr Dowse's point about, if we had had more trust in the Iraqis, the Iraq Survey Group, after the war, which was able to do -- to operate in a far more easy environment, was able to get some documentation, was able to speak to people and did reach then a firm conclusion.

We had not been able to do that in the earlier years.

MR TIM DOWSE: Perhaps just to gloss on that, the Iraq Survey Group, even after spending a year in a more benign environment, it indeed reached conclusions. But some of its conclusions were actually still assessments, rather than definite conclusions.

SIR LAWRENCE FREEDMAN: There was a basic problem here: how do you know when a liar is telling the truth.

MR TIM DOWSE: Precisely, and what you have to do is to have a -- and that was part of the intention of the inspectors -- to have a presence in the country sufficiently expert, with sufficient powers to be able to go and check whether the liar is telling the truth and, one would hope, with the support from intelligence and other means which we encouraged the inspectors to pursue, such as interviews with Iraqi scientists, to be able to get sufficient evidence to convince us one way or the other.

We didn't have a high expectation of this because so much of what the inspectors were going to do to achieve their objective depended on Iraqi cooperation. And really this was the test: would Iraq cooperate? We didn't have a high confidence that they would but the possibility was always there.

SIR LAWRENCE FREEDMAN: Again we will come to that in a second.

You have already mentioned some of the differences between UNMOVIC and UNSCOM. One of the differences was its head, Hans Blix. Were you comfortable with Hans Blix's appointment as the head of UNMOVIC?

MR TIM DOWSE: We were, yes. We had, I would say, quite

a good relationship with Dr Blix. He visited the UK on a number of occasions. He met ministers. I think he first met the Foreign Secretary in September 2002. And on other occasions he did.

He had, we thought, a distinguished record as Director General of the IAEA and we always found, I think, in our dealings with him that they were really very friendly. I should say, part of my department's responsibilities had been, through the years when UNMOVIC was preparing itself to return against the hope that the Iraqis would allow them to return -- part of my department's responsibilities was to offer training to their inspectors to help them, keep them in a position of readiness to return.

So at the time of, what, November 2002, when we were asked, "Well, is UNMOVIC prepared to do the job?", our conclusion was that they were reasonably well prepared. We did think that there were weaknesses.

SIR LAWRENCE FREEDMAN: What were those weaknesses?

MR TIM DOWSE: A number. We were worried that they might not have enough inspectors. I think they were equipped -- they were expecting to have about 300 people in country, with about 80 able to conduct inspections at any one time, and that meant that simultaneous inspections, which we were quite keen on because we

thought it would stretch the Iraqi defences, if you like, their deception mechanisms, to have a series of inspections going on simultaneously. They had rather limited ability to do things simultaneously, but they could do a number.

We were concerned about the level of expertise of some of their inspectors. One of the criticisms that had been levelled at UNSCOM by Iraq was that it was dominated by Americans and British. There were reasons for that because, as nuclear weapons states, for example, we tended to have people who were expert in those sort of subjects.

When UNMOVIC was established, there was a conscious effort made to try and broaden the geographical base of its inspectorate. Now, I think we were successful in doing that but it did mean that quite a lot of their inspectors were not particularly expert in chemical or biological weaponry, and there was a limit to what you could do in helping them raise that standard.

We discussed this with Dr Blix and I think the phrase he used; he said, "Well, we need foot soldiers as well as officers," and that was a reasonable point. But that was another area of concern.

We thought they were a little slow at acquiring specialist equipment. From the point that

Resolution 1441 was passed they needed to start letting contracts, and one example was they had plans for an analytical laboratory to be established in Baghdad to analyse samples that they would take. And we thought they were rather slow about getting that process underway, and we offered them the use of Porton Down and as a result they welcomed that, I think.

There were various other things that they found they needed. Ground-penetrating radar was one, to look for buried items of equipment and we assisted them with that. But again it took them a little time to build up their abilities to use it effectively.

