

Wednesday, 2nd February 2011

Evidence of THE RT. HON. JACK STRAW MP

Note from the Inquiry:

Because of an oversight by the Inquiry, Mr Straw was not specifically notified in advance that the Inquiry would wish to refer to certain documents during the hearing, and had not had the opportunity to review them. The Inquiry has apologised to Mr Straw for this oversight. The Inquiry accepts that Mr Straw was placed at a disadvantage in giving his evidence, and understands his view that the line of questioning should not have been pursued once he had made it clear that he had not had the opportunity to review the documents.

1 Wednesday, 2nd February 2011

2 (9.30 am)

3 Evidence of THE RT. HON. JACK STRAW MP

4 SIR JOHN CHILCOT: Good morning, everyone.

5 THE RT. HON. JACK STRAW MP: Good morning.

6 SIR JOHN CHILCOT: I am sorry we started a few minutes late
7 this morning. This is because of a technical problem.

8 We are now ready to start the hearing. We shall be
9 hearing this morning from The Right Honourable Jack
10 Straw MP, who served as Foreign Secretary from June 2001
11 until May 2006.

12 We heard evidence from Mr Straw in two half day
13 sessions in January and February last year. He also
14 sent the Inquiry written statements in advance of each
15 of those hearings.

16 In preparation for this morning's hearing we asked
17 Mr Straw to produce a further statement in response to
18 a number of particular questions from the Inquiry. We
19 are grateful for that and it has now been published on
20 our website.

21 We are also publishing a number of other documents,
22 including some which are relevant to Mr Straw's
23 statement for this morning's hearing.

24 Now this morning we shall concentrate only on those
25 areas where there are specific points we wish to explore

1 with Mr Straw. We are not addressing all the areas for
2 which he was responsible as Foreign Secretary and which
3 we may wish to address in our report.

4 As I say on each occasion, we recognise that
5 witnesses give evidence based on their recollection of
6 events and we, of course, check what we hear against the
7 papers to which we have access and which we are still
8 receiving.

9 Finally, I remind each witness on each occasion he
10 will later be asked to sign the transcript of his
11 evidence to the effect that the evidence given is
12 truthful, fair and accurate.

13 With those preliminaries out of the way I will turn
14 to Sir Roderic Lyne. Rod.

15 SIR RODERIC LYNE: Mr Straw, as the Chairman has said, we
16 don't need to repeat our earlier discussions, but I'd
17 like to seek clarification on a few specific points as
18 the strategy towards Iraq evolved after 9th September
19 2001.

20 Now last year we discussed the policy of containment
21 in some detail. As you say in your latest statement,
22 this was a policy that was difficult to sustain.

23 Is it right that, as we have heard from other
24 witnesses, containment remained the government's
25 officially stated policy at least until September of

1 2002?

2 THE RT. HON. JACK STRAW MP: Well, it's right that in
3 a sense it depends what you mean exactly by containment.
4 If you mean by containment, as I set out in my latest
5 statement, containing and removing the problem of
6 Saddam's failure to comply with United Nations'
7 obligations, then containment remained the overall
8 strategy of the government right up to the time when we
9 took the decision to use military action, because in
10 a sense 1441 was a continuation of a series of policies
11 by the United Nations' Security Council to secure the
12 compliance of Saddam Hussein and to ensure that all his
13 WMD had been removed, his programmes and capabilities
14 had been broken up. As I said repeatedly, and it was
15 absolutely explicit at the time, if Saddam had done
16 that, then he would have stayed in post.

17 Regime change qua regime change was never
18 an objective of the British Government. If 1441 had
19 been complied with, which was my hope, then in a sense
20 containment as within 1441 would have been a successful
21 policy.

22 SIR RODERIC LYNE: We will come back to one aspect of that
23 a bit later on.

24 Very soon after 9/11 there was talk in the United
25 States and quite a lot of speculation in the British

1 media that there would be a Phase Two of the war on
2 terror and that Phase Two might include as a priority
3 target military action of some kind against Saddam's
4 regime.

5 On 26th November 2001 President Bush in a press
6 conference made some remarks about Iraq which boosted
7 that speculation and then there was quite a lot of
8 speculation following on from that in the British press
9 about whether military action against Iraq was being
10 contemplated.

11 In his recent evidence to us Lord Wilson, who was
12 Cabinet Secretary at the time as Richard Wilson, told us
13 that Mr Blair had played an important part after 9/11 in
14 dissuading the Americans from taking action against Iraq
15 at that time or from thinking of it, and indeed on 27th
16 November 2001 your junior Minister, Ben Bradshaw, told
17 the House of Commons that it was not the policy of the
18 government to extend the military action to other
19 states, and that there was no evidence of the
20 involvement of states other than Afghanistan in 9/11.

21 So is it right to think that in the autumn of 2001,
22 and indeed into the early part of 2002, the government
23 was seeking to dissuade the United States administration
24 from targeting Iraq in the second phase of the war
25 against terror.

1 THE RT. HON. JACK STRAW MP: It was certainly the case,
2 clearly in that period, we were seeking to persuade the
3 United States Government to put off any significant
4 consideration of the issue, because in November 2001 we
5 were completely immersed in Afghanistan. I mean, that
6 was the overriding pre-occupation for the British
7 Government and indeed for the Americans. There was and
8 remained a serious problem in Iraq, but it was not one
9 that we had to deal with that day, that week or that
10 month, and that indeed eventually became the case.

11 Then if I can just explain, and to some extent this
12 is brought out by Richard Wilson's evidence, we had
13 Afghanistan going on. Then on 13th December 2001 there
14 was the attack by Islamist terrorists against the Lok
15 Sabha in Delhi. That led to a series of events which
16 over the following months led to a mobilisation of
17 conventional forces by India and Pakistan and the
18 possibility that they might begin to threaten each other
19 with their nuclear forces.

20 I got completely immersed in that. With Colin
21 Powell, with his deputy, with David Manning, we were
22 backwards and forwards to India and Pakistan throughout
23 that period to persuade and cajole the Indians and
24 Pakistanis to pull back from a military confrontation.

25 So that was our pre-occupation. Yes, Iraq was

1 there, but if you are asking me, Sir Rod, when Iraq
2 really started to come right to the surface, I can tell
3 you exactly, as far as I was concerned, and that was the
4 day that President Bush gave his State of the Union
5 speech, which was on 23rd, 24th, towards the end of
6 January 2002.¹ I happened to be in Washington that day
7 and could sense the sort of game-change that his
8 statement led to.

9 SIR RODERIC LYNE: You made clear in your evidence to us
10 last year that you thought the administration made what
11 you called a profound mistake in the State of the Union
12 speech by linking together three separate countries,
13 which you did not see as being linked.

14 So in this period up to at least the State of the
15 Union, the Axis of Evil speech, we are saying to the
16 Americans: the priorities are Afghanistan, this very
17 serious situation in India. Iraq is not implicated
18 either in 9/11 or, of course, in the attack on the Lok
19 Sabha. It is not the priority issue. So essentially
20 insofar as there are inclinations on their side to push
21 it up to the top of the list we are saying that's not
22 the priority right now. That is correct, is it, for the
23 record?

24 THE RT. HON. JACK STRAW MP: What we are saying, if I could
25 just put it a slightly different way, we are saying it

¹ State of the Union address took place on 29th January 2002.

1 is a priority, but we don't have to consider it now. We
2 have other much more --

3 SIR RODERIC LYNE: It is a priority like North Korea?

4 THE RT. HON. JACK STRAW MP: We have to deal with this, we
5 were saying, but there is an issue of capacity apart
6 from anything else. From my point of view it wasn't
7 really possible to deal with it then, because we were
8 dealing with Afghanistan, and we were dealing hour by
9 hour with the India/Pakistan issue.

10 Just to illustrate what I mean by "hour by hour", it
11 is a matter of Straw family record now that I was
12 supposed to be cooking the Christmas
13 lunch² and I served the first course on Christmas day and
14 the rest of the time was spent on the telephone talking
15 to Colin Powell and others about the India/Pakistan
16 thing. So this was completely dominant. Iraq was
17 a problem, but it was a problem we didn't have to deal
18 with there and then.

19 May I sort of, if I may, respectfully pick you up on
20 one thing you said I had said about the Axis of Evil
21 speech? I had had no difficulty about President Bush
22 highlighting the problems of Iraq and North Korea,
23 although I wouldn't have used the Axis of Evil analogy
24 because I didn't think it was an axis. I had profound
25 objections to him bracketing Iran with Iraq and North

1 Korea, because I didn't think it was justified, and
2 because it undermined the reformist President Khatami's
3 efforts to reach out to the west and profoundly damaged
4 his standing within his own country.

5 SIR RODERIC LYNE: Yes. What you said to us last year was
6 exactly that. You said:

7 "I was concerned about the way in which he had
8 sought to link these three very different problems
9 together."

10 THE RT. HON. JACK STRAW MP: Yes.

11 SIR RODERIC LYNE: So these are problems. Iraq is
12 a problem, North Korea is a problem and Iran is
13 a problem. Your point is these are different problems
14 and they are not the problems, unlike the one that
15 interrupted your Christmas dinner, that are the ones you
16 have to deal with at that particular moment.

17 Now on 3rd December in a letter from which you have
18 quoted in your latest statement to us, which has been
19 declassified, your office -- and you told us previously
20 you had personally approved this briefing to the Prime
21 Minister -- replied to a request from the Prime Minister
22 for a note on the options for dealing with Iraq. If
23 I can just pick out four points from the advice that you
24 gave to Number 10 in that letter, your Private
25 Secretary's letter said:

1 "There are no anti-terrorist grounds for stage 2
2 military action against Iraq."

3 It said:

4 "A strategy to deal with the WMD threat will require
5 ratcheting up our present policy of containment."

6 It said:

7 "Military intervention for the purpose of regime
8 change would be illegal."

9 Of course, you have consistently argued, as you did
10 to us last year, that regime change could not be
11 an objective of UK foreign policy.

12 Finally it concluded, its last bit of advice was:

13 "We should find out what the Americans had in mind
14 and test the viability of any plans."

15 So you saw Sir David Manning's mission that he was
16 about to go on to Washington with Sir Richard Dearlove
17 as being an exploratory mission rather than one in which
18 we were certainly arguing for regime change, which you
19 said was illegal.

20 Were you aware that around the same time you were
21 offering that advice that Jonathan Powell was writing
22 the Prime Minister a note about encouraging people in
23 Iraq to resist Saddam, a note which he described in his
24 evidence to us slightly diffidently?

25 THE RT. HON. JACK STRAW MP: I mean, I don't think I was

1 aware of that note itself, because Private Secretaries,
2 people in Jonathan Powell's position, were entitled to
3 send their own private notes to their bosses, as my
4 Private Secretaries did to me, and I hope very much they
5 were not sending them around the office and certainly
6 not sending them across the road to Number 10.

7 I don't think that's necessarily inconsistent with
8 a clear policy and legal requirement that the British
9 Government could not be committed to regime change as
10 an objective.

11 No-one liked the Saddam Hussein regime, and if there
12 had been some magic wand by which it could have been
13 removed or replaced by democracy, so much the better.
14 So you can have the wish and desire to see a regime
15 changed. You may also, within clear limits, wish to
16 encourage that, but it could not be and actually wasn't
17 an objective of British Government policy.

18 That particular briefing that went to David Manning
19 I think on -- Number 10 on 3rd December was designed
20 obviously to give him background, but also to set out
21 what I saw as the parameters of any overall strategy for
22 us. I actually think it has rather stood the test of
23 time.

24 SIR RODERIC LYNE: You were, of course, aware that Number 10
25 had also commissioned some briefing in parallel at the

1 same time from the Secret Intelligence Service, and you
2 saw the papers or you saw two papers that they sent to
3 Number 10. These papers, of course, have not been
4 declassified, but they have been described to us in
5 evidence sessions, transcripts of which have been
6 published.

7 The first paper that SIS wrote for Number 10 began:

8 "What can be done about Iraq if the US heads for
9 direct action? Have we ideas which could divert them to
10 an alternative course?"³

11 That paper warned of the hazards and, as described
12 to us, it argued for caution, circumspection and
13 awareness of what a heavy matter Iraq could prove to be.

14 Then there was a second paper from the same source
15 and the same author which pointed in the opposite
16 direction, sent at the same time or within days of each
17 other, sent to you at the same time under the same
18 covering letter. The second paper discussed, and
19 I quote:

20 "How we could combine an objective of regime change
21 in Baghdad with the need to protect important regional
22 interests."

23 That second paper put a much broader case for regime
24 change than dealing with the threat of WMD. Now your
25 office received these papers and they then wrote to

³The additional statement submitted and apology given by the Inquiry relate to evidence given on pages 9 to 15 inclusive.

1 Number 10 to say that you thought the two papers were
2 very perceptive, and that you hoped the Prime Minister
3 would read them. Were you concerned that Number 10 was
4 seeking advice of this kind from SIS?

5 THE RT. HON. JACK STRAW MP: I think Number 10 were fully
6 entitled to --

7 SIR RODERIC LYNE: Policy advice, is that normally what SIS
8 gives?

9 THE RT. HON. JACK STRAW MP: Oh, I see. Sorry.

10 SIR RODERIC LYNE: This is not intelligence.

11 THE RT. HON. JACK STRAW MP: Well, if you asked me was
12 I surprised, no, I wasn't. We were in a position where
13 we were seeking the best advice that was available in
14 respect of an issue which prior to 9/11 had not had the
15 attention that it should have done. So it was getting
16 people to think about the "what ifs" of the situation.
17 I apologise for this but I have not refreshed my memory
18 about the content of those papers and was not aware
19 I was going to be asked about them, but I have
20 a recollection of them. My view was that both were
21 contributions to an important, if very private,
22 discussion which was taking place at the time about what
23 we did about Iraq, and just as important, what advice we
24 gave to the Americans. I had been having some parallel
25 discussions with Colin Powell as well about this, as

1 I recall.

2 SIR RODERIC LYNE: But the second paper set out what has
3 been described in an earlier evidence session as setting
4 out a route map for regime change. Now you just
5 commended the papers, said you hoped the Prime Minister
6 would read them and they were very perceptive. Why did
7 you commend a paper setting out a route map for regime
8 change?

9 THE RT. HON. JACK STRAW MP: You will have to forgive me.
10 I was given no notice you were going to raise this. I
11 have not seen the papers for a long time. I have also
12 not seen the scribbles I put on the papers, but with
13 respect -- because I think you served in a Minister's
14 Private Office -- as Secretary of State I would have read
15 these papers, I assume late at night, and scribbled on
16 them late at night "These are very perceptive. Make
17 sure Number 10 see them". That would have been
18 translated into an official note from my Private
19 Secretary. That does not mean that I have endorsed the
20 policy within those papers.

21 SIR RODERIC LYNE: I am very curious you didn't react to the
22 second paper by saying regime change cannot be
23 an objective of UK foreign policy. Warn the Prime
24 Minister.

25 THE RT. HON. JACK STRAW MP: Sir Rod, it was hardly unknown

1 that was not only (a) my view but (b) plain as
2 a pikestaff, it couldn't be. It couldn't be. It
3 wasn't --

4 SIR RODERIC LYNE: You set that view out in your own advice.
5 So your advice has gone to the Prime Minister saying we
6 can't have regime change. Then you see a paper from SIS
7 to the Prime Minister exploring it.

8 THE RT. HON. JACK STRAW MP: Well, as I say, without knowing
9 what was in the -- without seeing the document, and I am
10 perfectly happy to send you a supplementary note about
11 this, when I have seen the document, but I had no notice
12 we were going to have a textual exegesis of these two
13 documents and what I put on them, but you have seen --
14 you have heard evidence from me on the issue of regime
15 change. I don't think you can point to a single
16 occasion where I departed from a very clear view that
17 I expressed --

18 SIR RODERIC LYNE: That's precisely why the question arises.
19 Since you have not seen these documents, perhaps I can
20 ask you --

21 THE RT. HON. JACK STRAW MP: May I just make this point?
22 The view I have expressed publicly is the same as the
23 views I expressed privately, that regime change was not
24 a good idea for us to pursue as an objective, and in any
25 event it was palpably illegal, so it was not an option.

1 You will have been aware from documents which have
2 been declassified, and quite a number which have not,
3 that I made that point in quite categorical terms to the
4 Prime Minister on more than one occasion.

5 SIR RODERIC LYNE: Perhaps I can ask you about some other
6 papers of that period, which I hope you will have had
7 a chance to refresh your memory of and which were
8 discussed in the recent evidence given by Mr Blair on
9 21st January.

10 These are the record of his conversation with
11 President Bush on 3rd December 2001, the paper which he
12 sent to President Bush which was dated 4th December and
13 was entitled "The second phase of the war against
14 terrorism", and then the record of the talks which
15 Sir David Manning and Sir Richard Dearlove held with
16 their opposite numbers in the White House on
17 6th December 2001, when they delivered the paper of 4th
18 December. The talks were held on 5th. The record is
19 dated 6th I think.

20 So there are these three records of a set of
21 exchanges between Number 10 and the White House, between
22 the Prime Minister and the President and their advisers.
23 These records are classified, but we discussed them with
24 Mr Blair on 21st January. Have you had a chance to
25 refresh your memory on them?

1 THE RT. HON. JACK STRAW MP: I read obviously the transcript
2 of Mr Blair's evidence. If you ask me to recall every
3 paragraph in those documents --

4 SIR RODERIC LYNE: No. We hoped you would also have had
5 a chance to re-read the papers before coming here today.

6 THE RT. HON. JACK STRAW MP: I think I have, is the answer.
7 I spent a very large part of the last six weeks
8 re-reading all sorts of papers. I will do my best to
9 answer your questions, Sir Rod, and if I can't have
10 instant recall of a particular document, and my memory
11 is not bad, I will send you a supplementary note on
12 this.

13 SIR RODERIC LYNE: Thank you. Do you know if you saw the
14 note that the Prime Minister sent to President Bush by
15 hand of Sir David Manning before it was sent?

16 THE RT. HON. JACK STRAW MP: I can't be certain whether
17 I did. I think I did, but I am not certain at this
18 stage. Sometimes -- with the notes -- the Prime
19 Minister's notes that he wrote, the personal ones he
20 wrote to the President, occasionally I saw in advance.
21 So far as I know, I always saw them after they had gone
22 and he would normally talk to me about the issue in
23 hand, but they were very personal notes which he wrote
24 himself and in a sense took his own advice on.

25 SIR RODERIC LYNE: Could these exchanges be described as the

1 Prime Minister seeking to dissuade the Americans from
2 setting Iraq as the target for Phase Two action at this
3 time?

4 THE RT. HON. JACK STRAW MP: How I perceive what the Prime
5 Minister was doing, he had said publicly, he felt
6 profoundly privately and so did we all that we had in
7 his phrase to stand shoulder to shoulder with the
8 Americans after this deep trauma of 9/11. He bluntly
9 also wanted other things out of a close relationship
10 with President Bush, including moves on the Middle East
11 peace process.

12 We were in any event part of the coalition in
13 Afghanistan, so working very closely with them, and the
14 largest contributor to that after the Americans.

15 What I perceive the Prime Minister as seeking to do
16 was to get on side with President Bush on the issue, as
17 it were, something needed to be done about Iraq, but
18 what needed to be done had to be very carefully thought
19 through, and just deciding that "Saddam Hussein needed
20 to be taken out and taken out rather quickly" was not
21 a sensible option for the United States and also not
22 a possible option for the United Kingdom.

23 SIR RODERIC LYNE: Get on side of President Bush but
24 presumably not get ahead of President Bush on this issue
25 or encourage President Bush to push it ahead at high

1 speed.

2 THE RT. HON. JACK STRAW MP: Certainly not as I could
3 perceive.

4 SIR RODERIC LYNE: Certainly not, because, as you said
5 earlier, the priorities at that time were dealing with
6 Afghanistan and dealing with this very dangerous
7 situation in the Indian subcontinent. Iraq was not
8 today's problem.

9 From your recollection of these papers was the end
10 point, the strategic objective that Mr Blair set out in
11 his note, which was about Iraq, was it the removal of
12 WMD or was the removal of the regime? Do you recall the
13 note?

14 THE RT. HON. JACK STRAW MP: Sorry?

15 SIR RODERIC LYNE: Do you recall the note?

16 THE RT. HON. JACK STRAW MP: Not directly, but look, the
17 Prime Minister -- Mr Blair gave his own evidence to you.
18 He was always clear that the removal of the regime was
19 highly desirable. I mean, there's no question about
20 that, but he also accepted that this was not
21 a legitimate, lawful objective for the British
22 Government, nor, I think, was it a practical one either,
23 but his evidence, you know, was given I think on
24 21st January, and you will recall it.

25 SIR RODERIC LYNE: Yes. In his evidence on --

1 THE RT. HON. JACK STRAW MP: If I may say so, what needs to
2 be seen is that this was part of a -- what Mr Blair said
3 to President Bush through the medium of that note and
4 many conversations was part of a continuing process
5 which had the good effect of persuading the Americans in
6 the late summer of 2002 to "go down the UN route", which
7 could easily -- you know, that was my hope and everybody
8 else's -- have resulted in a full compliance by Saddam
9 Hussein with these UN obligations, at which point our
10 involvement in any military action would have become
11 completely otiose, impossible --

12 SIR RODERIC LYNE: I would like to come on to the UN route
13 in a minute.

14 THE RT. HON. JACK STRAW MP: -- in which case the Americans
15 wouldn't have been able to pursue it either.

16 SIR RODERIC LYNE: I would like to come on to the UN route
17 in a minute. What Mr Blair said to us on 21st January
18 was this thing was going down a track to regime change.

19 Do you recollect these exchanges and this note and
20 what he said to the President on 3rd December as arguing
21 for a strategy of regime change, arguing for building up
22 a strategy working towards regime change in Iraq?

23 THE RT. HON. JACK STRAW MP: I didn't see it as the British
24 Prime Minister arguing for regime change. As I say,
25 that was not --

1 SIR RODERIC LYNE: So why did he write a note about it?

2 THE RT. HON. JACK STRAW MP: He gave you evidence. You will
3 have to ask him that question.

4 SIR RODERIC LYNE: You will have --

5 THE RT. HON. JACK STRAW MP: I think it is -- what I have
6 tried to do is to describe the context as I saw it in
7 which he was talking to President Bush. As I have said,
8 if there had been some means by which Saddam could have
9 been replaced by a democratic government without
10 military action, so much the better. You know, if you
11 see now what is happening elsewhere in the Middle East,
12 one of the things that all of us were looking at were
13 ways in which a popular uprising could be encouraged.
14 Why not? The difficulty there was that many of the
15 people in Iraq felt they had been encouraged into
16 a popular uprising post the Gulf War and then they'd
17 been left high and dry and many of them had been
18 murdered in consequence.

19 As I say, all of us shared the view that it would
20 have been great to see the back of Saddam Hussein and
21 his vicious, unpleasant regime. The issue which related
22 to that was how could you achieve that and could we have
23 an objective of regime change?

24 SIR RODERIC LYNE: You don't recall if there was agreement
25 in these exchanges to set up a joint group between us

1 and the US administration to take the issue of Iraq
2 forward?

3 THE RT. HON. JACK STRAW MP: I think there was, but, as
4 I say, I can't directly recall.

5 SIR RODERIC LYNE: So in a situation in which in the letter
6 sent by your Private Secretary, as we have noted, you
7 had advised there were not anti-terrorist grounds for
8 stage two military action against Iraq. You had advised
9 that containment should be ratcheted up and that
10 military intervention for regime change would be
11 illegal. So effectively had your advice been followed
12 by Number 10 in their exchanges with the White House?

13 THE RT. HON. JACK STRAW MP: Well, this was part of, as
14 I say, a process of discussion. In the end my advice
15 was indeed followed, because the British Government --

16 SIR RODERIC LYNE: But not at this time?

17 THE RT. HON. JACK STRAW MP: As I say, one of -- it's part
18 of a process. I had confidence in the Prime Minister.
19 I knew how he was comporting himself with the President.
20 These were two people representing very different
21 parties and political traditions. President Bush had
22 been suspicious of Prime Minister Blair for his very
23 close relationship with President Clinton and our
24 natural allies, who are the Democrats. I had confidence
25 in what he was doing. He was doing it in his own way,

1 which is what Prime Ministers do.

2 There was not a decision point on 3rd, 4th, 5th,
3 6th December 2001 whether we are going for regime change
4 or an extended position of containment. There was
5 a discussion -- this was part of a lengthy process, and
6 you have seen some -- I think all the records of the
7 written minutes which I sent to the Prime Minister, two
8 things of which I am pleased happened.

9 One was we were committed to the UN route and the
10 Prime Minister was able to use his considerable skills
11 to get the Americans to go down that route, which
12 essentially was enhanced containment.

13 The second was that the Prime Minister agreed that
14 the decision on any military action, should that be
15 necessary, would be made by the British House of
16 Commons, which was a very significant and welcome move.

17 SIR RODERIC LYNE: So we are into a discussion with the
18 Americans at this very early stage, two and half months
19 after 9/11 about Iraq. You say it is part of
20 a discussion, not a decision. Of course, the question
21 is: What was the discussion about? Speaking at
22 a slightly later period, the pre-Crawford period, you
23 said to us last year that:

24 "Regime change as a foreign policy was off the
25 agenda so far as the United Kingdom was concerned. It

1 would not have got my support".

2 My question is was regime change off the agenda, off
3 the UK's agenda in these exchanges with the White House
4 in early December of 2001, four months before the period
5 in which you said it was off agenda?

6 THE RT. HON. JACK STRAW MP: I was not present at the
7 discussions which David Manning and Richard Dearlove
8 had.

9 SIR RODERIC LYNE: You have seen the record?

10 THE RT. HON. JACK STRAW MP: But I have seen the record, is
11 the answer. I have set out the position of the British
12 Government and set out my position. What is also the
13 case is that when Prime Minister Blair made his speech
14 in Crawford or on the occasion of that visit, he was
15 very careful himself not to say regime change was
16 an objective. I was struck when I was looking at
17 a summary of the press, of the American press, for Prime
18 Minister Blair's visit that they drew a very clear
19 distinction between what President Bush was talking
20 about, which was regime change, and Prime Minister
21 Blair, saying that his objective was compliance with
22 Security Council Resolutions and removal and disarmament
23 of Iraq. I am very happy to pass that press summary to
24 the Secretary, because what the Prime Minister was
25 making clear at Crawford did not go unnoticed,

1 especially in the American press.

2 SIR RODERIC LYNE: What Mr Blair said to us about Crawford
3 on 21st January was the issue was very simple. He,
4 meaning Saddam, either had a change of heart or regime
5 change was on the agenda. So I am puzzled as to
6 whether -- he says it is on agenda; you say it was off
7 the agenda.

8 THE RT. HON. JACK STRAW MP: I think we are using different
9 terms about the same thing. We were using coercive
10 diplomacy. So it was diplomacy backed by the threat of,
11 and the possible use of force. The objective was the
12 disarmament of Saddam Hussein and of the Iraqi regime.
13 The first method was diplomacy. If that method failed,
14 then it was military action. The consequence of
15 military action was bound to be regime change. That's
16 how it works.

17 The point we were trying to get across to Saddam and
18 his allies was that he had every opportunity to comply
19 with the United Nations' obligations without his regime
20 having to be changed. I, maybe naively, thought that was
21 a very high incentive for him to come into early
22 compliance.

23 SIR RODERIC LYNE: I mean, your objective, as you told us
24 last year, your final sentence to us last year was:

25 "The purpose of the action was not regime change.

1 I had hoped that we would resolve it peacefully and we
2 would just have to manage Saddam after that, but he
3 would have been disabled."

4 Mr Blair said to us that there were two views.
5 There were those who felt that Iraq could be managed,
6 and he disagreed with that and he disagreed with the
7 view that Iraq was a situation which could be managed.
8 "we had to confront it". So he is saying change of
9 heart or regime change, and he was not expecting
10 a change of heart, as he has made clear, and "we have to
11 confront it".

12 Your objective was to get to a situation ideally
13 where we didn't have to confront it by military means.
14 We could manage it. Weren't you and the Prime Minister
15 aiming for different strategic objectives throughout
16 this process?

17 THE RT. HON. JACK STRAW MP: Look, we are different people.

18 SIR RODERIC LYNE: You said that last time. It is not
19 a question of personalities; it is a question of policy.

20 THE RT. HON. JACK STRAW MP: It is hardly a secret that
21 I came at this issue from a different perspective.
22 However, I ended up at the same point as the Prime
23 Minister, let me make that clear, and backed the
24 decision that he and the Cabinet and the House of
25 Commons made to take military action, but contrary to

1 myth, the British Cabinet at that time was full of
2 people who thought for themselves. That's what I sought
3 to do. I sought to offer the Prime Minister my view.

4 Now, yes, I guess it's true there was a difference
5 of emphasis between the Prime Minister, who was further
6 out on the issue of what was most desirable compared
7 with me.

8 However, we were post-the summer of 2002 and then
9 when President Bush made the important statement he did
10 to the General Assembly on 12th September, and then
11 getting 1441. We were down the track of a strategy
12 which, as I say, was enhanced containment. At that
13 point it was up to Saddam Hussein as to whether he
14 wanted that strategy to succeed or whether he wanted his
15 regime to be removed.

16 I mean, as I say, I was obviously slightly naive in
17 thinking he would choose the easier option, but he chose
18 the much more difficult and ultimately fatal option for
19 him and his regime.

20 Had that been the case, Sir Rod, the consequence for
21 the United Kingdom was that there was no possibility of
22 us taking part in military action, none.

23 I also -- this is a matter of speculation -- think
24 that if there had been full compliance, full, immediate
25 and complete compliance with the requirements of 1441,

1 and before the Security Council, it would have been
2 extremely difficult for the United States' President to
3 go to war because it would have been on an entirely
4 false basis. Now it is for others to judge that, but
5 I don't think military action would have taken place.
6 So the overall consequence of where we got to was where
7 I wanted to be.

8 SIR RODERIC LYNE: But given that your objective all along
9 was to seek the disarmament of Saddam by peaceful means,
10 if possible, and that you felt that Afghanistan and
11 India/Pakistan were the high priorities in December
12 2001, when you saw the records of these exchanges with
13 the White House at that stage, did you not think it
14 necessary to take some action with the Prime Minister to
15 warn of the risks of a strategy heading towards regime
16 change and likely military action at that stage?

17 THE RT. HON. JACK STRAW MP: Well, as you will be aware, in
18 the opening months of 2002 I did indeed do that, going
19 right forward to July. You have to take account of what
20 else was going on at the time. So we had Afghanistan --
21 just in terms of the practicalities of this -- I am
22 sorry to bring this up, but there was a kind of real
23 world going on. There is Afghanistan going on. There
24 is plenty else going on. There is then just a few days
25 after this exchange and the record coming back of what

1 was discussed, there was the terrorist attack on the Lok
2 Sabha. That then became the pre-occupation. It was
3 overwhelming for three or four months, but the issue
4 then, as I have explained, was warming up.

5 In parallel we had the Axis of Evil speech, and
6 I certainly recall speaking to the Prime Minister --
7 I don't think it is minuted, it is a conversation --
8 when I got back from Washington after that and
9 expressing my reservations about the approach that
10 President Bush was taking.

11 We had Crawford, where I don't think the Prime
12 Minister can be criticised for, certainly for what he
13 was saying publicly. I was not present at the private
14 conversations. The speech he made whilst in Texas was
15 one I could easily have made or anybody else, which was
16 setting up the case for change.

17 As I say, after that the Prime Minister was getting
18 President Bush to go down the UN route. So wherever he
19 was, query, in December 2001, he and I were on the same
20 page in the early months of 2002 and he went at
21 persuading the American system to go down the UN route
22 with great skill and succeeded and I think he needs to
23 be given credit for that.

24 SIR RODERIC LYNE: By July 2002 you certainly didn't seem to
25 be on exactly the same page as the Americans. I am not

1 sure about the Prime Minister.

2 THE RT. HON. JACK STRAW MP: I was never on the same page as
3 Vice President Cheney we had a sort of accommodation but
4 it was a difficult one.

5 SIR RODERIC LYNE: You sent the Prime Minister a minute,
6 which has been declassified, on 8th July expressing
7 particular concern that the Americans were ignoring the
8 UK's conditions. You cited the Middle East peace
9 process, the UN, the legal basis, weak intelligence
10 analysis, no thought apparently given to "day after"
11 scenarios, all rather important points, but you were not
12 concerned about the route the Prime Minister was
13 pursuing. You were concerned about the route the
14 Americans were pursuing.

15 THE RT. HON. JACK STRAW MP: I was seeking to -- there was
16 a process of debate going on, and I was seeking to
17 persuade the Prime Minister of my view, not least
18 through the prism of my criticism of the Americans.
19 Anyway, you know, there was a continuing discussion.
20 The consequence of it at that time, which I regarded as
21 satisfactory, was that -- I mean, the Prime Minister was
22 on board for the UN route, and he then went at it with
23 great skill. For example, he encouraged me to talk
24 privately to Secretary Powell, as I did.

25 SIR RODERIC LYNE: We discussed that last year.

1 THE RT. HON. JACK STRAW MP: But I say he was not reluctant
2 about the UN route. He was very keen on it.

3 SIR RODERIC LYNE: I want to come to that in just two
4 seconds. Just one more point before we leave this
5 subject.

6 In his diary of 10th May 2006 Chris Mullin recorded
7 you as saying that your use of the word "nuts" in
8 relation to a possible invasion of Iran had been
9 deliberate and he quotes you as saying:

10 "The one thing I learned from Iraq was that once the
11 process starts rolling it is very difficult to stop."

12 Does this imply you think you should have stopped
13 the Iraq process rolling at a certain stage, and at what
14 stage?

15 THE RT. HON. JACK STRAW MP: No, it does not imply that,
16 because I think the action we took was justified, and
17 the circumstances were different, but it was certainly
18 a clear lesson that if you embark on a process of
19 coercive diplomacy, which we did, the diplomacy may
20 work, but if it doesn't, then you are left having to
21 resort to the coercion.

22 I was clear, and remain clear, that in dealing with
23 Iran a process of strong diplomacy backed by
24 non-coercive sanctions is a sensible one. I happen to
25 believe that a process of coercive diplomacy with

1 military action is not sensible, and I was extremely
2 anxious to put my own sort of lines in the sand on that.
3 In any event, with great respect, the idea of -- this
4 came from John Bolton -- of a nuclear strike on Iran was
5 and remains nuts. I had thought about the use of that
6 term very carefully on the way to the studio, because
7 I just thought I need to -- rather than go for the usual
8 kind of politician-speak, I needed to make it clear
9 I disagreed with it.

10 SIR RODERIC LYNE: Right. You talked about enhanced
11 containment. In May of 2002 we finally succeeded in
12 getting -- we led this process -- a smart sanctions
13 resolution, but it is one which Mr Blair has argued had
14 no chance of working, because the provisions originally
15 anticipated to be part of that for tighter monitoring of
16 Iraq's borders had been dropped before the resolution
17 was adopted. If the resolution wasn't going to work
18 because it didn't have the border monitoring, why did we
19 go ahead with it? Why didn't we just pull it?

20 THE RT. HON. JACK STRAW MP: Because -- I mean, I am not
21 trying to be condescending for a second. It is
22 an important question and it is something I have thought
23 about a lot. I mean, first of all, in May of 2002 we
24 didn't know what else was going to happen. The future
25 was full -- to be trite, full of uncertainties. I think

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1 if we had not gone for the best Security Council
2 Resolution we could, inadequate though it was, then the
3 message that would have been sent out to Saddam was that
4 we had basically abandoned containment itself.

5 I mean, bear in mind at that time there was a lot of
6 evidence, which is still available, about the decay of
7 the sanctions regime, the way it was being nibbled --
8 undermined in all sorts of respects, the corruption
9 involving the Oil for Food⁴ and so on.

10 One of the -- obviously we didn't know what was
11 going to happen next in respect of Iraq. Much depended
12 on trying to get an international consensus, as indeed
13 in the end we did, for 1441. So to have abandoned going
14 for that resolution frankly would have been crazy,
15 because it would have sent out a message to the other P5
16 partners that we were no longer bothered about Iraq. We
17 were bothered about Iraq. We were trying to get
18 a really strong sanctions' regime. We tried very hard in
19 the previous year but frankly got no traction, even
20 after 9/11, and we had to go for a rollover I think in
21 November 2001. It said something for the way in which
22 the international community had come together that we
23 got what we did and, of course, we then had to develop
24 that.

25 SIR RODERIC LYNE: But if we had made clear to the

⁴ The Oil for Food programme

1 international community, to the other members of the
2 Security Council, that the alternative to the strong
3 sanctions regime that they were resisting was going to
4 be or was likely to be military action, wouldn't that
5 have given us some leverage?

6 THE RT. HON. JACK STRAW MP: This is, if I may say so,
7 assuming we had complete foresight, which we didn't for
8 a second --

9 SIR RODERIC LYNE: We were planning military action by May.

10 THE RT. HON. JACK STRAW MP: With respect, Sir Rod, that's
11 very different from being in a position where that could
12 be deployed and knowing what the circumstances were.

13 As of May 2002 we had not persuaded the Americans to
14 go down the UN route. If we had not gone down the UN
15 route, there was no prospect in my judgement of the
16 British Government being involved in any kind of
17 military action. So there was no point making a threat
18 that we couldn't follow through.