Because we anticipated feeding them intelligence, we were very concerned about their ability to keep that information secure. UNSCOM had had an operation called "The Gateway" in Bahrain, which was where inspections were planned, intelligence was provided -- not just by us, by other countries as well. UNMOVIC didn't have that sort of arrangement. We tended to brief them in New York, and although we were confident that their communications, their electronic communications, from New York to Baghdad were secure, we were not very confident that their offices in Baghdad were secure from Iraqi bugging or other forms of Iraqi intelligence-gathering. So if they had intelligence in

hard copy, we were a little worried about the Iraqis getting hold of that. So that was a concern.

So a number of weaknesses, but as I say, our overall assessment -- and it is one that I remember we discussed with the US -- was that they were in reasonably good shape to go about their task.

SIR LAWRENCE FREEDMAN: We heard yesterday from witnesses that there were some doubts in the United States about whether it would be of any value to return to inspections. Was this your experience as well?

SIR WILLIAM EHRMAN: There were doubts among some, particularly on the US military side, whether the inspectors would be able to find anything.

MR TIM DOWSE: Yes, I think there was probably a higher level of scepticism in the US that the inspectors would find anything, but I think they had a rather different view of the inspections anyway. As I said, we always regarded the inspections as something that would only produce evidence with Iraqi cooperation. They were most likely to produce evidence with Iraqi cooperation. The Americans, I think, really regarded the inspectors more as a detective operation and didn't believe that there would either be sufficient of them or that they would be strong enough to produce the evidence.

Having said that, the people that I dealt with,

particularly in the State Department, who were also, in parallel to us, gearing up to support the inspectors, I always found completely devoted to the task. They certainly wanted to make the inspections work.

SIR LAWRENCE FREEDMAN: On this question of Iraqi cooperation, initially is it fair to say it was assumed that there would be very little Iraqi cooperation?

MR TIM DOWSE: I think we were not closed-minded because we were conscious that -- and it was part of the intention that -- the military build-up that was beginning to get underway at the end of 2002 and then into 2003, would be, we hoped, concentrating Iraqi minds and would push them to cooperate.

But I have to say, we didn't have very high expectations, and almost from the outset Iraqi behaviour rather confirmed that view. Their initial declaration was supposed to be a full, final and complete declaration of their WMD activities, holdings. They produced 12,000 pages but there were large gaps, and I think Dr Blix himself said that it didn't really add anything to what they had said in the past and what the position had been at UNSCOM's withdrawal.

SIR LAWRENCE FREEDMAN: This is all relevant to the build-up to war because it is now in the context of 1441, and there is a question of material breach. In your minds

what would have constituted a material breach at this time? Did the British Government ever set down -- you have mentioned one thing that could have been a material breach, the failure to produce a full disclosure on December 7th.

MR TIM DOWSE: We were quite clear that from our perspective that would not constitute a material breach. I need to be a little careful because I'm not a lawyer. You perhaps need to ask Michael Wood. But the -- it seems to me there are two aspects to material breach. There is the strict legal aspect and there is also what politically would have been acceptable and understood and accepted by the members of the Security Council as material breach, and a failure to produce a full declaration might, in the strict legal sense, have constituted a material breach, but I think we were clear that, in terms of getting agreement from members of the Security Council, it would not have been sufficient.

SIR WILLIAM EHRMAN: Again, I think others can comment on this who were involved in negotiating in New York, but there were essentially two things. Did he produce an accurate declaration, and right the way up to March that was not the case, and British intelligence helped find some of the Volga engines in Iraq. There had been a number put into the declaration, but it was an untrue

number. And -- there were also the documents, the nuclear documents, which, again, our intelligence helped UNMOVIC turn up. He also claimed that the Al Samoud missile was legal and within the ranges. It was not.