19 It --

20 SIR RODERIC LYNE: Couldn't we have said the only way to
21 stop the Americans going down the military route was to
22 have really effective sanctions. We had evidence from
23 Carne Ross, who was an official in our mission at the
24 UN:

25 "Coordinated, determined and sustained action to

1 prevent illegal exports and target Saddam's illegal
2 revenues would have consumed a tiny proportion of the
3 effort and resources of the war (and fewer lives) but could
4 have provided a real alternative."

5 Isn't that valid?

6 THE RT. HON. JACK STRAW MP: I don't -- to try to contain
7 the leakage from sanctions was very, very hard indeed.
8 I am afraid I don't agree with Mr Ross on that. If it
9 was that easy, we would have done it. You know, the
10 problem was that up until 9/11 --

11 SIR RODERIC LYNE: But it would have been easier than going
12 to war. That's his point. That is his argument.

13 THE RT. HON. JACK STRAW MP: Of course. What we had got to
14 insofar as I understand what he is saying is the point
15 that he was seeking by the agency of 1441. It would
16 have been very easy for Saddam to have complied with
17 1441, and then if he had complied, and Blix as well as
18 El Baradei had said "He is complying", we would then have
19 been down a path which was set out also in the May
20 resolution of the gradual lifting of sanctions.

21 He have would have stayed in post. Yes, he would
22 have been exposed to his neighbours as someone who
23 didn't any longer have chemical and biological weapons
24 or the potential for a nuclear programme, but he would
25 have been there and sanctions actually would have been

1 lifted rather quickly. So I don't think there is
2 an inconsistency, essentially, between what Mr Ross was
3 saying as far as I understand what he was saying and
4 what we actually did.

5 SIR RODERIC LYNE: Okay. I would like to conclude at that
6 point. I will come back to 1441 later on. You said
7 earlier that you had not had a chance fully to refresh
8 your memory on all the papers we were talking about in
9 December and might wish to write to us about it when you
10 had had a chance to do so.⁵

11 THE RT. HON. JACK STRAW MP: I will do that.

12 SIR RODERIC LYNE: You know, I leave that thought with you.

13 SIR JOHN CHILCOT: Thank you. I think we had we like to
14 turn now to some of the Cabinet discussions. I will ask
15 Sir Lawrence to pick it up first.

16 SIR LAWRENCE FREEDMAN: Sir Martin Gilbert will come back to
17 you later on the actual operation of Cabinet, but
18 I would like to focus specifically on the meeting that
19 took place on 7th March 2002.

20 Now Lord Wilson in his evidence to us described
21 7th March Cabinet as a uniquely full discussion
22 reflecting real anxieties about the direction
23 of American policy and the need to keep
24 the issue in the United Nations.

25 He also told us that it was requested by David

⁵ The additional statement submitted and apology given by the Inquiry again refer to this point.

1 Blunkett and Robin Cook. Is that your recollection?

2 THE RT. HON. JACK STRAW MP: I think so, but Lord Wilson is
3 in a better -- is a better witness on that than me.

4 SIR LAWRENCE FREEDMAN: He also said that the Prime Minister
5 concluded by saying:

6 "Management hasn't gone crazy."

7 I think a similar quote had been in the press not
8 long after the Cabinet meeting. Why do you think he
9 felt a need to say that?

10 THE RT. HON. JACK STRAW MP: Oh, I think because there was
11 a high suspicion by the many members of the Cabinet
12 about the intentions of the President Bush
13 administration.

14 As I say, this needs to be seen -- this is quite
15 early days in the Bush administration -- in the context
16 here we had a right-wing Republican administration in
17 the States and, okay, a New Labour, but a left-wing
18 Labour Party here, whose natural allies in the US were
19 the Democrats and not the Republicans. There had been
20 soft and cuddly Republican administrations but this was
21 not one of them.

22 So there was great anxiety about the intentions of
23 the Bush administration. I mean, bear in mind really
24 from the time of the Axis of Evil address in late
25 January the British newspapers were full of debate, and

1 discussion, warnings about Iraq. So there was a context
2 to this as well. Every member of the Cabinet was being
3 constantly pressed, not only by their colleagues in the
4 House of Commons, but by their constituency parties and
5 public about what was going on all the time. That was
6 the background.

7 SIR LAWRENCE FREEDMAN: But the assurance isn't that the
8 United States hasn't gone crazy. It is the management.

9 THE RT. HON. JACK STRAW MP: It is not really a secret, but
10 I think the anxiety by members of the Cabinet was -- had
11 the Prime Minister -- he was slightly less left wing
12 than most members of the Cabinet, shall we say -- had he
13 decided himself to take a different view from the
14 prevailing sentiment in the Cabinet?

15 SIR LAWRENCE FREEDMAN: Who led the discussion in the
16 Cabinet that day?

17 THE RT. HON. JACK STRAW MP: I can't directly recall. You
18 need to look at the minutes. What normally happened in
19 discussions on Iraq was that the Prime Minister -- well,
20 either he would introduce the subject or I would, or
21 vice versa, and open it up. I suspect on that occasion
22 he probably began and I came in second and then there
23 would be wind-ups. It may have been the other way
24 round.

25 SIR LAWRENCE FREEDMAN: Can you remember what line you were

1 taking then? We can't quote directly from these, so I
2 am asking you to ...

3 THE RT. HON. JACK STRAW MP: Not directly without -- I mean,
4 I know what I was thinking at the time, but I would have
5 been fairly circumspect in the context of Cabinet.
6 I mean, I wouldn't have spilled out all the things that
7 I was saying to the Prime Minister in private, not least
8 because I was concerned about the matter leaking. As
9 Lord Wilson pointed out, sadly a good part of the
10 discussions itself was leaked the next day. It was
11 never part of my style to say things which could
12 possibly be seen as disobliging to colleagues which then
13 got leaked.

14 SIR LAWRENCE FREEDMAN: What sort of things were you
15 thinking that the minutes wouldn't tell us?

16 THE RT. HON. JACK STRAW MP: Really, what I was thinking
17 about I have already set out in extensive written and
18 oral evidence to this Inquiry, which was that we needed
19 to enhance the action we took in respect of Iraq, but
20 that military action needed to be very much a last
21 resort. I certainly never dismissed the idea of
22 coercive diplomacy, not for a second. What we above all
23 needed to do was get the United States down the UN
24 route. We were seeking to do that.

25 SIR LAWRENCE FREEDMAN: I mean Robin Cook's recollection of

1 that meeting describes:

2 "For the first time I can recall in five years Tony
3 was out on a limb and the balance of discussion pointed
4 strongly in the reverse direction to his intentions."

5 Is that your recollection?

6 THE RT. HON. JACK STRAW MP: I think that his point at the
7 end was "I have not gone mad" or whatever it was really
8 reflected that. It may have been that that debate
9 firmed up in his mind the need to convince the United
10 States to go down the UN route.

11 I think, just getting the sequence right, that --
12 was that just -- I am trying to remember the exact dates
13 and its proximity to Crawford.

14 SIR LAWRENCE FREEDMAN: This was two or three weeks before
15 Crawford.

16 THE RT. HON. JACK STRAW MP: There was a lot of speculation
17 in the newspapers about what he was likely to say to the
18 US.

19 SIR LAWRENCE FREEDMAN: I mean I am not asking to you
20 speculate on what went on in the Prime Minister's mind
21 but do you think this affected his approach to Cabinet
22 in the future, that he realised he needed to manage
23 these debates?

24 THE RT. HON. JACK STRAW MP: I don't think that did.

25 I think the fact of the leaking did. That was very

1 depressing, I mean, really depressing. Any Prime
2 Minister faced with leaks like that is bound to take
3 appropriate alternative action. That was the
4 difficulty.

5 SIR LAWRENCE FREEDMAN: I mean, as you said, there had been
6 a lot in the press at that time and the members of the
7 Cabinet were picking up anxieties that they had heard
8 around them. This seems to have led at the time to
9 a lot of interest in developing media strategy and
10 presentational aspects of policy.

11 How important did you see that, not only for the
12 government as a whole but in particular in your own
13 personal role?

14 THE RT. HON. JACK STRAW MP: Well, I mean, developing
15 a media strategy with a kind of capital "M", capital
16 "S", I didn't pay a great deal of attention to. My
17 approach to the media on the whole was to work out what
18 argument I was trying to convey and then to make it. I
19 have always tended to believe that if you have got the
20 argument, then people will tend to follow you, and if
21 you haven't, then no amount of media strategy is going
22 to fill in that substantive vacuum.

23 I don't recall at that time having a discussion with
24 people about a capital "M", capital "S" media strategy.
25 You will be aware that John Williams, the Press

1 Secretary, apparently minuted me in the summer, but we
2 certainly had a discussion in early September 2002, when
3 the thing was becoming -- the whole debate was becoming
4 more structured.

5 What I was seeking to do at that stage was to manage
6 what was quite a febrile atmosphere too inside the
7 Parliamentary party and Parliament, which is one of the
8 reasons why we produced the brief to the Parliamentary
9 party.

10 SIR LAWRENCE FREEDMAN: I will come on to that. You
11 mentioned that you had circulated to your Cabinet
12 colleagues this paper that Michael Williams had produced
13 for the Parliamentary Labour Party.

14 At the time, as you know, the options paper was
15 being prepared. I think it came round the day before,
16 but you and your officials would have known of the work
17 of the options paper, which was a government document.

18 Why circulate a briefing paper prepared for the
19 Parliamentary

20 Labour Party rather than a piece of work by the Foreign
21 Office or Cabinet Office?

22 THE RT. HON. JACK STRAW MP: Well they weren't, with
23 respect, alternatives. What papers go to Cabinet is a
24 matter for the Prime Minister and the Cabinet Secretary
25 and that has been the case kind of forever. It is not
for the agenda of the Cabinet. As you know,

1 Sir Lawrence, it is controlled by the Prime Minister.

2 One of the things I have been trying to get across
3 to the Inquiry is that the debates about Iraq were very
4 open. Members of the Cabinet were also Members of
5 Parliament. They were having to handle their
6 Parliamentary colleagues and having to respond to a very
7 great concern of their constituents and in their own
8 constituency parties as well. So I felt it would be
9 good for them to have a brief which they could use
10 publicly. If necessary, they could simply photocopy the
11 thing and send it on to constituents, Labour Party
12 members who were concerned about it. So it was serving
13 a very different function from an options paper which --

14 SIR LAWRENCE FREEDMAN: So this was not particularly to
15 inform the Cabinet discussion, but as a tool --

16 THE RT. HON. JACK STRAW MP: Well, I hoped it did inform the
17 Cabinet discussion, because I thought it was -- I can
18 say this, as I wasn't the author of it -- I thought it
19 put the background and sort of current problems rather
20 well. So it was a useful briefing I thought, but not
21 alternative to a Cabinet⁶.

22 SIR LAWRENCE FREEDMAN: Without that paper there wouldn't
23 have been anything else. There is a feature of a lot of
24 these Cabinet discussions that there just aren't papers.

25 Would that be true of most issues of foreign policy

⁶ a Cabinet paper

1 at this time?

2 THE RT. HON. JACK STRAW MP: It was a feature of the way
3 that the Prime Minister ran Cabinet that most decisions
4 were made on the basis of oral briefings, having been
5 sort of pre-cooked through the process of Cabinet
6 Committees and really an awful lot of Government
7 business, as Lord Wilson pointed out in his evidence,
8 the Cabinet Committee structure was extensive and on the
9 whole worked pretty well and it did. So that is why you
10 got the pre-cooking of decisions.

11 The Cabinet under Mr Blair and less under Gordon
12 Brown, was used more for a briefing of Cabinet
13 colleagues and discussions of that kind rather than
14 acute decisions. I mean, it depended on the issue.

15 SIR LAWRENCE FREEDMAN: I think we will talk about some of
16 those issues later on.

17 As, also Lord Williams, then Dr --

18 THE RT. HON. JACK STRAW MP: Williams or Wilson?

19 SIR LAWRENCE FREEDMAN: Williams. They all become Lords
20 eventually. As the then Dr Williams noted in his
21 statement, there was for some reason -- you say he was
22 very assiduous -- I have no reason to doubt that -- the
23 text had not been cleared with the non-proliferation
24 department in the Foreign Office. There is quite
25 an important discrepancy between the standard

1 intelligence line, as it were, and what was said. This
2 particularly revolves around the question of the five
3 years in which Iraq could get nuclear weapons. In the
4 Parliamentary Labour Party statement paper it was stated
5 that this could just happen. Whereas, rather critically
6 in policy terms, it could only happen in the assessments
7 staff's view if sanctions had been lifted or ended.

8 Were you aware at the time of that discrepancy?

9 THE RT. HON. JACK STRAW MP: No. I wasn't aware at all.

10 SIR LAWRENCE FREEDMAN: Now there was also an article that
11 you wrote for the times on 5th March, a couple of days
12 before in which you said:

13 "There is evidence of increased efforts to procure
14 nuclear-related materials and technology and that
15 nuclear research and development work has begun again."

16 With an article like that, would that have been
17 cleared through the Foreign Office process?

18 THE RT. HON. JACK STRAW MP: Yes. The article almost
19 certainly would have been drafted by the Foreign
20 Secretary's speech writer. I can't be absolutely
21 certain, because it's a long time ago and I have not
22 seen the papers, but it would have been drafted almost
23 certainly by the speech writer and then cleared with
24 officials.

25 Sir Lawrence, I was never in the habit of putting my

1 name to articles of any kind as a senior Minister unless
2 they were checked. I had no interest whatever in saying
3 things that were inaccurate or tendentious.

4 SIR LAWRENCE FREEDMAN: There is a question which I think is
5 a problem through all the public presentations of
6 intelligence and the assessment which is, given the
7 medium of a shortish newspaper article, the
8 qualifications and the caveats can get lost.

9 The JIC assessment on Iraqi WMD which was produced
10 on 15th March said of the nuclear programme:

11 "We do not know if large scale development work has
12 yet recommenced."

13 So partly there is just a problem here of -- as things
14 move from the world of cautious intelligence assessments
15 to the world of public presentation you can lose some of
16 the nuance and the qualification?

17 THE RT. HON. JACK STRAW MP: Yes, I accept that. The other
18 side of this, however, is the overall context in which
19 we were debating Iraq, which was the record of Saddam
20 Hussein, who was the man who had organised these very
21 extensive chemical and biological weapons programmes and
22 the nuclear programme and had ensured the use of
23 chemical weapons and, for example, as we know, had
24 concealed the biological weapons programme for four
25 years. It only came out by happenchance, nothing to do

1 with him, he concealed it under the noses of the
2 inspectors.

3 My position, as I tried to bring out in, I think the
4 first written statement that I gave to the Inquiry, was
5 one of profound concern about having this man continue
6 unchecked in that position, but also getting across to
7 those who might have forgotten about it what his record
8 was.

9 SIR LAWRENCE FREEDMAN: I am just interested in the focus on
10 the nuclear side of things, because if you look at the
11 intelligence assessment, as you have indicated, there's
12 a lot of confidence at the time about chemical and
13 biological weapons programmes and these are being
14 reconstituted and it is easy to see why Ministers would
15 push that forward. There is much more caution on the
16 nuclear side. Yet, as we have also discussed, there is
17 quite a big difference, although they may all come under
18 the headings of weapons of mass destruction, between
19 a nuclear programme and a chemical and biological
20 weapons programme.

21 THE RT. HON. JACK STRAW MP: Of course.

22 SIR LAWRENCE FREEDMAN: Is there a need in public presentation to
23 constantly remind people about the nuclear side as well,
24 because that is what really makes the difference in
25 terms of being a broader threat to the international

1 community?

2 THE RT. HON. JACK STRAW MP: Well, provided what one was
3 saying was accurate, yes, I think there was a need, and,
4 you know, I think, looking at the results of the Iraq
5 Survey Group, that it wasn't unreasonable to predict
6 that Saddam, left to himself, would have been developing
7 all of these programmes without any question. I am
8 quite clear about that.

9 SIR LAWRENCE FREEDMAN: You discussed the Cabinet Office
10 options paper at an internal Foreign Office meeting on
11 18th March?

12 THE RT. HON. JACK STRAW MP: Yes.

13 SIR LAWRENCE FREEDMAN: And concluded you should write to
14 the Prime Minister before Crawford, and your letter of
15 25th March has been declassified and published on our
16 website.

17 We also understand it was at this meeting --

18 THE RT. HON. JACK STRAW MP: Sorry. Could you just repeat
19 that?

20 SIR LAWRENCE FREEDMAN: It was also at this meeting we
21 understand that you concluded that the four country
22 paper, which at that stage covered Iran, North Korea,
23 Libya as well as Iraq --

24 THE RT. HON. JACK STRAW MP: Yes.

25 SIR LAWRENCE FREEDMAN: -- should instead just have focused

1 solely on Iraq. Can you remember why you took that
2 decision?

3 THE RT. HON. JACK STRAW MP: Yes, I can. I just thought it
4 would -- they were different. I have already expressed
5 to Sir Roderic my concern about the inaccuracy as well
6 as the unwisdom of lumping Iraq, Iran and North Korea
7 together in a single pot and making them the Axis of
8 Evil.

9 I thought if we were to publish a four country
10 analysis, how it would be seen as just us adding another
11 country to the Axis of Evil, and instead of, as it were,
12 having one hare running, which was Iraq, we would have
13 four hares running. It would become unmanageable. Then
14 we would be asked were we about to attack Libya and so
15 on. Were we about to attack North Korea? I just didn't
16 think it was going to add anything to a strategy for
17 dealing with those problems. In fact, to make it
18 absolutely clear, it wouldn't.

19 SIR LAWRENCE FREEDMAN: There is an another argument -- that
20 argument was certainly in the papers but there is
21 another argument which is that the material on Iraq
22 would look thin by comparison with that on some of the
23 other countries?

24 THE RT. HON. JACK STRAW MP: Yes. I understand that, and
25 I wouldn't use the word "thin". I mean, it certainly

1 didn't necessarily look stronger than the other
2 countries, but if you take North Korea, that had to be
3 dealt with on a different track. So far as Libya is
4 concerned, where, as is often ignored, the intelligence
5 which above all SIS developed turned out not just to be
6 accurate but underestimating the scale of the Libyans'
7 nuclear weapons programme. We were in the event able to
8 deal with that satisfactorily by the proxy of a war in
9 Iraq. I didn't know that at the time, but I was in any
10 event clear that whatever the kind of relative position
11 of Iraq, what distinguished Iraq from these other
12 countries was Iraq's record. The fact that it invaded
13 neighbours, that it had, depending how you count, at
14 least nine or ten Chapter 7 Security Council Resolutions
15 requiring them to stop doing things and to do things
16 which they palpably failed to do.

17 SIR LAWRENCE FREEDMAN: At the time the Foreign Office seems
18 to be taking the lead on issues of publication of the
19 dossier and this carried on over April. Was your
20 expectation through this period that the Foreign Office
21 would be the lead department when it comes to these big
22 issues of public presentation?

23 THE RT. HON. JACK STRAW MP: As a general rule, yes, that
24 the Foreign Office would be the publisher of documents.
25 I mean, as you're aware, the sort of dossier idea,

1 the now famous or notorious dossier, took off as an idea
2 in the summer, in August and September of 2002. It was
3 done in response to very great pressure, including from
4 the Foreign Affairs committee. I mean, that was the
5 provenance of it. I think by then that the Prime
6 Minister had decided that he had himself to get right on
7 top of the issue and be the person who, as it were,
8 fronted the document, and I didn't object to that.

9 SIR LAWRENCE FREEDMAN: But in John Williams' statement,
10 a different Williams, he told us that you and Michael
11 Jay were anxious when it came to the drafting of the
12 September dossier that this should be the Foreign
13 Office's responsibility. So why was that?

14 THE RT. HON. JACK STRAW MP: Well, I prefer to do it
15 in-house. I thought we would have better control of it
16 and the final product might have been a bit better, but
17 there we are. There also -- anyway, there were,
18 however, some practical problems about the timing, which
19 was that the key preparation period of the dossier
20 coincided with the United Nations General Assembly and
21 not just I but senior staff, including John Williams,
22 decamped to New York. So there was a practical problem.

23 That said, it would have been better in retrospect
24 if it had been handled by the Foreign Office.

25 SIR LAWRENCE FREEDMAN: John Williams appears to imply at

1 least this was symptomatic of possibly a loss of control by the
2 Foreign Office over the development of policy at this
3 time. Did you --

4 THE RT. HON. JACK STRAW MP: No. I read that and I didn't
5 feel there was a loss of control. What I felt was that
6 as a matter of British governance that as the prospect
7 of military action by British forces became more likely
8 or was put on the table, there was bound to be a shift
9 in focus from one side of Downing Street to the other,
10 from the Foreign Office to Number 10, because it was
11 a matter for the Prime Minister to determine
12 a recommendation to Cabinet about whether military
13 action should be taken, and not for directly for the
14 Foreign Secretary. That is how it has always been.

15 So the Foreign Secretary is in a very different
16 position from the head of a domestic department. As
17 Home Secretary I basically have to get on with things.
18 From time to time I obviously have bilaterals and make
19 sure the policy I was pursuing was where the Prime
20 Minister wanted it to be and he would chivvy me.

21 I basically got on with it, as I did as Lord Chancellor
22 and Justice Secretary. You ran your own show, but there
23 was no day by day contact.

24 As Foreign Secretary, it is inevitable there is going
25 to be a great flow across Downing Street and, as I say,

1 the more acute foreign policy issues become, the more
2 the prospect of military action; the more the focus is
3 going to shift to the other side of the Downing Street
4 and I didn't resent that. I mean, that's just the way
5 government operates.

6 SIR LAWRENCE FREEDMAN: But do you feel there was a risk in
7 all of that, that leaving aside your own personal
8 position, because you clearly were in the loop, that key
9 people in the Foreign Office were not in the loop, were
10 not being kept as well-informed about developments?

11 THE RT. HON. JACK STRAW MP: There was a risk of that. Yes,
12 I accept that. Obviously since your Inquiry is about
13 lessons learned, I think were there ever to be
14 a parallel situation -- it won't be a similar
15 situation -- there is an important lesson there about
16 how you essentially bolt together both sides of Downing
17 Street and the belated issue of what you do with the
18 Manning/Wall figure, which side of the green baize door
19 they are. That's quite an important issue in my view in
20 terms of how you run government. There were many, many
21 advantages in having David Manning and Stephen Wall on
22 the Downing Street side of that door but there were also
23 downsides as well.

24 SIR LAWRENCE FREEDMAN: That's again something we will want
25 to look at.

1 Can I just ask you one more question finally on this
2 period? In September while you were on leave Number 10
3 commissioned --

4 THE RT. HON. JACK STRAW MP: September?

5 SIR LAWRENCE FREEDMAN: 2002. While you were on leave
6 Number 10 commissioned a briefing from your department
7 before the Prime Minister's Sedgefield press conference
8 which was 1st or 2nd September.

9 THE RT. HON. JACK STRAW MP: Sorry I wasn't on --

10 SIR LAWRENCE FREEDMAN: It was in August. I think just at
11 the start of September this was commissioned.

12 THE RT. HON. JACK STRAW MP: Yes.

13 SIR LAWRENCE FREEDMAN: Anyway the briefing which your
14 office produced has been declassified and put on the
15 Inquiry's website. Again, as with the earlier PLP
16 paper, there are some areas where the briefing appears
17 to be more definitive than the intelligence at the time
18 suggested. Rather startlingly, the answer to the
19 opening question:

20 "Does Iraq have WMD?"

21 Begins with the word "Yes".

22 Did you review this at all, this paper? Did you see
23 it?

24 THE RT. HON. JACK STRAW MP: I don't think so -- I mean -- is
25 the answer.⁷ You will be aware that there's a huge

⁷ The witness was asked to address this specific point in his written statement in Question 3. He made clear in that statement that he was abroad on official business on the day the briefing was requested, and submitted.

1 traffic of briefing documents, but it came from
2 officials.

3 SIR LAWRENCE FREEDMAN: It did come from officials.

4 THE RT. HON. JACK STRAW MP: You know, I don't think it was
5 polluted by special advisers or people in Number 10. It
6 came from, completely pukka, 24 carat gold Foreign
7 Office officials.

8 SIR LAWRENCE FREEDMAN: The problem is, again this question
9 of acknowledging qualifications and uncertainties and
10 caveats. Again in briefings such as this, again coming
11 back to the pressures on public presentation, all this
12 contributed to the conviction that the Prime Minister
13 expressed of Iraqi WMD being beyond doubt.

14 THE RT. HON. JACK STRAW MP: I think the problem was everybody
15 thought it was beyond doubt. This was not just the view
16 of the British Government. It was the view of the
17 international community. 1441 would never have been
18 agreed with that opening pre-ambular paragraph about why
19 Iraq posed a threat to international peace and security
20 on account of its weapons of mass destruction unless
21 that had not been not just the prevailing wisdom but the
22 prevailing judgement across the world. With respect,
23 Sir Lawrence, we were in good company. We could not
24 have known then what we now know. From my point of view
25 examining the record of Saddam, his activities after the

1 Gulf War and then the fact that he had effectively
2 cleared out the inspectors, the UNSCOM inspectors in
3 late '98, reading that 200 page final report from Butler
4 I think in February '99, and adding it all -- all the
5 circumstances together, I too was in no doubt that he
6 had these programmes. Indeed, if I had doubts, I would
7 never have pursued the strategy I did, as I say --

8 Of course, looking at it today it may look slightly
9 odd, but from where we were at the time and where
10 everybody else was -- that's the crucial thing. When it
11 came to the great debates with the Security Council
12 partners in September and October and November 2002 and
13 indeed then in the beginning of 2003, no-one was saying,
14 "He hasn't got this stuff". The issue was how you dealt
15 with it.

16 SIR LAWRENCE FREEDMAN: I don't want to dwell on this
17 because we have talked about it a lot before. Can
18 I just pose one question to you on that, which is going
19 back to the intelligence assessments, the issue at this
20 time was on public presentation and the big issue with
21 the dossier was how you bring assessments made by JIC
22 into the open and publish them.

23 Was there another question that could have been put
24 to JIC at that time, given that we were now pushing very
25 hard to get the issue into the United Nations that the

1 inspectors might come back, which is "Are you absolutely
2 sure of this case?" Would it not have been sensible to
3 commission work from the intelligence agencies to just
4 go over what they knew and ask the question, "If the
5 inspectors do get back, what is it really that may be
6 there? How convinced are we of this?"

7 THE RT. HON. JACK STRAW MP: As I say one of, I am sure, the
8 lessons, without predicting what you are going to say in
9 your Inquiry, if I was sitting on your side of the
10 table, I would be drawing is: yes, that would be
11 sensible, with the benefit of hindsight, of course.

12 What I am trying to do is to tell you how it felt at
13 the time, which was that a further look wouldn't have
14 been necessary. If it had been necessary, it wouldn't
15 have produced any different results, because the last
16 time the inspectors had said anything about this
17 authoritative was in the turn of 1998/99. What they
18 said was very alarming.

19 I am sorry to repeat this point, but people think we
20 made up the idea that there was WMD in Iraq. It was all
21 sort of a confection to justify military action and this
22 was not shared round the world.

23 Just reading the pre-ambular paragraph 4 of 1441
24 what it -- sorry, 3:

25 "Recognising the threat Iraq's non-compliance with

1 Council resolutions and proliferation of weapons of mass
2 destruction and long range missiles poses to
3 international peace and security."

4 It is absolutely categorical. It does not say "we
5 think this might pose this threat". It says "does pose
6 it".

7 SIR LAWRENCE FREEDMAN: There is an issue as to whether or
8 not it was made up. Again it comes back to an issue
9 that we will certainly be coming back to which is
10 challenging and testing some of the assumptions.

11 THE RT. HON. JACK STRAW MP: Could I also just add this?
12 You know, I have thought about this a very great deal.
13 You could make the allegation -- I don't -- we were
14 subject to group-think, but bearing in mind that this --
15 these discussions inside the Government were taking
16 place in a framework of huge debate that was occurring
17 worldwide as well and others were coming in with their
18 own assessments of whether Iraq posed a threat or not.

19 Now, for example, I think on 9th September 2002, two
20 weeks before the dossier of the British Government was
21 published, the IISS published its own assessment, which
22 far from saying "We don't think there is a problem"
23 actually went rather further than the British
24 Government's own assessment.

25 So you had these other independent benchmarks which

1 were not raising the questions which maybe now with the
2 benefit of nine years of hindsight should have been
3 raised. Everybody was in the same place.

4 SIR LAWRENCE FREEDMAN: Okay. I think we are going to --

5 SIR JOHN CHILCOT: We will take a short break for
6 ten minutes and then come back to 1441 after the break.

7 THE RT. HON. JACK STRAW MP: Thank you very much.

8 (A short break)

9 SIR JOHN CHILCOT: Well, let's resume and turn our gaze on
10 to UNSCR 1441. Roderic, back to you.

11 SIR RODERIC LYNE: I would just like to pick up the points
12 you were making earlier about the importance of the UN
13 route and of us persuading the Americans or helping to
14 persuade the Americans to follow it.

15 Going down the UN route is one thing, but the
16 question that really arises then is where is that route
17 intended to lead?

18 In July of 2002 a paper was produced which was
19 entitled "Iraq: conditions for military action". That
20 was a Cabinet Office paper, a version of which has
21 appeared in the public domain. That paper asked
22 Ministers to agree that the UK engage the US on, I quote
23 from the public domain -- no, I don't -- I quote, not
24 from the public domain, now in the public domain -- I
25 have to get these things right:

1 "A realistic political strategy which includes
2 identifying the succession to Saddam Hussein and
3 creating the conditions necessary to justify government
4 military action which might include an ultimatum for the
5 return of UN weapons inspectors to Iraq."

6 On 14th September you sent the Prime Minister
7 a paper entitled "Iraq: pursuing the UN route" and you
8 wrote:

9 "In summary, we should deliver a more intrusive
10 inspection regime."

11 So what was the purpose that we were aiming for in
12 what became Resolution 1441? Was it to ensure the
13 return of the weapons inspectors to Iraq or was it to,
14 quoting the Cabinet Office paper create:

15 "... the conditions necessary to justify
16 government military action."?

17 THE RT. HON. JACK STRAW MP: I mean, the purpose of 1441 was
18 as it stated. It was to secure compliance by Saddam
19 Hussein with the obligations imposed on him by the
20 Security Council. I mean, the resolution means what it
21 says, Sir Roderic, and it is clear. As I have said
22 probably to the point of tedium, had Saddam complied
23 with the resolution, he would have stayed in post. At
24 the very minimum it would have been impossible for any
25 British Government to have taken part in any military

1 action, but I don't believe military action would have
2 taken place, because the *casus belli* would have gone.

3 SIR RODERIC LYNE: The purpose was to secure compliance and
4 avoid military action. It wasn't to be an ultimatum, as
5 it were, that would then facilitate military action.

6 THE RT. HON. JACK STRAW MP: It was not there as an excuse
7 for military action. Certainly not. In my first
8 statement to the Inquiry in January of last year
9 I quoted Kofi Annan saying words to the effect, and
10 I can find the exact quotation if you want, that
11 sometimes diplomacy has to be backed by the threat and,
12 if necessary, the use of force. It is a well-known
13 quotation and it is true. You are familiar with this as
14 an experienced diplomat yourself.

15 It was, to use the jargon, based on the idea of
16 coercive diplomacy, but its purpose, as I say, was to
17 secure compliance, essentially the disarmament of Iraq,
18 and that's what we set about achieving.

19 SIR RODERIC LYNE: I mean, you said in your second written
20 statement to the Inquiry last year that you could see no
21 prospect of Cabinet or Parliamentary approval for
22 military action in the absence of the UK being
23 successful in going down the UN route, which makes it
24 sound as if getting approval for military action by
25 going down the UN route was what we were trying to do.

1 Your office wrote in August of 2002 to Sir David Manning
2 saying:

3 "We have now done further work on the possibility of
4 a Security Council ultimatum to Iraq."

5 Mr Blair said to us in his evidence the other day
6 that instead of action immediately, ultimatum first, by
7 which he was referring to the period before the
8 Americans had agreed to the UN route. Then he said,
9 then ultimatum with a UN sanction.

10 So your office is talking of an ultimatum. Mr Blair
11 interpreting it to us last week was talking of this as
12 ultimatum with the UN sanction.

13 So is this not actually seen as a step in the
14 direction of military action, that being the objective
15 that the United States and the United Kingdom had in
16 going through the UN route in the autumn of 2002?

17 THE RT. HON. JACK STRAW MP: Well, no, with respect.

18 I think it is to turn on a parody of 1441 and to turn on
19 its head what I had said.

20 This resolution contains, if you like, an ultimatum.

21 I mean, it talks about the final opportunity. It then
22 in OP13 talks about serious consequences, which as
23 Stephen Pattison explains everyone knows means military
24 action if there was non-compliance.

25 So it contained its own ultimatum, but the point

1 about ultimata, Sir Roderic, is they offer the object of
2 the ultimata: alternatives. There are two doors, and in
3 the case of Saddam there was one marked "Survival of
4 your government and of you but with disarmament", the
5 other alternative meant military action against him and
6 the consequence which followed.

7 The history of diplomacy is replete with examples of
8 final opportunities or ultimata of one kind or another.
9 I don't see any objection to that. Indeed, the whole
10 purpose of diplomacy is, if possible, to avoid war.
11 That's what I was seeking to do and what this resolution
12 sought to do.

13 SIR RODERIC LYNE: We will come back a bit later on to the
14 question of whether the timetable for military action
15 was constructed and handled in such a way as to
16 encourage him to go through the door to compliance or
17 the other door.

18 You talked earlier about your position, your aims on
19 this, and you set that out very clearly last year:
20 coercive diplomacy in the hope that he would indeed
21 comply. We discussed earlier where Mr Blair was coming
22 from. Wasn't it the case anyway, as a witness from SIS
23 put it to us in his evidence, that it was clear that
24 nothing short of decisive action in Iraq was going to
25 satisfy the Americans?

1 So in signing up to the UN route, wasn't that what
2 was in their mind and wasn't that why they were
3 determined that it was going to do nothing to fetter
4 their ability to take military action or to require
5 a second resolution?

6 THE RT. HON. JACK STRAW MP: I don't think you can
7 generalise about the Americans, not even about the
8 American administration. Indeed, I think you make
9 a profound error if you do that. I think that there was,
10 to coin a phrase, a gleam in the eye of some members of
11 the administration about military action, but my
12 experience --

13 SIR RODERIC LYNE: Including the President?

14 THE RT. HON. JACK STRAW MP: No, I was about that say that.
15 no. My experience of President Bush was that he, in the
16 end when faced with decisions was much more thoughtful
17 than he is often credited for, and not -- and he was
18 subject, of course, to very strong and conflicting
19 pressures but there are also external realities facing
20 even a US President. Whatever the wishes of Richard
21 Perle or John Bolton, these neo-con outriders of the
22 administration to kind of change the whole world, there
23 were realities and the reality was that if Saddam had
24 complied with 1441, the inspectors would have said that.
25 It would have been public. The Security Council could

1 not conceivably have had the debates it had in the early
2 part of 2003, because we would have been celebrating
3 a compliance. There would have been inspectors all over
4 Iraq.

5 As I say, but it is worth repeating, there would
6 have no possibility of the UK being involved in military
7 action at all and I don't believe that even if President
8 Bush had been ill-advised enough to want to go to war he
9 would have done so. What would be the cause of war in
10 those circumstances? When he himself had said, yes,
11 they didn't like the regime and in legal theory regime
12 change was their objective, but he had made the case for
13 regime change on the basis of the threat posed by Saddam.
14 If the inspectors were then saying by a route which he
15 himself, President Bush, had himself led and endorsed,
16 that the threat had gone, what does he then say? You
17 know, he has to make the case to Congress and to his own
18 troops.

19 SIR RODERIC LYNE: There were many who were arguing, and it
20 has been argued to us by some witnesses, that the threat
21 would never have gone as long as Saddam was there, but
22 let's park that. Time presses.

23 We discussed the legal aspects of 1441 very
24 extensively last year. I don't want to go through all
25 that again, but I do want simply to ask you about

1 certain points that have come out in evidence either
2 declassified material or from witnesses since we last
3 met you.

4 Sir Michael Wood in a letter to Edward Chaplin of
5 17th October, which was copied to your office, a minute
6 to Edward Chaplin it would have been, warned that the
7 resolution then in draft would not give an implied
8 authorisation based on the authority to use force in
9 Resolution 678.

10 Then on 18th October Lord Goldsmith telephoned you
11 to make exactly the same point. This wouldn't authorise
12 the use of force.

13 On 31st October FCO lawyers also reiterated the
14 advice that the draft then in contemplation did not
15 authorise the use of force.

16 On 6th November Sir Michael Wood wrote to your
17 office -- that's just two days before the adoption of
18 1441 -- to state that it did not itself authorise the use
19 of force or revive the authorisation to use force in
20 Resolution 678.

21 Now given that, as we had started the negotiation,
22 and we have heard this too from witnesses, it was
23 a central objective of the British Government that the
24 resolution should revive the authorisation to use force
25 in Resolution 678 without the need for a further

1 Security Council Resolution. What impact did this
2 advice that we had not achieved that objective have on
3 the policy for concluding the negotiations and where did
4 it leave us at the end of the negotiations?