So there was not an accurate declaration at any point and the other key issue was cooperation with UNMOVIC, where, as Mr Dowse says, there was not particularly strong cooperation at the beginning. There was a lot of evidence of the intimidation of scientists in particular. It was improving in some respects towards the end, but it certainly was not the immediate and full cooperation that was demanded in the resolution.

So he met neither of the two tests which were set him in 1441 and, of course, 1441 determined that he was in breach and he had to -- he was black, in other words, and he had to prove himself white, and he did not do so.

SIR LAWRENCE FREEDMAN: But you have said that the disclosure -- non-disclosure, if you like, by itself was not seen as a material breach sufficient in itself --

SIR WILLIAM EHRMAN: There was an "and". There was the declaration and the cooperation. But the declaration, he clearly did not need meet and he didn't meet it, in our view, either on the cooperation.

SIR LAWRENCE FREEDMAN: During the course of the first few

months of 2003, Hans Blix, having been very harsh on Iraqi cooperation to start with, starts to get less harsh, starts to say there has been more cooperation. Is that correct?

MR TIM DOWSE: That's correct. I think at the end of January he reported to the Security Council and he was really quite critical of Iraqi cooperation. His reports in February and I think at the beginning of March were less critical. He identified some signs, but I don't think he ever said that he was getting full cooperation.

I think a comment he made -- I can't remember if it was to the Security Council or a comment to us -- was that the Iraqis were engaging in what he described as "passive cooperation", whereas what he actually needed was active cooperation, and I think this comes back to their ability to provide scientists to be interviewed without minders present, which is something that they simply refused to do. He -- for a long time, they stalled on overflights by U2 aircraft to provide overhead imagery. They finally agreed to that, I think, right at the very end of February.

There were administrative difficulties that they raised, such as numbers of helicopters that UNMOVIC could fly at any one time. Most of these were overcome

at some point, but it was very grudging and only after repeated pressure and it seemed to us that what we were seeing was essentially a repeat of Iraqi tactics through the 1990s, the -- as I think I said earlier -- to have every admission and every piece of evidence dragged from them. Whereas the requirement upon them under the Security Council Resolutions was for them to volunteer.

SIR LAWRENCE FREEDMAN: Just to take one example of that, the question of interviewing Iraqi scientists, there was quite a lot of pressure to take them outside of Iraq to do so. Dr Blix, if I recall, thought this was almost kidnapping, and viewed from the scientists' point of view, given the nature of the regime, this would put their families at risk because of suspicions of what might be going on.

So was it ever really realistic to make this demand, of these sorts of interviews?

SIR WILLIAM EHRMAN: I think it was realistic, because if Saddam was going to change his mind -- and this was essentially the test set him by 1441: do you want to resolve this issue peacefully -- he could have said to the scientists, and we know that he was threatening them in fact, but he could have said, "No, please go forward and be interviewed and if you wish to leave Iraq, you can". But, of course, it was very difficult because

that was not the situation, and in marked contrast, I would like to add, to the case of Libya, where after the announcement that he would give up his programmes by President Gaddafi, there was full cooperation with the IAEA and the OPCW and, as a result, we got a great deal of confidence that those programmes had been removed.

MR TIM DOWSE: You are right that interviews of scientists became a particular issue. That's partly because our own experts were advising us that this was -- would be a key benefit. We were finding that, where we did have intelligence and were providing it to UNMOVIC, we were beginning to get results and William mentioned the Al Samoud 2 rocket motors, which -- we had identified their location and pointed UNMOVIC at them. Again, also the nuclear documents.

That gave us a degree of confidence that, were we able to get more information to feed through to UNMOVIC, that we would get further successes of that sort. We volunteered expert advisers to help UNMOVIC interview scientists, but it was absolutely crucial, we felt, that these interviews should be unmonitored, unbugged, without the presence of Iraqi Government minders, because the problem of intimidation.

So the idea initially was to say, "Let's do this in secure circumstances in Baghdad", and I think that was

always the preference, but that seemed impossible.

The conclusion then was that, to be really sure, to take them outside the country -- and you are right, Dr Blix said, "There are real practical problems with this", and I think we recognised that but we thought that those problems could have been overcome.

SIR LAWRENCE FREEDMAN: When the Survey Group was able to interview these scientists, they all said there was nothing there, that it was destroyed in 1991.

So if they had been got in these controlled and benign conditions and they had said that then, would they have been believed?

MR TIM DOWSE: I think it is a hypothetical, isn't it?

SIR LAWRENCE FREEDMAN: But it indicates the problem that there was a level of disbelief --

MR TIM DOWSE: There was -- there was -- yes.

SIR LAWRENCE FREEDMAN: The other thing that's going on over this period is questions being raised about the quality of the claims being made by the United States and the United Kingdom. This was first the case with the IAEA report, but there were particular claims, notably those made by Secretary of State Colin Powell in early February, that were rather quickly discounted or suggested the evidence wasn't there. Did that concern you?

MR TIM DOWSE: It concerned us that it was discounted or denied, because we thought that, in general, Colin Powell's presentation to the Security Council was reliable and sound. The things that he highlighted, the BW trailers, the concealment activity, where he spoke about -- he described the intercepts, were things that we also believed existed.

So, you know, we were concerned that it did seem to be dismissed. In addition, as I said, some of the intelligence that we had provided to UNMOVIC had produced results, proved to be accurate. There were a number of other occasions where we provided information to guide an inspection and the inspectors, in our view, had botched the event. There was one occasion where we pointed them to what we believed to be a buried -- I think it was a buried missile, and an Iraqi crowd turned up and chased them away or deterred them from investigating, and that was a frustration to us. I think these frustrations grew a little bit as time went on.

In addition, through the period, really, from the end of 2002 right up -- almost up until the invasion, we were getting a fairly steady stream of quite sort of low level intelligence, operational reports, reports coming from military sources, which -- about

Iraqi concealment activities, about items of equipment being removed after dark, things like that, which I think individually, these reports, had we subjected them to the JIC analytical process might have been regarded as not very strong. Collectively, this was a -- every few days getting more of this rather confirmed us in our view that, you know, if the inspections could be pursued with a little more vigour, a little more skill, that the things were there and could be found.

SIR LAWRENCE FREEDMAN: Going back to Colin Powell's, speech, was this speech shown to the United Kingdom before it was delivered to the United Nations?

MR TIM DOWSE: Very shortly before. There was a Cabinet Office meeting of experts -- I attended it -- which went through the main points of the text, to see was there anything that we thought was unreliable or was unwise to say.

SIR LAWRENCE FREEDMAN: Did you pass any feedback?

MR TIM DOWSE: I have to say I cannot remember whether there was -- I think we may have made one or two comments, but, fundamentally, we did not regard the statement as inaccurate. I think you would probably need to check that with other witnesses.

SIR LAWRENCE FREEDMAN: So what we have here is a situation

where you have told us that the UNMOVIC took a while to get going, was slow to get going. Iraqi cooperation was poor to start with, but was getting better but not yet satisfactory. Certain things were -- probably the intelligence was always of higher confidence, had been shown to be valid. But other things were not being found.

I think the Butler Report questioned why there hadn't been another assessment at this time, especially perhaps in late February, just to see, "Are we sure we're right?" Very momentous things are going to happen on the basis of an assumption that not only is -- have they been doing things up to this point, but the inspections regime which we have been agitating for and has now gone in is not going to work.

So why was there not another stocktaking at this point?

SIR WILLIAM EHRMAN: I commented a bit earlier on why I thought -- some of the reasons that there wasn't a stocktake at that point. Firstly, we were not getting contrary intelligence to what we had had previously. We did, at the very end, I think, on 10 [1]March, get a report that chemical weapons might have remained disassembled and Saddam hadn't yet ordered their assembly, and there

[1] HMG later confirmed that the report was issued on 17 March 2003.
The witness subsequently confirmed that the report was issued on 17 March 2003.

was also a suggestion that Iraq might lack warheads

capable of the effective dispersal of agents. But until then, until 10 March -- and this was assessed in a JIC assessment on 19 March -- we hadn't had contrary intelligence.