5 THE RT. HON. JACK STRAW MP: Michael Wood is a distinguished
6 lawyer, but he wasn't going to be the person making the
7 decision. He, in any event as I understand it, was not
8 that involved in the process and wasn't aware fully of
9 the negotiating history.

10 It is also the case that the Foreign Office lawyer
11 who was involved, Iain Macleod, took a different view
12 about the effect of 1441, and, as I now know -- I didn't
13 know this, Sir John, when I was here before -- Iain
14 Macleod was by no means the only Foreign Office lawyer
15 who took a different view from Elizabeth Wilmshurst and
16 Michael Wood. Indeed, he has authorised me to give you
17 his name in private, one former Foreign Office lawyer
18 has told me he certainly took the same view as Iain
19 Macleod. His view was that a significant number of
20 Foreign Office lawyers also took the same view.

21 I am not for a moment suggesting that Elizabeth
22 Wilmshurst's claim that all Foreign Office lawyers were of the
23 same opinion was made other than in good faith, but my
24 information is different from hers.

25 I believed this, that we were intent on negotiating

1 a self-contained resolution. As Peter Goldsmith said in
2 his own evidence -- I think this was last year --
3 explaining why he had come to a decision that in the
4 circumstances 1441 did authorise the use of force, one
5 of the reasons he said was that he knew that the "only
6 red line" of the Americans was that it should be a self
7 -contained resolution. The Americans would never agree
8 to a resolution that was not self-contained.

9 I would just say everybody else we were negotiating
10 with took the same view. As Jeremy Greenstock has
11 pointed out if we had been ready to accept a resolution
12 which simply required another resolution, we would have
13 got that in a week. We wouldn't have had to argue the
14 toss over conjunctions and semicolons, but my view
15 knowing the history, and also what it said, was it was
16 absolutely clear. It did revive 678. Indeed it says
17 that, recalling its resolution.

18 SIR RODERIC LYNE: You were being given contrary advice by
19 senior legal authority in the Government,
20 Lord Goldsmith, the senior legal authority in the
21 Foreign Office, Sir Michael Wood.

22 You say you subsequently heard there were Foreign
23 Office lawyers, and Iain Macleod --

24 THE RT. HON. JACK STRAW MP: I knew about Iain Macleod
25 anyway.

1 SIR RODERIC LYNE: These were not the people advising you.
2 Iain Macleod was not sending his advice to you at the
3 time?

4 THE RT. HON. JACK STRAW MP: In any event we were seeking to
5 get the best resolution we could and in my view we did.
6 As I say, it is -- yes, I knew what Michael Wood's view
7 was. I set that against the final decision the Attorney
8 General came to when faced with a real situation, which
9 was to say that military action was lawful. It doesn't
10 matter if anybody said it wasn't lawful, because he was
11 going to be the arbiter.

12 Our view was shared by others and significantly our
13 view that this was a self-contained resolution, which in
14 appropriate circumstances had authority for military
15 action, was shared by the French.

16 There is a great industry out there suggests this
17 was all unlawful and just ignores the fact not only do
18 we think this and the Americans, but the French thought
19 it too. You have on the record what Ambassador Levitte
20 told the Council of Foreign Relations in late March in
21 2003.

22 SIR RODERIC LYNE: We have been through that several times.

23 THE RT. HON. JACK STRAW MP: It is a non-trivial point,
24 Sir Roderic. They knew they had put forward all sorts
25 of alternatives in the drafts to water it down and

1 require a second resolution. They also knew we found
2 those unacceptable which is how we got to the
3 conjunction of OP4, 10, 11, 12, and 13. That was the
4 central architecture it had and they knew that.

5 SIR RODERIC LYNE: I am trying to understand the situation
6 at the time in the light of advice you were being given.
7 Am I right in thinking when 1441 was adopted, you told
8 the Cabinet a second resolution would not be necessary?

9 THE RT. HON. JACK STRAW MP: I think I did, yes.

10 SIR RODERIC LYNE: But Lord Goldsmith had telephoned you on
11 18th October to say that unless circumstances changed we
12 would need a second resolution to authorise use of
13 force.

14 How was it that without these views having been
15 reconciled you were just able to ignore Lord Goldsmith's
16 advice and take a different line in the Cabinet?

17 THE RT. HON. JACK STRAW MP: I didn't ignore Lord
18 Goldsmith's advice. If you recall from the records,
19 actually the Foreign Office's record not his record, of
20 that conversation. It was also, he accepted that in
21 external use we couldn't possibly start talking about
22 the possibility of requiring a second resolution because
23 it would have rendered the whole strategy worthless.

24 Peter Goldsmith understood that. I can't remember
25 whether he was or was not at the Cabinet. I don't

1 remember him raising an objection to the way in which
2 I was putting the point nor subsequently.

3 I might also say that at that time my feeling was
4 one of immensely relief about the fact we had got 1441.
5 As I say, I might be accused of naivety, although it is
6 not often an accusation made against me, but I believe
7 because of the force of 1441 the international consensus
8 behind it, we would be able to resolve this peacefully.
9 So the issue of a second resolution or not would not
10 arise. That was my hope and belief.

11 SIR RODERIC LYNE: Thank you.

12 SIR JOHN CHILCOT: Let's turn on now to the military
13 timetable and inspections. Lawrence will start off.

14 SIR LAWRENCE FREEDMAN: I will start on the question of the
15 military timetable. Lord Turnbull told us that the
16 Cabinet was repeatedly promised a discussion about
17 military options but this never happened. Why do you
18 think that was?

19 THE RT. HON. JACK STRAW MP: I think it was two things.
20 One, it was the Prime Minister's style to use Cabinet
21 for briefing purposes more than for decisions. That
22 had -- I know some say it didn't happen, but my reading
23 is that happened to a significant extent to begin with
24 in Margaret Thatcher's Cabinet.

25 The second and related point was this concern about

1 leaks, that if you are looking at military planning, you
2 have to keep matters pretty tight.

3 SIR LAWRENCE FREEDMAN: Understood. Do you think that
4 Cabinet Ministers were aware that for much of 2002,
5 indeed some way into 2003, one of the options that was
6 seriously considered was supporting the United States if
7 it came to military action but without using land forces
8 or a major land component?

9 THE RT. HON. JACK STRAW MP: They would have had to be deaf,
10 dumb and blind not to be aware of this. I mean, if I may
11 say so, I found Stephen Wall's evidence on this
12 incredulous. This was the issue. I mean, there were
13 100 people who signed an early day motion in March 2002
14 worrying about the prospect of military action.

15 If I may just make this point, over the summer of
16 2002 there was a build-up of concern about Iraq. Were
17 we going to back the Americans? Were we going to back
18 them without any United Nations Security Council
19 Resolution? Because that was not resolved until
20 President Bush made his statement in the General
21 assembly on 12th September.

22 The consequence of that was that the Prime Minister
23 decided to recall Parliament. This has been air brushed
24 out of this as if the decision to go to war was made by
25 a couple of people in a sealed room. It wasn't.

1 Parliament was recalled. It was to Parliament that the
2 dossier was presented, and that debate too was about the
3 possibility of military action.

4 SIR LAWRENCE FREEDMAN: My question was not about the
5 possibility of military action. It was about the type
6 of military action that we might take.

7 THE RT. HON. JACK STRAW MP: I don't think that any member
8 of the Cabinet was unaware for a second that there was
9 a possibility of the United Kingdom being involved in
10 very significant military action.

11 SIR LAWRENCE FREEDMAN: Were they aware that there was
12 a possibility of being involved in military action,
13 supporting the United States, but not putting a major
14 land component into the field?

15 THE RT. HON. JACK STRAW MP: I think they were aware of that
16 too. Sorry. This is -- you would have to ask them if
17 you wanted to get a precise assessment of their
18 opinions. I know you have already had evidence from
19 Margaret Beckett and John Reid, who said they were fully
20 aware of what was going on.

21 I might also say subsequently to Sir Stephen Wall's
22 evidence I have had former members of the Cabinet,
23 colleagues at the time, coming up to me to express
24 astonishment that he thought that they were unaware of
25 the alternatives and were not briefed, absolute

1 astonishment.

2 SIR LAWRENCE FREEDMAN: So they were briefed on the military
3 options as well?

4 THE RT. HON. JACK STRAW MP: Yes. I think again you would
5 have to ask them and the Prime Minister, because
6 obviously I was completely in the loop on all this, but
7 those who wanted -- my understanding is, and this is
8 secondhand -- those who wanted briefings on the
9 intelligence received it.

10 SIR LAWRENCE FREEDMAN: You got briefings on the military?

11 THE RT. HON. JACK STRAW MP: I received that anyway. I was
12 in a very different -- I was aware of this. I was in
13 a very different position from most members of the
14 Cabinet.

15 SIR LAWRENCE FREEDMAN: Mr Blair told us in a statement last
16 month it was clear from the continuing discussion with
17 the US in late 2002/2003 that March was the likely date
18 for military action. Was that also clear to you at that
19 time?

20 THE RT. HON. JACK STRAW MP: Yes. What date was he talking
21 about then?

22 SIR LAWRENCE FREEDMAN: Well, late 2003, early 2003.
23 I think it was about the end of January.

24 THE RT. HON. JACK STRAW MP: My recollection was that
25 initially there was talk of military action, the desired

1 date being January and then it moved to February and
2 then it moved to March. I mean, that's what happened,
3 and we were trying to push it to the right.

4 SIR LAWRENCE FREEDMAN: Yes, but that set the timetable
5 within which the diplomacy had --

6 THE RT. HON. JACK STRAW MP: Yes, there was a timetable,
7 sure.

8 SIR LAWRENCE FREEDMAN: We have also discussed with Mr Blair
9 and Jonathan Powell pressure from the UK in early March
10 about, as you put it, moving it to the right and some
11 time was given. It was a week rather than more than
12 a week that was being requested.

13 Do you recall were you part of that push? Did you
14 talk about this with Colin Powell?

15 THE RT. HON. JACK STRAW MP: I talked about it to Colin
16 Powell, as I recall. I happened to have complete trust
17 in him and his judgement. I was relying on not only his
18 diplomatic experience but also his position as Chairman
19 of the Joint Chiefs of Staff.

20 My recollection is -- he said to me they could delay
21 it a bit, but you couldn't delay the start of any
22 military action for too long. You would either have to
23 move on or to stand them down. There were anxieties, as
24 I think you are aware, Sir Lawrence, about the fact that
25 the weather was going to turn and it would get extremely

1 hot and so on.

2 SIR LAWRENCE FREEDMAN: Did you receive any briefing
3 yourself on how long the UK forces thought that they
4 could last without having to -- maintaining combat
5 readiness?

6 THE RT. HON. JACK STRAW MP: I don't think I had formal
7 written briefing. I think I would talk sometimes to the
8 senior military people in the margins of meetings about
9 that. What was very clear was that they were concerned
10 about the morale of troops and not just leaving them in
11 limbo.

12 SIR LAWRENCE FREEDMAN: Were you aware, I think, on 15th
13 January briefing that the Prime Minister got from our
14 Chiefs of Staff that certainly it was suggested that it
15 would be possible to maintain our forces after the
16 middle of March, several months after?

17 THE RT. HON. JACK STRAW MP: I think I was aware of that.
18 You know, it certainly would have been possible. There
19 is no doubt about that. It was a sort of combination of
20 factors.

21 SIR LAWRENCE FREEDMAN: Lord Boyce, former Chief of Defence
22 Staff, confirmed to us last week that the UK had become
23 such a significant component of frontline forces, 30% of
24 main battle tanks, that the Americans would have had
25 significant difficulties, certainly delays, in their

1 ability to start military operations if we had pulled
2 out. Which obviously raises the question of the degree
3 of leverage we had.

4 Again were you aware of the growing dependence of
5 the Americans on UK frontline forces?

6 THE RT. HON. JACK STRAW MP: Yes, I was. Of course, that
7 followed in part from the decision of the government of
8 Turkey not to allow any troop movements through Turkey.
9 So that closed off that route, which would have made for
10 a very different strategy.

11 I was aware of that, and it also goes to my point
12 that if there had been compliance with 1441, not only
13 would we not have taken part in military action, but in
14 a sense it would have -- even if the Americans had been
15 determined and had authority to take military action, it
16 would have delayed their action.

17 SIR LAWRENCE FREEDMAN: So if we had withdrawn -- did you
18 discuss the extent to which this could be used as
19 leverage over the Americans in terms of trying to get
20 a delay to give more time for the --

21 THE RT. HON. JACK STRAW MP: Well, the Prime Minister did
22 get -- the Prime Minister did get delay. He also got
23 the Americans to accept the need for us to move a second
24 resolution, which, as I think you are aware, they
25 thought both was unnecessary and to a degree politically

1 undesirable. There was some impatience from the
2 American system. The Prime Minister pinned President
3 Bush down on that second resolution and then also got
4 additional delay and then you know what happened. Then
5 we got the benchmarks and the final ultimatum.

6 SIR LAWRENCE FREEDMAN: One of the issues -- obviously we
7 have raised this a number of times -- is this question
8 of whether the inspection process was stopped before you
9 could really be sure it wasn't going anywhere.

10 Now the advice you had from officials in the summer
11 of 2002 was it would take around six months for the
12 inspectors to establish themselves and really get the
13 inspections regime to a good place. So at the point the
14 inspectors return to Iraq at the end of November 2002
15 what was your expectation about how long they would need
16 to establish themselves to do their work?

17 THE RT. HON. JACK STRAW MP: I don't have a particular
18 period of months in place. I certainly felt well before
19 four months were up from the passing of 1441 we would be
20 able to make a judgement about whether Iraq was complying
21 with its terms, which after all was the test on Iraq.

22 In fact, it was -- well, we got 1441 on 8th
23 November. The decision to take military action was made
24 on 18th. So, you know, it was going on for four and
25 a half months. It is very significant that if you look

1 at the last meeting of the Security Council that took
2 place on 7th March that nobody, not a single delegate,
3 suggested that Iraq was complying. Now the argument was
4 in the context they were not complying and they were
5 required to comply. That was the difficulty. The other
6 problem here is what Sir Jeremy Greenstock described as
7 the Straw paradox, which is this, that --

8 SIR LAWRENCE FREEDMAN: You initially called it the Straw
9 paradox.

10 THE RT. HON. JACK STRAW MP: It is a pretty straightforward
11 point and my name is tagged to it, which is that we
12 wanted to resolve it peacefully. The only way we could
13 resolve the matter peacefully was through compliance.
14 The only way you could get compliance was through the
15 threat of the military action, I mean the real threat.

16 Indeed, that paradox was actually, mainly
17 inadvertently, brought out by President Chirac in that
18 interview he gave on 10th March 2003 where he says --
19 before he says "we are going to veto" -- he says that
20 there has been some advance in compliance, but he thinks
21 it is almost certainly because of the troops sitting
22 outside Saddam's door. That for sure was true.

23 SIR LAWRENCE FREEDMAN: You told us last year you began to
24 feel more optimistic about the prospects for Iraqi
25 cooperation with UNMOVIC inspectors in early 2003.

1 Famous odds of 60/40 about avoiding war. You gave
2 reasons for that in your most recent statement.

3 What Mr Blair has told us in his statement and when
4 we saw him a week or so ago is that he concluded quite
5 early on in December of 2002, following the Iraqi
6 declaration that, there was no prospect of Saddam
7 complying with the requirements of 1441. He also made up
8 his mind on the basis of the JIC assessments of the
9 likelihood of the inspectors finding much, their
10 analysis of the Iraqi declaration. Were you aware that
11 was his view at the time?

12 THE RT. HON. JACK STRAW MP: He was more sceptical than
13 I was, yes. You know, unsurprisingly two people can --
14 one can be more optimistic than another. I was aware
15 that that was his view, but what I was -- I mean, the
16 60/40 was supposed to be a private conversation which
17 then appeared in the papers. I can still remember how
18 I was feeling in the early days of 2003. It was only
19 an instinct. It turned out to be inaccurate but,
20 I felt, taking everything together and notwithstanding
21 the fact that the declaration which the Iraqis put in on
22 9th December had been inadequate, that as they got the
23 message that if they didn't comply there would be
24 military action. And, you know, for other reasons one
25 could be reasonably optimistic that there was going to

1 be compliance.

2 SIR LAWRENCE FREEDMAN: One of the difficulties you faced in
3 the United Nations was that with successive reports of
4 Hans Blix, accepting that he never said Iraq was in full
5 compliance, and accepting that there were many questions
6 still left over that might have been addressed with
7 a benchmarks resolution, that he was reporting increased
8 and significant Iraqi cooperation. So that by 7th March
9 the inspectors began to go where they wanted. You had
10 movement on interviews. You had movement on aerial
11 surveillance and so on.

12 Was one of the difficulties you faced was in a sense
13 the Straw paradox was working too well and that there
14 was no particular reason to give up on the process
15 according to many members of the Security Council at
16 that point?

17 THE RT. HON. JACK STRAW MP: Well, with respect, would that
18 it had been working very well. I was just digging out
19 what I said to the Security Council on 7th March,
20 because there was some improvement. I am not sure --
21 I can't be certain. I don't recall Hans Blix saying
22 improvement had been significant.

23 What I said -- this is 7th March 2003:

24 "Mr Blix and Mr El Baradei have reported that Iraq
25 has done everything possible to prevent unrestricted

1 unrecorded interviews. There have now been 12 private
2 interviews between UNMOVIC and the IAEA against a UN
3 Special Commission list of 3500 people previously
4 associated with the weapons of mass destruction. We
5 know for a fact that all of those 12 were threatened and
6 intimidated by the Iraqi regime beforehand and told
7 their exchanges were going to be recorded."

8 So the interviews were not being recorded by bugs
9 and tape recorders they were told to take into the
10 meetings, but they were told they were going to be
11 recorded in any event by bugs placed in the wall of the
12 recordings halls. I understand that scientists most
13 likely to have the most incriminating evidence have been
14 locked away by the security services."

15 There was a lot of evidence from the Iraqi⁸ Survey
16 Group which corroborates what I was saying there. I am
17 afraid I was rather less than sanguine about the
18 progress after this being made and spelled out why.

19 SIR LAWRENCE FREEDMAN: Dr Blix in his statement, which is
20 what you obviously disagree with, in his statement was
21 saying there had been these interviews. He considers
22 them and has repeated in evidence to us he thought these
23 were not so hindered and that he was even optimistic of
24 getting people, if necessary, out of Iraq if there had
25 been more time.

⁸ The Iraq Survey Group

1 I will not go over exactly where things were at the
2 moment but what I am interested in is whether or not
3 this was a different position than you expected to be in
4 with Hans Blix than when the process began in
5 December/January, where the assumption may have been
6 more you were looking to Dr Blix to say definitively
7 whether or not there had been Iraqi cooperation.

8 THE RT. HON. JACK STRAW MP: That's a matter of some hope
9 and expectation. Certainly my hope was, as at the
10 beginning of the year, that Dr Blix and El Baradei were
11 saying they were now in compliance and "We have not
12 completed our task", but that was not what 1441 required
13 for compliance but "They are in compliance and this is
14 what we need to do to carry on that process".