Secondly, UNMOVIC were turning up some things on the basis of British intelligence and, thirdly, they still had this huge number of unanswered questions where they published a document highlighting those on 7 March.

So those were three reasons why I think at the time it wasn't felt that there was anything coming forward that was so radically different from our view that a reassessment was needed.

MR TIM DOWSE: I would just add to that also that, frankly, we were extremely busy. Speaking from the perspective of my department in the Foreign Office, with both trying to ensure that the inspectors got support, items of equipment that they needed, we were also increasingly concerned, as the possibility of military action came closer, for the inspectors' safety -- and there were a number of British inspectors among them -- and right from, really, the previous autumn, again given the experience in 1991 of Saddam taking hostages, human shields, we were seriously concerned that, faced with the possibility of military action, the Iraqis would essentially seize the inspectors as hostages. So

there were a number of contingency plans being prepared for that sort of thing.

SIR WILLIAM EHRMAN: Could I add one more political issue which is quite separate from the intelligence? The basis on which the government, if it had to, was going to authorise military force was whether or not Iraq had complied with those two tests in 1441.

On that, we were relying on very much -- on UNMOVIC, a document was published on 15 March, made public, stating why we believed that Iraq had not met any of the tests in the resolution giving a good deal of detail which was drawn very largely from UNMOVIC.

So the role of intelligence in the decision to go to war, as the Butler Review said, was limited.

SIR LAWRENCE FREEDMAN: Can I just have two follow-ups from the interesting things you have just said?

The first, going back to this new intelligence of 10 March, I think you said, was this intelligence shared with the Americans?

SIR WILLIAM EHRMAN: I would have to check. I don't know.

SIR LAWRENCE FREEDMAN: What sort of pause did it give you? Did it make you wonder whether, at this late stage, more care and attention might be given and maybe it wasn't too late to stop the --

SIR WILLIAM EHRMAN: It was essentially battlefield

intelligence because the JIC had been assessing whether Saddam would use chemical and biological weapons against forces coming into Iraq. So it was important in that context. But I don't think it was -- since there was contradictory intelligence, I don't think it invalidated the point about what the programmes were that he had, it was more about use.

SIR LAWRENCE FREEDMAN: So it gave you pause that -- not to seriously question the broad assumptions upon which policy had been working for some time?

SIR WILLIAM EHRMAN: As I say, it was more about use than about what he possessed.

SIR LAWRENCE FREEDMAN: But given, going back to our discussion earlier this morning, that the most likely thing that they had to show that this was more than a projection that war might happen should sanctions fail, should sanctions be abandoned, was a battlefield chemical capability, it wasn't a trivial bit of information.

SIR WILLIAM EHRMAN: No, but in a sense the two bits of intelligence we had got almost confirmed that he did have this. It said that CW remained disassembled. Well, there must be some there to remain disassembled, and that, also, he might not have the munitions for the effective dispersal of agents. It wasn't questioning

whether agents existed.

SIR LAWRENCE FREEDMAN: The other thing that was going on, of course, was the destruction under UNMOVIC of the missiles, the arsenal of missiles.

Again, going back to our earlier discussions, this was not a trivial thing to be happening. If means of delivery were critical to turning stocks of weapons into a threat, removing the means of delivery was actually quite a major setback.

SIR WILLIAM EHRMAN: In military terms, yes. From a pure counter proliferation point of view it just proved that he had been lying, that he had prohibited items.

MR TIM DOWSE: I would add that the destruction of the missiles took quite a long time for the Iraqis to agree and not many had been destroyed by the time we were into what proved to be, if you like, the diplomatic end-game by mid-March.