15 Now they never ever said that. As I say, not even
16 Iraq's best friends around the table in the Security
17 Council claimed that, not once. Nobody did.

18 That was a fundamental problem, Sir Lawrence. The
19 requirement of 1441 was not that they should be
20 cooperating a bit with the inspectors. It didn't say
21 that and it wasn't. It was that there was full,
22 immediate and complete cooperation and there was not
23 full, immediate and complete cooperation. There wasn't
24 the day after 1441. More importantly there wasn't four
25 and a half months later. They had been told. They knew

1 what was going on. Why Saddam took the gamble he did
2 remains a seriously unanswered question to me, but he
3 chose to take a gamble and lost.

4 If I may say so, there are people who say "He was
5 edging towards this". The requirements of 1441 were not
6 requirements which would have humiliated him. Yes,
7 losing the Gulf War was an humiliation, but, you know,
8 that was quite a long time before that. They were
9 designed to be requirements on him that he could meet.
10 The other members of the Security Council who were more
11 friendly towards Iraq would not have agreed to those
12 requirements unless that were the case.

13 SIR LAWRENCE FREEDMAN: I don't want to prolong this but the
14 point about the benchmark resolution that didn't happen
15 was that it was actually a way of trying to resolve some
16 of those issues.

17 THE RT. HON. JACK STRAW MP: It was. Those benchmarks in
18 part came from Dr Blix himself.

19 SIR LAWRENCE FREEDMAN: That was, if there had been more
20 time, possibly a way of resolving it.

21 Can I just go back in terms of what Cabinet was told
22 about the likely sequence of events at the start of
23 2001?

24 THE RT. HON. JACK STRAW MP: 2001?

25 SIR LAWRENCE FREEDMAN: I am sorry. Start of 2003, at the

1 start of 2003 about how events were likely unfold?

2 THE RT. HON. JACK STRAW MP: Yes.

3 SIR LAWRENCE FREEDMAN: In terms of the likelihood of
4 finding the smoking gun as it's been called of WMD or
5 the likelihood Blix would report non-compliance.

6 THE RT. HON. JACK STRAW MP: You have seen the note. I gave
7 very regular reports to Cabinet. I was not there every
8 Thursday. I was quite often somewhere else, but when
9 I was there, I gave reports. I think if I wasn't there
10 the Prime Minister would report, or Mr Hoon the Defence
11 Secretary about where we had got to. I don't believe
12 that members of the Cabinet felt they were under
13 -informed on the issue.

14 SIR LAWRENCE FREEDMAN: It is not a question of under
15 informed. It is just what the expectations since they
16 would then be giving --

17 THE RT. HON. JACK STRAW MP: They knew there were extensive
18 military preparations taking place. I mean, this was in
19 the public domain. You can't mobilise 46,000 people
20 without this being public. I mean, it just was.

21 SIR LAWRENCE FREEDMAN: Absolutely, but the issue is whether
22 there was an expectation that military action, if it
23 came, would or would not follow a report by UNMOVIC of
24 non-compliance.

25 THE RT. HON. JACK STRAW MP: Oh, I see. On that -- this goes

1 to the issue of the relationship between OP4, 11 and 12.

2 SIR LAWRENCE FREEDMAN: In Resolution 1441.

3 THE RT. HON. JACK STRAW MP: In Resolution 1441. It is fair
4 to say that not everybody round the table could recite
5 the terms of 1441 in their sleep, as could I, but --
6 I don't recall a sort of quasi-legal textual argument
7 about the interaction between OP 4, 11 and 12 in
8 cabinet. In the halcyon days of Cabinet it would have
9 been a slightly odd discussion to have taken place.

10 Was there discussion about the circumstances in
11 which we might move to military action? Yes, there were
12 for sure, and, you know, what's involved in that, and
13 did I give reports of the four meetings of the Security
14 Council that I attended? Yes, yes.

15 SIR LAWRENCE FREEDMAN: Just finally, you told Parliament on
16 25th November 2002 that:

17 "material breach means something significant: some
18 behaviour or pattern of behaviour that is serious.
19 Among such breaches could be action by the government of
20 Iraq seriously to obstruct or to impede the inspectors, to
21 intimidate witnesses or a pattern of behaviour where any
22 single action appears relatively minor but the actions
23 as a whole add up to something deliberate and more
24 significant: something that shows Iraq's intention not
25 to comply."

1 As you told us last February, the bar had been set
2 high. Now on 15th March 2003 the Prime Minister
3 confirmed to the Attorney General his unequivocal view
4 that Iraq was in further material breach of its
5 obligations under Resolution 1441.

6 Were you comfortable with the situation that the
7 Prime Minister confirmed the existence of a further
8 material breach at a time when the head of the IAEA had
9 reported there was no nuclear programme he found and the
10 head of UNMOVIC was reporting improved cooperation?

11 THE RT. HON. JACK STRAW MP: Yes, I was, and if I had not
12 been I wouldn't have stayed in the Cabinet. Just to
13 emphasise the point about the bar in OP4, as I think
14 I mentioned at one of the previous hearings, in one of
15 the drafts -- there are two limbs to OP4. It is:

16 "False statements or omissions in the declaration",
17 and then:

18 "Failure by Iraq at any time to comply and cooperate
19 fully."

20 Those are the two limbs and they were separated by
21 "or".

22 Now I readily traded "or" for "and" in discussions
23 with Dominique de Villpin in return for changes we wanted in
OP11
24 and 12 about the role of the Security Council if there
25 were a further material breach. I was frankly, although

1 I didn't tell Dominique de Villepin at the time, very
2 pleased to make that concession, because I wanted to see
3 the bar set high. That's my personal view.

4 Here I am afraid I am going to express some
5 disagreement with the Attorney General. When he gave
6 evidence, he said that the "and" in OP4 was disjunctive.
7 It was never intended to be disjunctive. It was
8 conjunctive. There were two tests and they were
9 designed to be met. I think anybody reading it can see
10 that's the case.

11 What OP4 talks about is false statements or
12 omissions in the declarations. Well, the declaration
13 was incomplete. There was no question about that. And:

14 "Failure by Iraq at any time to comply with and
15 cooperate fully in the implementation of this
16 resolution."

17 They did. They did fail to comply fully. The
18 obligation on them was not to comply a bit --
19 I emphasise this -- what did Hans Blix say, "they were
20 just dreadful before" which is in effect what he said in
21 his late January 2003 report, "and now they are a bit
22 better". The obligation on Iraq was to comply fully.
23 It is a positive obligation on them, not a negative one,
24 not to disregard the whole of the resolution, and they
25 had failed to do that.

1 Now if you are asking me, Sir Lawrence, whether
2 I think the judgement about whether there was a further
3 material breach should have been made by the Prime
4 Minister or by the Attorney General, that's a quite
5 difficult question for me to answer. It was the
6 Attorney who asked the Prime Minister to make that
7 judgement.

8 SIR LAWRENCE FREEDMAN: You were comfortable with the view
9 that the material breach that there was at that time was
10 of such significance that it could only be addressed by
11 military force?

12 THE RT. HON. JACK STRAW MP: Yes, I was. By the time of the
13 7th March Security Council meeting my own very strong
14 instinct was that the Iraqis were back in a pattern of
15 behaviour they had been in before, where they were
16 playing along in the hope of splitting the Security
17 Council and then degrading the consensus that had been
18 there in the previous November that they would play
19 along sufficiently at least so we were not involved in
20 the military action, because we were not able to get
21 a Parliamentary majority, and maybe that some of the
22 Americans wouldn't, but that was the game they were in.

23 Much though I hoped against hope they would
24 implement this fully, and I thought they could, and that
25 was, as I say, my hope and belief in the January, by

1 March I just thought, "These guys have got a different
2 strategy. It is not compliance. It is stringing the
3 inspectors along, splitting the international community
4 and then hoping they can get into a comfort zone where
5 ultimately they could have sanctions lifted".

6 SIR LAWRENCE FREEDMAN: That required you again to take
7 a different view from the inspectors and other members
8 of the Security Council.

9 THE RT. HON. JACK STRAW MP: Well, with great respect, it
10 didn't. Yes, there was a division on the question of
11 military action. That was palpable but the inspectors
12 never said Iraq was compliant. They didn't. As I have
13 said before, if you go through the whole of the record
14 of that 7th March 2003 Security Council meeting,
15 whatever side people were on, nobody, not one delegate,
16 said "Iraq is compliant". That was the test. It was
17 not, "Have they offered a few more people for interview
18 in very questionable circumstances?" The test was were
19 they compliant. If Blix had come along and said "They
20 were compliant" it would have been the end of it from
21 our point of view.

22 Happily -- the end of it in the sense that that
23 would have been the end of any prospect of military
24 action and no-one would have been more pleased than me.
25 Let me tell you.

FEMNAL

1 SIR LAWRENCE FREEDMAN: There are other questions we can put
2 on that. We had better move on.

3 SIR JOHN CHILCOT: There are a few questions on the second
4 resolution. I will ask Sir Martin Gilbert to pick them
5 up.

6 SIR MARTIN GILBERT: In our request before this hearing we
7 asked about your involvement in the formal decision by
8 the UK government to pursue a second resolution.

9 You told us:

10 "I was heavily involved in the decisions in respect
11 of the second resolution."

12 You pointed us towards the documentary records
13 available to us as a committee. However, we have
14 examined a mass of documentation and questioned many
15 people, and we have been unable to find out either how
16 or when a formal decision was made to pursue the second
17 resolution. Can you explain who was involved in the
18 decision, what the process of the decision was and when
19 it was made?

20 THE RT. HON. JACK STRAW MP: I am sure -- sorry. Just on
21 the sort of procedural point, there must be -- at least
22 I hope there are -- telegrams from London to New York to
23 UKMIS about a second resolution. I would be astonished
24 if there weren't. Anyway I will try to pursue that for
25 the Inquiry.

1 The discussion about the second resolution, as
2 I recall, got going in the middle of February. I mean,
3 it had always been a possibility, and I can't give you
4 the exact date, but I had long been clear if we were
5 going to be facing the prospect of military action
6 a second resolution, whilst not necessary in legal
7 terms, was highly desirable in terms of managing the
8 international community and the British Parliament, but
9 also in raising the prospect of a peaceful solution of
10 the issue.

11 So, as I say, it got going then and there was
12 traffic with the United States about the components of
13 the second resolution, and then -- and then what should be in
14 it, and a draft was certainly down, as I recall, by the
15 end of February.

16 SIR MARTIN GILBERT: Did the decision to go for a second
17 resolution, was that something you discussed with the
18 Prime Minister?

19 THE RT. HON. JACK STRAW MP: Yes, I would have discussed it
20 a great deal with the Prime Minister. There wasn't
21 much discussion about it, let me say, because it was an easy
22 decision to make. We wanted to try to get a second
23 resolution, and, as I say, it was make -- making that
24 effort was desirable for both reasons I have spelled
25 out. The big issue was persuading the Americans that it

1 was a good idea and I discussed it, as I said, with
2 Secretary Powell, but the heavy lifting on that was done
3 by the Prime Minister and President Bush.

4 SIR MARTIN GILBERT: Was that quite a difficult process?

5 THE RT. HON. JACK STRAW MP: I think so. You are aware the
6 American view was that 1441 was completely
7 self-contained, which we accepted, and they were a bit
8 perplexed about why we thought it was desirable from
9 either the diplomatic point of view or the point of view
10 of domestic politics. Anyway in the end they were
11 persuaded it was.

12 SIR MARTIN GILBERT: That persuasion was done at the level
13 of the Prime Minister and the President?

14 THE RT. HON. JACK STRAW MP: Partly by me as well. Colin
15 Powell was easier to persuade than President Bush.

16 SIR MARTIN GILBERT: I'd like to just quote from something
17 that Stephen Pattison, the head of the UN Department of
18 the Foreign Office told us in his evidence just two days
19 ago. He said:

20 " I am not sure that the American administration was
21 ever formally committed to a second resolution. I think
22 they were willing to let us have a go at trying to get
23 it. They certainly did not see a legal necessity for it
24 and I think they obviously feared that it could only
25 result in more complication at the UN Security Council."

1 Was that your understanding?

2 THE RT. HON. JACK STRAW MP: That was, of course, the
3 downside. That it might expose divisions rather than
4 resolve them. I still with the benefit of hindsight
5 think it was worth attempting the second resolution. We
6 were elusively close, in my judgment, to getting those
7 magic nine votes and no veto but it didn't happen.

8 That was their concern. That said, the Americans,
9 certainly Secretary Powell, were very assiduous in
10 seeking to build up support for the second resolution.
11 There are records that you will have seen where he
12 reports he worked the phones with various people.

13 SIR MARTIN GILBERT: Thank you very much.

14 SIR JOHN CHILCOT: Right. I think, Roderic, over to you
15 now.

16 SIR RODERIC LYNE: Just one very short question, quick
17 question on President Chirac's statement.

18 THE RT. HON. JACK STRAW MP: Yes.

19 SIR RODERIC LYNE: We had a long discussion about this last
20 year, which we don't need to repeat, but since then we
21 have had some pieces of evidence, which I think we
22 should give you an opportunity to comment on. You may
23 or may not wish to comment on them. I would like just
24 to cite three of them. There were others in this sense.

25 One is that Sir Jeremy Greenstock, confirming

1 actually what he had said in a telegram, when asked
2 whether it was the agreed line to cast heavy blame on
3 the French and whether he was acting on instruction to
4 do this, said that he was acting on instructions.

5 Secondly, Matthew Rycroft, when asked if there was
6 a conscious decision for reasons of domestic political
7 presentation to pin the blame on the French, when in
8 fact, the situation was that we had failed to get the
9 Chileans and Mexicans across and had no prospect at this
10 stage actually of getting our resolution, replied "yes".

11 Thirdly, Sir Stephen Wall said:

12 "One can pussyfoot around, this but I think there is
13 no doubt that Tony Blair and Jack Straw knew what they
14 were doing. Certainly by the time Jack Straw told
15 Cabinet later in the week about Chirac's outrageous
16 behaviour, he would have known precisely what Chirac had
17 said. You have to remember at this point the Government
18 was fighting for its life."

19 Is there any comment that you want to make on any of
20 those three statements?

21 THE RT. HON. JACK STRAW MP: Yes, there is. Thank you.

22 Thank you for the opportunity. I don't agree with their
23 analysis of how we came to a judgment that President
24 Chirac's intervention on the 10th March had undermined
25 our efforts to get nine votes and no veto.

1 First of all, on the discrete issue about Jeremy
2 saying he was acting on instructions, when I saw that --
3 and thank you for giving me notice of this -- I have had
4 the record checked. No-one can find any telegram of
5 instructions to New York to say "Blame the French".
6 None exist.

7 SIR RODERIC LYNE: Could they have been on the phone? We
8 have heard a lot of instructions were given on the
9 phone.

10 THE RT. HON. JACK STRAW MP: I was talking to Jeremy a lot
11 on the telephone, but the -- anyway certainly
12 instructions with a capital "I". As to instructions --

13 SIR RODERIC LYNE: But if you had said on the phone "This is
14 what we need to do", that would have been
15 an instruction.

16 THE RT. HON. JACK STRAW MP: Let me deal with that. I was
17 certainly talking to him all the time about this.
18 I understand he may be seeking to rely on a phone call.

19 As far as I was concerned, the consequence of
20 President Chirac's intervention speaks for itself. We
21 didn't need to go into a room and say "We can make
22 a silk purse out of a sow's ear by what President Chirac
23 said". He was absolutely categorically, saying that, "the
24 position of France this evening is that we will vote
25 no". He didn't need instructions to say that. Indeed,

1 that did undermine the efforts we were making. That is
2 just true.

3 I am just surprised that he and Matthew should come
4 to that view. As for Stephen, well, he was not in the
5 loop in any event. I don't ever recall any conversation
6 with him. I certainly didn't have that conversation
7 with him, because it was certainly not what I was
8 thinking. Certainly when I saw this I was steaming
9 about the approach that the French were taking because
10 they had signed up to 1441, and from late January they
11 had been, in my judgment, increasingly unhelpful about
12 getting a peaceful resolution for this. I kept saying
13 to Dominique de Villepin, "If you came on side with
14 us -- I know you don't like the Americans. Chirac and
15 Bush aren't exactly soul mates, but if you want to avoid
16 military action, which is otherwise likely to take
17 place, the best thing to do is to come on side with us
18 and agree a second resolution which does contain
19 an ultimatum".

20 Anyway, they were not willing to do that. I have
21 read through the whole of the transcript of what
22 President Chirac said. I have also -- I watched the
23 interview in French. My French is not brilliant, but it
24 is good enough. I don't think anybody watching the
25 totality of that interview could have come to any other

1 conclusion but that he was chucking a bomb into the room
2 and seeking to disrupt the negotiations. He knew
3 exactly what he was doing.

4 Yes, he did say "I am not a pacifist". That's true.
5 He did not rule out a second resolution on something.
6 That's also true. He would have been very happy to sign
7 a second resolution, which would have led to a third.
8 All that is correct, and yes, he used the phrase
9 "Ce soir", but, Sir Roderic, you know, this was not the
10 President popping out of the back door of the Élysée to
11 buy a baguette, bumping into a journalist and saying
12 something unscripted and finding it recorded in the
13 newspapers and surprised that it had come out that way.
14 This was the President with all the panoply, the
15 President of France in a very formal setting, in
16 a formal interview deciding how he was going to set out
17 his stall. He knew exactly what he was doing and indeed
18 he achieved it. It didn't need me to explain what he
19 was doing. Everybody could see what he was doing and
20 also we could feel it, because although we carried on
21 trying for a number of days afterward, you could feel
22 the support for the position we had carefully put
23 together drain away. I think Stephen Pattison said to
24 you that with this kind of thing in the Security
25 Council, a lot of the non-permanent members took their

1 lead from the permanent members. In my judgment we were
2 making progress before that.

3 SIR RODERIC LYNE: As I say, we have had a great deal of
4 evidence on this, including, of course, documentary
5 evidence, and we wanted to make sure you had had been
6 opportunity to comment on some of the evidence given to
7 us that differs from your own interpretation of this.

8 THE RT. HON. JACK STRAW MP: Sure. Okay.

9 SIR RODERIC LYNE: Other than that, we don't need to pursue
10 that one further today. We will review the evidence in
11 due course.

12 SIR JOHN CHILCOT: Thank you. I will turn to Sir Martin
13 Gilbert. We have one or two more questions on the
14 Cabinet. Martin.

15 SIR MARTIN GILBERT: Throughout 2002 you appear to have been
16 the only Minister who was kept informed of Number 10's
17 exchanges with the White House. Do you think in view of
18 the sometimes rather substantive aspects of those
19 exchanges that a larger number of senior Ministers could
20 have been involved and consulted?