SIR LAWRENCE FREEDMAN: This is my final point: you mentioned that you quoted the 128 points, or whatever it was, from UNMOVIC as an example of why you weren't getting cooperation. However, was Dr Blix saying that his position was becoming hopeless, that he was not able to pursue the tasks set for him, that UNMOVIC might as well give up, or was he saying "Give me some more time, and we might be able to get to the bottom of these

questions"?

SIR WILLIAM EHRMAN: He certainly wasn't saying the first. I don't know that he was saying the second. He was reporting, as it was his duty to do, that he was receiving some more cooperation on process at the very end.

MR TIM DOWSE: I think we recognised that Dr Blix -- and we shouldn't forget Dr El-Baradei as well, because the IAEA were also part of this -- that they were in a very difficult situation.

They were, I think, acutely conscious of the fact that what they reported to the Security Council might make the difference between military action or no military action, and, in fact, it was an awkward position to be in.

So one recognised that, but, as William says, they didn't specifically come to us and say, "Give us another month or another six months and it will be done". We were tending to hear that sort of message from some other countries on the Security Council, notably the French.

SIR WILLIAM EHRMAN: What we did discuss towards the very end with Dr Blix -- I think Sir Jeremy Greenstock discussed it with him too -- were six tests that we might set for the Iraqis in the second resolution, but,

of course, that was -- eventually, didn't prove a possible resolution, was withdrawn.

SIR LAWRENCE FREEDMAN: But that would have actually established the material breach which still is the question that is hanging over --

SIR WILLIAM EHRMAN: I'm not sure I would agree with that --

SIR LAWRENCE FREEDMAN: Whether there was a material breach?

SIR WILLIAM EHRMAN: He was in material breach unless he met the two tests in 1441. So he was already judged by 1441 to be in material breach. Did he meet the two tests in 1441? We say he didn't.

MR TIM DOWSE: I think the tests -- or the benchmarks, as we talked about them -- the idea of those emerged in February and, in a way, that was actually a way of providing some more time and there was quite a discussion with the -- as I recall -- with the US as to whether this was something worth doing or not, and, again, the -- I was involved in designing the tests, trying to find benchmarks that would be certainly challenging for Iraq to meet, but not impossible, to be credible tests of whether they were going to cooperate.

Now, if, actually, Saddam Hussein had met those benchmarks, I think, you know, for the British Government things might have been different.

THE CHAIRMAN: We are very close to 1 o'clock. I think some of my colleagues may want to pick up questions after the lunch break. There is just enough time, I think, Sir Roderic, for your questions.

SIR RODERIC LYNE: I just think it is important that we are very clear about this question of time, because it is an important one in the public mind.

Do you believe that the inspectors were actually given enough time to do thoroughly the job that they had been asked to do?

SIR WILLIAM EHRMAN: My own response to that would be there could never be enough time absent cooperation.

SIR RODERIC LYNE: Was it reasonable to expect them to come to a conclusion within a matter of relatively few weeks on this, given the scale of the task? If you had asked them --

SIR WILLIAM EHRMAN: If you had had cooperation, full cooperation, from the beginning, from the Iraqi Government, we might have been in a very different situation. But we were not having cooperation, and, in the absence of cooperation, just as we saw in the 1990s, you couldn't probably get anywhere however long you are in.

SIR RODERIC LYNE: So by the middle of March, so far as you are concerned, the picture was clear enough and more

time would not have affected the issue?

SIR WILLIAM EHRMAN: The French made an alternative proposal in March, which was for more inspectors to go in, and, as I mentioned earlier, for Iraq to be compelled to disarm.

We didn't think sending in more inspectors in the lack of cooperation would make a material difference and we did not think that inspectors could compel Iraq to disarm in any way. That was contrary to their job in 1441.

MR TIM DOWSE: I would agree with that. Actually, it was a little bit more than a few weeks. The first two inspections under 1441 took place on 27 November 2002. So there was a near four-month period until 19 March 2003 that the inspectors had.

Diplomatically, politically, it would perhaps have been of benefit to have -- for them to have had more time. But in substance I share Sir William's view that it wouldn't have made a difference without Iraqi cooperation and we didn't see that we were getting Iraqi cooperation.

Just on the point of, could the inspectors compel Iraq to cooperate, there was a suggestion -- I think it was put forward in the autumn of 2002 -- by the Carnegie Endowment for armed inspections, essentially, which

would -- inspectors who would be escorted by troops who would be prepared to shoot their way into sites if the Iraqis stopped them.

We gave that very brief consideration, but we very rapidly dismissed it. It didn't seem to us something that could conceivably be a policy that would be either effective -- and would probably lead very rapidly to the death of a UN inspector.

THE CHAIRMAN: There is a -- Usha?

BARONESS USHA PRASHAR: Just on the question of full cooperation, what does that actually mean in practice? Because you were beginning to get a report from Hans Blix that there was some cooperation, and obviously it is something you have got to build up in terms of cooperation. So can you just unpack that for me?

When you say you were not getting full cooperation, when the reports were coming in that there was some cooperation beginning to emerge, that to me seems that more time could have gained full cooperation.

SIR WILLIAM EHRMAN: That's a matter of judgment, but Dr Blix had not reported full cooperation and there were still areas which we tried to devise in the six tests which might have tested him further.

Saddam was saying -- ordering everybody to provide all the information that they could, letting the

scientists go out of the country, that sort of thing, which was why we tried to devise those tests, but there had been no report of full cooperation even though there had been slightly better cooperation in the final period.

SIR MARTIN GILBERT: It is a crucial question that some cooperation is not full cooperation. Some cooperation is nevertheless an invitation that some of the things we were hoping for might take place. Why was there a cut-off point at this moment?

SIR WILLIAM EHRMAN: Because I think the cut-off point was when President Chirac said that he would veto the second resolution under any circumstances.

SIR MARTIN GILBERT: That didn't affect the inspectors --

SIR WILLIAM EHRMAN: It affected the whole political process. It brought matters in New York to a stop.

MR TIM DOWSE: I think there was also an underlying concern -- and I'm not the best person to talk about this, because really my focus was on trying to get the inspectors to work, but there was an underlying concern, again against the background of what we had seen in the 1990s, that Saddam was always playing for time. He was always trying to kick the ball a little further down the road and there was a feeling that the point had to come at which we said, "So far and no further", and whether

you drew that line in late March 2003 or April or June, the line had to be drawn at some point.

In a way, the benchmarks, even if he had met the requirements of the benchmarks, it still would not have been full cooperation, but it would have been evidence of a change of heart. I think that was, if you like, the underlying concern.

SIR RODERIC LYNE: There --

THE CHAIRMAN: We are about to break for lunch, I think. We need perhaps to pursue these supplementary questions after lunch, but since Sir Roderic had got in, a very quick one.

SIR RODERIC LYNE: Just very briefly, there was presumably another cut-off point. Saddam Hussein would not have permitted the inspectors without the threat of military action. Troops, as you mentioned earlier had been deployed since the end of the previous year. The build-up had happened. You can't keep forces in theatre indefinitely. At a certain point, you have to make a decision whether you are going to fish or cut bait. We must have been very close to that. Was that not the real cut-off point?

SIR WILLIAM EHRMAN: I think there were different military views on that and you would have to ask the military about that, but that was certainly a consideration as

well.

SIR RODERIC LYNE: Thank you.

THE CHAIRMAN: It is 1 o'clock. The morning has taken us up to the invasion, where, of course, no WMD emerged on the battlefield or outside it.

We will resume at 2 o'clock and this afternoon we shall need to look at the issue of WMDs after the invasion, and then I think that will probably conclude the business for today. So could I ask for a prompt return by those in the room before 2 o'clock and we will pick the thing up at that point. Thank you.

(1.03 pm)

(The short adjournment)