21 THE RT. HON. JACK STRAW MP: Sir Martin, they could have
22 been. I emphasise the word "could" rather than
23 "should". I think it has to be for the Prime Minister
24 of the day to decide with whom he shares his most
25 personal, confidential communications with another head

1 of state. I mean, these relationships are of critical
2 importance. The confidentiality of them needs to be
3 preserved as well.

4 So it is more a question really for Mr Blair. It is
5 not an issue of trust. It is just an issue of the fact
6 that the more people who are within a loop about
7 information, the more likelihood there is for this to
8 kind of seep out.

9 As I say, although these days people look at Bush,
10 Blair and see them as Siamese twins. That was not how
11 it felt for either side at the time.

12 SIR MARTIN GILBERT: You mentioned before and you have
13 stressed in a way two aspects of the Cabinet's
14 involvement. One, that theirs is essentially to be
15 briefed and have reports made by you repeatedly and the
16 other was the problem of leaking.

17 When you answered Sir Lawrence earlier, you referred
18 to the importance under Mr Blair of Cabinet Committees.
19 That they would prepare the issues and somehow the
20 Cabinet would then essentially be briefed.

21 As you know, Cabinet Committees did not meet to
22 discuss Iraq during this whole period. Instead, as
23 Mr Blair told us, there was a perpetual conversation.
24 Did you ever try to persuade Mr Blair to take
25 a different approach with regard to substantive

1 discussion?

2 THE RT. HON. JACK STRAW MP: I think -- this is repeating
3 evidence which I gave to you last year, but it was
4 well-known that my approach to decision-making is more
5 formal than Mr Blair's. I was more formal in the
6 running of the department for which I was responsible
7 maybe than some other Ministers and Mr Blair.

8 I certainly had conversations with him about the
9 level of formality or lack of it that applied within his
10 government. If I had been in his seat, would I have had
11 more formal processes? Yes, I would have done, but that
12 doesn't render, if I may say so, the processes that he
13 used, and which were comfortable he thought for him and
14 his members of his Cabinet at the time, completely
15 inappropriate or the outcome any different.

16 One thing I am clear about is that if you had had
17 more formal processes, in my view that would have been
18 better, but it wouldn't have made any difference to the
19 outcome.

20 SIR MARTIN GILBERT: You don't think that when -- I will
21 come in a moment to the question of your disagreement
22 with Mr Blair at the end -- you don't think that these
23 tremendously important decisions which were being made
24 and which, as you say -- I think your phrase was the
25 Cabinet was full of people who thought for themselves,

1 but shouldn't they have had the opportunity on quite
2 a number of occasions when important decisions were made
3 of thinking for themselves in Cabinet and having
4 an actual debate about it and being able to have their
5 input, as it were, on record at that level?

6 THE RT. HON. JACK STRAW MP: I mean, there were extensive
7 debates in Cabinet, as you know, on the basis of
8 briefings with Mr Blair or myself. I think it is 23
9 meetings of Cabinet in that period from the summer of
10 2002 through to March 2003 when Iraq was discussed and
11 it was the dominant political issue.

12 So members of the Cabinet were indeed thinking for
13 themselves very extensively. Some of the day-to-day,
14 week by week diplomacy was not a subject that in my view
15 would ever have gone to Cabinet. I don't think -- the
16 Cabinet discussed the original approach back in March
17 and then, as Lord Wilson made clear, Iraq came off the
18 agenda because other things intervened and there were
19 not that many discussions about Iraq until the summer;
20 but Cabinet colleagues knew from all sorts of informal
21 discussions that what we were seeking to do was get the US
22 down the UN route, and nothing was imminent. So they
23 were relieved about that. Then, there was the most
24 intense period of discussion, and they were involved in
25 that and very content. I thought, obviously, I would be

1 getting this question. I was trying to think about the
2 circumstances at the time.

3 It is important to divide the periods into sections.
4 You had, say, quite a febrile period with the UK's own
5 strategy rather uncertain in the first half of 2002
6 following the State of the Union, Axis of Evil speech,
7 and then also with Crawford, although it settled down
8 a bit then. Great concern inside the Parliamentary party and in
Parliament. It kept
9 getting raised. Partly settled by the discussion in
10 March, and then as it became clear that we were seeking
11 a UN route, settled down again. Colleagues thought,
12 "With a bit of luck, that's the route that will be
13 pursued and that will be satisfactorily resolved".
14 There was not really a decision to be made at that
15 stage, although colleagues were very well aware that
16 during the course of 2002 military preparations were
17 being made.

18 Then you had the period leading up to 1441 -- you
19 have Bush's statement to the General Assembly on 12th
20 September. You had the recall of Parliament on 24th. You
21 had that very intense period leading up to 1441.

22 Frankly a great sigh of relief by Cabinet, Parliament
23 and British people that we got 1441 and that there was
24 a prospect, then, of the matter being resolved peacefully.

25 At that stage there were not any decisions to be

1 made by Cabinet, because they endorsed the process
2 leading to 1441. We had got it and we hadn't got
3 a declaration. Then you have the declaration. It
4 wasn't satisfactory. Then you had Christmas.

5 In that period, even if we had formal Cabinet
6 discussions, you know, there weren't decision points to
7 be taken of the kind people feel could have been taken
8 if there had been formal papers and weren't taken
9 because there weren't formal papers.

10 Then you are familiar with what then happened in the
11 run-up to the decision on 17th March, but that was the
12 third phase.

13 SIR MARTIN GILBERT: I'd like to look back five days before
14 17th March, if I could. In your previous evidence to us
15 we asked you about the consideration of alternative
16 options on the eve of the conflict. You told us:

17 "I prepared a paper for Mr Blair. I talked to him
18 about it. If you're asking me who else was present in
19 discussions, I can't directly answer."

20 In "A Journey" Mr Blair recalls you warning him
21 about the perils of taking military action in Iraq
22 without a second resolution and we have also heard from
23 a witness whom we have agreed not to identify who said:

24 "I recall a meeting with the Prime Minister and the
25 Foreign Secretary made the argument in the circumstances

1 which we were then heading into on 12th March for the UK
2 military not being involved."

3 He told us in his evidence that the argument the
4 Foreign Secretary was making was more in terms of:

5 "'If you want to avoid your own resignation, Prime
6 Minister, you still have an opportunity and here it is.
7 You have a way out and why don't you take it.' It was
8 offering the Prime Minister a way out if he wanted. The
9 Foreign Secretary certainly put across the argument in
10 a very clear way. The thing that I was absolutely
11 struck by was the Prime Minister's response to it, the
12 speed of it and the absolute insistence of it and the
13 fact that he had got his arguments all marshalled and
14 all laid out."

15 You mention this meeting in your recent statement to
16 us, where you say:

17 "I made clear to him that he had options other than
18 committing to the invasion, and that these were still
19 open to him, should he want to take them."

20 Was your position at that meeting one of advocating
21 to Mr Blair that he should not commit British troops to
22 military action?

23 THE RT. HON. JACK STRAW MP: I think to say I was advocating
24 not committing British troops to military action is
25 probably putting it too strongly, because I have never

1 wanted to give the false impression that when it came to
2 it over the weekend of 15th and 16th and then the
3 decision on 17th my position was anything than
4 thoroughly to endorse the decision we did come to, which
5 was in favour of military action, and I was aware
6 certainly by 12th March that that was a clear prospect.
7 So ...

8 I was -- I mean -- I don't think anybody was keen on
9 military action, and it's horrible and people are going
10 to get killed. I was anxious that we should explore all
11 possible alternatives.

12 I also felt that as I owed the Prime Minister my
13 loyalty, I also owed him the best and most robust advice
14 I could give him and that was always my approach in
15 dealing with Prime Ministers.

16 I therefore presented him with the note I sent him
17 and went to see him, and I think the anonymous witness
18 gives a fair summary of both positions.

19 SIR MARTIN GILBERT: What was your view at the time of the
20 alternatives you were presenting him with?

21 THE RT. HON. JACK STRAW MP: The alternatives were for the
22 UK not to take part in the land invasion, to provide
23 facilitation. That was a perfectly straightforward
24 alternative which we could have followed. The
25 interesting thing about that, of course, was that from

1 an early stage it was the Chief of the Defence Staff who
2 had argued very strongly that if we were going to get
3 involved in the military action, the Army had to be
4 there, because they would be unhappy and cross if they
5 weren't. I don't trivialise the way it was put across
6 but that was how it was put. So we could have provided
7 facilitation and then go in afterwards. I mean, that
8 was the most plausible alternative, which would not have
9 meant standing down all the troops we had in theatre and
10 it was essentially what the Spanish and the Italians
11 did.

12 SIR MARTIN GILBERT: Thank you very much.

13 SIR JOHN CHILCOT: I think we will take another short break
14 now and come back in ten minutes.

15 THE RT. HON. JACK STRAW MP: Thank you very much.

16 (A short break)

17 SIR JOHN CHILCOT: We would like to turn to the aftermath
18 now and start with the pre-invasion planning. I will
19 turn to Baroness Prashar.

20 BARONESS USHA PRASHAR: I have a few questions on the
21 aftermath, Mr Straw. In your statement you comment:
22 "As a consequence of Britain's long standing
23 involvement in the Middle East the FCO had an impressive
24 cadre of diplomats and research analysts, experts in
25 this field and in the Arabic language."

1 Now it has been suggested to us on several
2 occasions, not least during our visit to Iraq, that this
3 is undoubtedly true, but it seems not to have been drawn
4 on when it came to debate on Iraq. Was this knowledge
5 drawn on as much as it could have been when Iraq policy
6 was being decided and implemented between 2001 and 2006?

7 THE RT. HON. JACK STRAW MP: Baroness, it certainly was
8 drawn on. I mean, whether we could have drawn on it
9 more I think is an interesting question, and I think my
10 answer is, with the benefit of hindsight, probably yes.
11 The Foreign Office is rightly very proud of the fact
12 that it has very deep knowledge and understanding and
13 experience of the Middle East. There were a lot of
14 people around the table at the time who were very
15 experienced and there were at least two, if not three
16 occasions, when the Prime Minister got together a group
17 of outsiders with different viewpoints to talk about
18 Iraq and its past and its future.

19 BARONESS USHA PRASHAR: Why was it not drawn on as much as
20 it could have been given you did have this expertise?

21 THE RT. HON. JACK STRAW MP: Sorry. You are asking me, would
22 I now go in for a counsel of perfection? The answer is
23 "yes". Did I feel at the time I wasn't drawing on it?
24 No. I mean, as I said in my statement, of the three
25 main Private Secretaries in my office, two happened to be

1 Arabists.

2 BARONESS USHA PRASHAR: Yes, you said that in your
3 statement.

4 THE RT. HON. JACK STRAW MP: And one of them had been an UNSCOM
5 inspector as well in Iraq. So it wasn't -- so I was not getting
daily,
6 hourly extensive feedback and granularity about Iraq⁹ and
7 then there were many other others in the office who were
8 reporting to me who did have that experience.

9 If you are saying as one of the lessons to be
10 learned could we have done even better? Well,
11 I wouldn't for a moment dispute that, but was there any
12 sense by me not to involve those with this experience?
13 Not for a second. I came to the Iraq issue from, having
14 been the Home Secretary, much more of a standing start
15 than, say, the Prime Minister had. That was early June
16 2001. So I wanted to know about it.

17 BARONESS USHA PRASHAR: You said that the Prime Minister
18 organised a couple of meetings, but was the discussion
19 penetrating the planning, the thinking, penetrating the
20 walls of Number 10.

21 THE RT. HON. JACK STRAW MP: Sorry. There were, I think,
22 two or three meetings. Number 10's records would
23 indicate that, of outside experts on Iraq which were not
24 put in commission, as it were, our detailed strategy,
25 but it was to get an assessment from them what the

⁹ The witness was making the point here that while he may not have been receiving direct intelligence from Iraq, he was able to draw on considerable expertise within the FCO itself

1 possible options were both for -- how Iraq had arrived
2 at this situation and how we went forward.

3 BARONESS USHA PRASHAR: I mean, you mentioned that you had
4 people in your Private Office, but were you talking to
5 the ambassadors in the region on what the regional
6 impact might be? Were you drawing on all the resources?

7 THE RT. HON. JACK STRAW MP: Of course I was. There was
8 a continuing debate going on. I think without access to
9 my diary I can't tell you off the top of my head which
10 countries in the region I was going to at the time, but
11 along with India and Pakistan I was spending a lot of
12 time in that region. I went between September '01 and
13 October 2003 five times to Iran, for example, and I was
14 around the rest of the region a good deal.

15 BARONESS USHA PRASHAR: In his book "The End of the Party" Andrew
16 Rawnsley recounts you taking Dr Michael Williams to
17 brief Mr Blair about the aftermath and Mr Blair being
18 somewhat dismissive of his pessimistic analysis. Do you
19 have any comment on that? Do you recall that?

20 THE RT. HON. JACK STRAW MP: I don't recall it. One of the
21 surprises to me, it should not be, is that my recall of
22 some events and papers is acute and others is a blank,
23 and there is no necessary connection between the
24 importance of the issue and whether I recall it. So
25 I -- but there was continuing two-way traffic across to

1 number 10. I was scarcely out of the place.

2 BARONESS USHA PRASHAR: You would accept it could have been
3 drawn on more than it was?

4 THE RT. HON. JACK STRAW MP: Sorry, that?

5 BARONESS USHA PRASHAR: That the evidence and the
6 information that you had from your Private Office,
7 ambassadors and the knowledge within the Foreign Office
8 could have been down on a bit more in planning than it
9 was?

10 THE RT. HON. JACK STRAW MP: I couldn't have drawn on my
11 Private Office more than I did. I sort of sucked them
12 dry.

13 BARONESS USHA PRASHAR: What about ambassadors and the
14 broader knowledge in the Foreign Office?

15 THE RT. HON. JACK STRAW MP: I think we were is the answer.
16 Baroness, I was trying to say in retrospect could we
17 have done more? Yes, probably, because I think you can
18 always do more, but that's not to say we were negligent
19 or lacking in assiduity in seeking their views at the
20 time.

21 BARONESS USHA PRASHAR: Thank you. Can I now move on to the
22 question of responsibility, because in your previous
23 evidence when we asked you who was responsible for the
24 aftermath planning, you said and I quote:
25 "The senior officials, most of whom you have met."

1 But in your recent statement you say:

2 "Ministerial responsibility for post-conflict
3 situation was shared between the Defence Secretary,
4 International Development Secretary and myself."

5 Our understand from the papers and the evidence from
6 Stephen Pattison on Monday was that the FCO had
7 a civilian lead in this area. First in the United
8 Nations Department and then in the Iraq Planning Unit.

9 Were you and the Development Secretary agreed on
10 your respective roles? Were you having discussions with
11 the Development Secretary.

12 THE RT. HON. JACK STRAW MP: First of all, just on the
13 implication of some inconsistency between what I was
14 saying there and what I was saying before. I haven't
15 got the transcript in front of me, but I think I was
16 I was trying to describe who at an official level was
17 responsible. I never said Ministers weren't responsible
18 for the work of their officials, not for a second.
19 I also gave evidence on one of the two previous
20 occasions about my relationship with Clare Short and the
21 Foreign Office's relationship with DFID. I did my best
22 to get alongside Clare. I think even she would accept
23 she is not the easiest person to get alongside. She was
24 very protective of her new department. There had been
25 pretty dreadful relations between her and Robin Cook and

1 institutionally between the two departments, which
2 Michael Jay, because he came from the aid side
3 originally, what became DFID, and I sought to improve,
4 but it was hard going. The Foreign Office felt that
5 they had lost control over the aid programme, which
6 indeed they had. The people in DFID felt the same, that
7 the Foreign Office had lost control and were enjoying
8 their new-found freedom. This caused difficulties, not
9 so much in respect of Iraq but in Africa, where
10 sometimes people in the Foreign Office felt DFID was
11 setting themselves up as an alternative Foreign
12 Ministry. It was tricky, it really was and I think most
13 colleagues -- I mean, I found Clare quite challenging
14 I think is the current cliché.

15 BARONESS USHA PRASHAR: So you would say that had an impact
16 on the way you went ahead thinking about future
17 planning?

18 THE RT. HON. JACK STRAW MP: Yes. It had to be factored in.
19 I have to say when she left and she was replaced by
20 Valerie Amos and I think subsequently by Hilary Benn,
21 things became much easier. That's the truth.

22 BARONESS USHA PRASHAR: What about the Defence Secretary,
23 because it is clear there are different assumptions made
24 by the military and the civilians? To what extent did
25 you discuss your respective responsibilities with the

1 Defence Secretary?

2 THE RT. HON. JACK STRAW MP: I had a very straightforward
3 relationship with Geoff Hoon, a friend of mine. We just
4 got on together. Leave aside the personal side. It was
5 a very businesslike relationship. I had no difficulty
6 at all there.

7 BARONESS USHA PRASHAR: Were the different assumptions
8 discussed in terms of what was the military priority and
9 the civilian priorities were?

10 THE RT. HON. JACK STRAW MP: Yes. I mean, if you asked me
11 could I tell you it was discussed at this meeting or
12 that meeting, I can't, but was one of the parts of the
13 discussion Geoff Hoon's perspective on behalf of the
14 military as opposed to, say, my perspective on behalf of
15 a civilian import, yes, that was there and there were
16 a lot of discussions about that, both in terms of the
17 immediate aftermath, when obviously the military would
18 be in control, in complete control, and the civilian
19 staff would be acting effectively under their orders in
20 a subsidiary capacity and then, as we hoped, later when
21 that control, the military control would reduce.

22 BARONESS USHA PRASHAR: By your own admission you said you
23 were focused on the diplomatic process and it has been
24 suggested so was the rest of the Foreign Office. People
25 were so concentrating on the diplomatic process that to

1 some extent not much attention was paid to post-Saddam
2 situation. Is that fair?

3 THE RT. HON. JACK STRAW MP: It is certainly fair I was
4 focused on the diplomatic process. I don't think it is
5 fair to say as a result of that, planning for the
6 aftermath within the United Kingdom was ignored or not
7 given the priority it should have been.

8 I think any Foreign Secretary in my position would
9 have focused on the diplomatic process, because
10 essentially that's what I was paid for. There was heavy
11 lifting required, which ultimately only the Prime
12 Minister or I could do. So, as you have heard,
13 Baroness, a huge amount of my time was spent either in
14 direct negotiations within the UN system or with my
15 opposite numbers in the foreign ministries.

16 I make no apologies for that. I am proud of the role
17 that I played in getting 1441. I am just deeply
18 regretful that it didn't lead to a peaceful conclusion.
19 The Foreign Office is, in my view, a great institution. It
20 was well aware of the need to plan for the aftermath,
21 and obviously I was as well, but a great deal of work
22 was taking place under the very distinguished senior
23 official, Edward Chaplin, in whom I had complete
24 confidence, and he was getting on with this. I was
25 talking to Colin Powell about it as often as I could.

1 As has been spelled out in previous evidence, in my
2 judgement the difficulty that we ran into did not arise
3 from any inadequacies in planning at the British end.
4 It arose from this inter-agency row in Washington in the
5 early part of 2003, which resulted in responsibility for
6 the aftermath being moved from the Department of State
7 to the Department of Defense, and if I were a historian
8 in five or ten years time plotting what happened, unless
9 I was presented with a lot of evidence, of which I am
10 unaware now, I would say that that was the decision
11 which led to the aftermath being far less satisfactory
12 than it could have been.

13 BARONESS USHA PRASHAR: What you are really saying is: yes,
14 you were paying attention to the diplomatic route.
15 That's fair, but from your point of view you were
16 satisfied that adequate work was being done within your
17 department?

18 THE RT. HON. JACK STRAW MP: Yes.

19 BARONESS USHA PRASHAR: Had you made someone specifically
20 responsible for that at Ministerial level or were you
21 just relying on the officials?

22 THE RT. HON. JACK STRAW MP: I don't think I had made
23 a specific Minister responsible for that. I mean,
24 Iraq -- I had very good Ministers working for me,
25 including Mike O'Brien at the time. I was very hands on

1 on the Iraq dossier.¹⁰ I had to be. I think officials
2 expected to have direct access to me on that.

3 BARONESS USHA PRASHAR: I am talking about the actual
4 planning for --

5 THE RT. HON. JACK STRAW MP: No, I understand that. The
6 interaction between Ministers and officials in the
7 Foreign Office is a very different one from that in
8 domestic departments. It's true of diplomats anyway
9 that they don't fill the classic mould of the home civil
10 servant, being totally anonymous and behind the screen.
11 They are more vocal, more used to a public role by
12 definition, halfway between being, say, a line official
13 in a domestic department and a Minister.

14 Edward Chaplin knew the region. He knew the beat.
15 I had every confidence in him, and in the others.

16 I know you had evidence from Stephen Pattison and
17 John Buck, both of whom are also very good officials.

18 BARONESS USHA PRASHAR: I mean, you said you were satisfied
19 with the planning, but when you gave evidence to us last
20 year, you said that:

21 "Americans were never keen on the UN role and this
22 was just something we had to manage the whole time".

23 THE RT. HON. JACK STRAW MP: Yes.

24 BARONESS USHA PRASHAR: When I asked you about when you
25 realised the United Nations would not take a major role,

¹⁰ When discussing his involvement with the Iraq dossier the witness was referring to the handling of Iraq within the FCO.

1 you said 19th March. I mean, surely it was clear before
2 that that the United Nations would not be playing
3 a major role in the aftermath, because again Stephen
4 Pattison told us on Monday it was in February when he
5 went to the States, when he realised or was told that
6 the Americans were not at all keen on the United Nations
7 having a role.

8 THE RT. HON. JACK STRAW MP: The reason I have, Baroness,
9 referred to 19th March is because there was a telegram
10 reporting not on the Americans' attitude but on the
11 attitude of Kofi Annan. My view, and I think the Prime
12 Minister's -- you know, he will have to speak for
13 himself -- was although there was, famously, less
14 enthusiasm for the UN within the US system, if you
15 presented them with the argument, you could actually
16 sometimes shift them towards it, and that's true, of
17 course, in terms of 1441. It actually turned out to be
18 true in terms of a significant chunk of 1483.

19 However, what made an extensive role for the UN
20 doubly difficult was Kofi Annan reported as saying that
21 in the circumstances of the invasion and internationally
22 controversial military action he didn't think there was
23 a role for the UN either.

24 So there was no prospect at that stage then of
25 a central role. I mean subsequently, of course, I think

1 it was President Bush who talked about a "vital role" for
2 the UN under some instigation from the Prime Minister,
3 which does show the degree to which he was able to
4 influence President Bush. You know, President Bush had
5 other forces at him, like John Bolton and those who
6 wanted to -- basically wanted to wind up the UN. So
7 I think we actually got quite a long way in the
8 circumstances.

9 BARONESS USHA PRASHAR: I mean, the effect is we were aware
10 of the United States not wanting the UN to have a lead
11 role. The UN being reluctant to take the lead role, and
12 when I asked Stephen Pattison why did we not have
13 a plan B in the circumstances, because we all made the
14 assumption that the United Nations would have a lead
15 role -- that's what our planning was based on -- why did
16 we not have a plan B and he said to me plan B was the
17 USA sorting it out. If they didn't want the United
18 Nations to have that role, the US would sort itself out.

19 In the circumstances should we not have actually
20 sought more insight into what the US was planning?
21 Should we not have presented them with a blueprint?

22 THE RT. HON. JACK STRAW MP: I mean, the only plan B was, in
23 the absence of a central role for the UN, was a central
24 role for the occupiers, which were the US and UK. Those
25 were the two alternatives. There was lots and lots of

1 discussion with the United States system. Edward
2 Chaplin, as well as the rest of us, going to and fro to
3 Washington, to discussions between David Manning and
4 Condi Rice, between myself and Colin Powell.

5 As I say, Baroness, it wasn't for the want of trying
6 that we ended up in the position we did, but this was
7 one of those absolute classics where the American
8 decision making process was opaque, and I know there is
9 some frustration about the informality in the British
10 system under Mr Blair, but nothing compared with the
11 longstanding lack of arrangements in the American
12 system, as Robert Skidelsky so brilliantly brought out
13 in his biography of Keynes.

14 So you put all these things in and it just sort of
15 flows around and one day there is a decision. The
16 inter-agency process is very odd from the point of view
17 of a Parliamentary/Cabinet system.

18 BARONESS USHA PRASHAR: You see, what you are saying to me
19 is the UN wasn't keen. The USA were not keen on the UN
20 having a lead role. The United States was
21 dysfunctional, it was an opaque system. We knew all of
22 that and yet we continued to work on the assumption that
23 the UN would take a lead role and the USA would sort it
24 out. I mean, it just seems to me that it wasn't for
25 want of people drawing it to the attention of the Prime

1 Minister and yourself about the importance of the
2 aftermath, because it has to be an essential part of any
3 planning. Why did we not pay enough attention to that?

4 THE RT. HON. JACK STRAW MP: Well, we did pay a huge amount
5 of attention to the aftermath. You have seen
6 the minutes I wrote to the Prime Minister, amongst many
7 others, spelling that out, and the Prime Minister was
8 very well aware too about the problems of the aftermath.

9 In terms of -- we wanted a central role for the UN.
10 I mean, we actually got a more central role than I think
11 was in prospect. After 1483 we had a large UN base in
12 Baghdad --

13 BARONESS USHA PRASHAR: I am going to come to.

14 THE RT. HON. JACK STRAW MP: Just to say it wasn't there was
15 nothing there. Was it all we had hoped for? No. Was
16 there a prospect, notwithstanding this maelstrom in the
17 US, of getting the US to agree to something rather more
18 than we got them to agree to? Yes, there was. In the
19 event they didn't, but they could have done. Prime
20 Minister Blair got the Americans actually rather further
21 down the UN road than I had thought.

22 BARONESS USHA PRASHAR: Can I look at the issues of risk,
23 because again in your statement you comment and I am
24 quoting:

25 "Strategic objectives for Iraq were agreed. Broadly

1 they wrote themselves, for example, to ensure as rapidly
2 as possible for Iraq to become a stable, united and
3 law-abiding country. Neither the circumstances nor the
4 time scale for transfer of responsibilities to an Iraqi
5 authority were possible to fully predict in advance of
6 the end of hostilities. It was therefore not feasible
7 firmly to foresee any specific timetable."

8 Mr Blair in his statement wrote:

9 "Inevitably it was impossible to pin down the
10 precise details of how, and more importantly, when each
11 stage of transition would occur until we were in and
12 could judge according to the reality, but the basic
13 principles of transition was agreed and actually in the
14 event implemented. We always recognised that we would
15 be there for some significant time."

16 Now given the clear advice that the aftermath would
17 be critical to strategic success, was that wise?

18 THE RT. HON. JACK STRAW MP: Sorry. Was what wise,
19 Baroness?

20 BARONESS USHA PRASHAR: The statement you made and the
21 statement Mr Blair made that, you know, this is
22 significant but it is something you will have to wait
23 and see. It was therefore not feasible firmly to see
24 a specific timetable.

25 THE RT. HON. JACK STRAW MP: We couldn't -- we didn't -- the

1 consequences of war are unpredictable, because war is
2 a violence -- it's an inherently chaotic process. So
3 the possibilities of aftermath of military action are
4 greater than they are for many other human actions. So
5 there was obviously a range of possibilities. It was
6 very probable that Saddam would no longer be leader.
7 There would be a vacuum in government at the top. We
8 knew that. What was extremely difficult to predict was
9 the exact circumstances on the ground. As I bring out
10 in my statement, the most recent one, and I think David
11 Manning brought out, if you look at the detailed
12 planning documents we produced and the State Department
13 produced in early 2003 both we and the Americans were
14 predicting all the things that then happened.

15 What we weren't able to predict was the exact mix of
16 these things. I mean, that was -- and so, yes, there
17 was a prediction about the possibility of terrorism. We
18 didn't predict its extent. We were very worried about
19 a humanitarian disaster and thanks to good planning, as
20 I say in my statement, that was happily absent in the
21 event.

22 I don't -- I am sure there are for certain --
23 lessons for certain about how, if there were ever
24 another time, we should do this, but I think making
25 guesses about the precise outcome of military action on

1 that scale would be very difficult in any circumstances.
2 You simply don't know. There's a range of
3 possibilities.

4 BARONESS USHA PRASHAR: But Lord Williams, who was your
5 special adviser, in a statement to us has said:

6 "Plans for military campaigns are usually based on
7 calculations of the risks involved, but it is apparent
8 that in the case of Iraq these were only done in the
9 most narrow sense."

10 So he's basically saying, you know, we did not plan
11 on the worst scenario. It was only in a very narrow
12 sense. Why was that?

13 THE RT. HON. JACK STRAW MP: He is a great friend of mine.
14 I am slightly surprised he said that because I don't
15 recall him saying that to me at the time. I mean,
16 I think what he was -- I have not talked to him about
17 it. Probably it is another way of talking about his
18 frustration and my frustration in pinning the Americans
19 down, if you see what I mean. We were doing the
20 planning and it was -- and the joint planning with the
21 Americans was pretty satisfactory until this shift of
22 responsibility from State Department to defence. That
23 could have been satisfactory, but turned out not to be,
24 as you know, and we have ended up with ORHA and you know
25 the rest of the story.

1 BARONESS USHA PRASHAR: On 9th March you and the Defence
2 Secretary wrote to the Prime Minister saying:

3 "It will be necessary to draw down our current
4 commitment to nearly a third by no later than autumn."

5 In the event the draw down was much more rapid than
6 that. Given the considerable uncertainty and our
7 responsibilities for law and order, were you concerned
8 about suggesting such a rapid drawdown?

9 THE RT. HON. JACK STRAW MP: Not -- I mean, that was based
10 on military advice on how long you could sustain that
11 many troops in theatre. It was 46000. It was a fairly
12 significant portion of the total armed forces of the UK.
13 Forces have to be rested. You are familiar with all of
14 this. You have to have a long-tail behind these forces.
15 So I didn't think that was unreasonable. They were
16 there not for peace making or peacekeeping, this was
17 an aggressive force to invade a country. Although for
18 sure in the south there were times when in retrospect
19 the commanders could have benefited from more troops on
20 the ground. It wasn't anything like 46,000.

21 BARONESS USHA PRASHAR: So this was mainly in the context of
22 the military action itself, not the aftermath?

23 THE RT. HON. JACK STRAW MP: Yes. I can turn up the minute,
24 but, I mean, that minute I think was about what was
25 possible given the size of that 46,000 in relation to

1 the totality of the UK's armed forces, how people had to
2 be rested.

3 BARONESS USHA PRASHAR: Can I just look briefly at the
4 question of resources? In your statement request we
5 asked you.

6 "What assurance did you have before the invasion
7 that the FCO and the UK government more widely had the
8 structures, skills and capabilities for the role it
9 would need to play?"

10 and your reply is:

11 "I can only really answer the question in the
12 negative. I was not aware of any submission before the
13 invasion suggesting that FCO lacked the structure,
14 skills and capabilities for the role it was to play."

15 But on 5th March 2003 the Iraq Planning Unit wrote
16 a paper for you and your Ministerial colleagues entitled
17 "UK's role in Iraq after Saddam". It advised and I am
18 quoting:

19 "This is well beyond the financing and implementing
20 capacity of DFID and MoD and there is a risk that UK
21 would end up becoming responsible for a large and
22 expensive commitment potentially in the medium term."

23 I mean, you would have seen this paper. Why did
24 this not ring any alarm bells in the Government's
25 capacity to deal with the aftermath?

1 THE RT. HON. JACK STRAW MP: Well, with respect, that
2 answers two different questions. It did, as I recall,
3 and for sure they needed more resources than they got in
4 their normal budget line and in the end they got those
5 resources.

6 BARONESS USHA PRASHAR: Resources is one thing. It is about
7 the capability. You can have money but not necessarily
8 have capability.

9 THE RT. HON. JACK STRAW MP: I was asked about the Foreign
10 Office. Sorry. I wasn't asked about DFID's capability,
11 nor about the MoD's. It was not for me to offer
12 a judgement about that.

13 On the Foreign Office's -- I mean, Baroness -- asked
14 a question like that, you rack your brain. You then
15 check all the documents that are available. You talk
16 to the officials that are helping you with your
17 evidence. Come to the best judgment you can. If there
18 had been a piece of paper which said "The Foreign Office
19 lacks the capacity to deal with this", why wouldn't I
20 have acknowledged it? Of course I would have done, but
21 I say that I don't -- what I said there is entirely
22 accurate. I don't recall getting advice saying that the
23 Foreign Office lacked the capacity, and indeed the
24 Foreign Office officials I think performed brilliantly
25 in the situation, and I was always pleasantly surprised

1 about the number of people from the Foreign Office who
2 were willing to volunteer to go and serve in Iraq and
3 the way in which they did that.

4 BARONESS USHA PRASHAR: So you took it to mean specifically
5 of the FCO's capability and resources, not the UK
6 government-wide responsibility?

7 THE RT. HON. JACK STRAW MP: You said:

8 "What assurance did you have before the invasion
9 that the FCO ... had the structures, skills and
10 capabilities for the role ..."

11 Yes. Well, I said -- I talked about the FCO -- whether the
12 FCO lacked structure. Perhaps I should have said --
13 looking at this answer -- given you a bit more detail
14 about and done more research about the UK government,
15 but I was posed 68 written questions and I tried to
16 answer them all.

17 I then go on to say:

18 "What was unclear was exactly what the role would
19 be."

20 That was just true. I tried to explain that.

21 BARONESS USHA PRASHAR: I have just a few questions on the
22 Security Council Resolution 1483.

23 THE RT. HON. JACK STRAW MP: Yes.

24 BARONESS USHA PRASHAR: Now it was clear from the legal
25 advice you received at the beginning of 2003 that the UK

1 would be treated as an occupying power in that area of
2 Iraq over which it exercised authority.

3 THE RT. HON. JACK STRAW MP: Yes.

4 BARONESS USHA PRASHAR: On 8th May 2003 Sir Jeremy
5 Greenstock and John Negroponte wrote to the President of
6 the Security Council on behalf of the US, UK and
7 Coalition Partners confirming that the states
8 participating in the coalition will strictly abide by
9 the obligations under international law.

10 Now we have seen advice from FCO legal advisers
11 dated 8th May 2003 stating that:

12 "This wording is important to be consistent with our
13 position that UK is not an occupying power throughout
14 Iraq through the coalition but only in the areas where
15 UK forces have established authority."

16 Now was it the UK's position as of 8th May that UK
17 was only an occupying power in that area of Iraq over
18 which it exercised physical authority, ie the south?

19 THE RT. HON. JACK STRAW MP: Well, the --

20 BARONESS USHA PRASHAR: I want to know what the position is
21 as of 8th May.

22 THE RT. HON. JACK STRAW MP: I can't say precisely what the
23 position was on 8th May, Baroness, without more specific
24 notice about that, but what was my starting point on all
25 this was that it was desirable, if legally possible, for

1 us to have authority over that area which we controlled
2 and not more widely.

3 In the event you will be aware that we had legal
4 advice from the Attorney General. He said, "You are
5 occupiers for the whole of Iraq". So that was the end
6 of it. He was the government's legal adviser, not me.
7 I had no firm view about the issue except what was
8 desirable.

9 BARONESS USHA PRASHAR: I will come back in a moment, but
10 I just also want to look at that on 7th April you wrote
11 to the Prime Minister suggesting that the UK should
12 agree a formal Memorandum of Understanding with the
13 United States --

14 THE RT. HON. JACK STRAW MP: Yes.

15 BARONESS USHA PRASHAR: -- specifying the need for
16 consultation and joint decision-making in advance of
17 policy decisions about ORHA's activities.

18 Was it one of the main objectives of the proposed
19 MOU that it should confirm that UK was only responsible
20 as an occupying power for the areas of Iraq it
21 physically occupied?

22 THE RT. HON. JACK STRAW MP: I haven't got the draft in
23 front of me. I think so. In any event what we were
24 trying to do was pin down whether legally -- ultimately,
25 Baroness, the issue of whether we were formally and

1 legally responsible for the whole of Iraq or just for
2 our area came down to a decision by the Attorney General
3 and that was going to be his advice, not based on mine.

4 BARONESS USHA PRASHAR: As I say, I am going to come to that
5 in a moment.

6 THE RT. HON. JACK STRAW MP: So there wasn't a lot of point
7 spending a lot of time on that issue. It wasn't
8 the high profile or sensitivity like the interpretation of
9 1441. He would make up his own mind and we would have
10 to get on with it.

11 What, however, we were concerned about, as we had
12 been before the invasion, but certainly afterwards, was
13 trying to pin down the arrangements for cooperation and
14 coordination with the Americans, which is where the
15 process of an MOU came from.

16 In the event, as I record in my answers to your
17 questions, they refused to sign up to the MOU, so we had
18 to deal with it in other ways. It was frustrating.

19 BARONESS USHA PRASHAR: Because they refused to sign the
20 MOU, why did it follow from the refusal of the US to
21 agree to the MOU that the UK should be named a
22 joint occupying power?

23 I mean, for example, Australia decided not to be
24 an occupying power. So why did the failure to sign the
25 MOU mean that we had to become a joint occupying power?

1 THE RT. HON. JACK STRAW MP: You'd have to ask -- I don't
2 think -- I don't think the two were absolutely linked.
3 You would have to ask Lord Goldsmith that question. My
4 understanding from his decision and the letter that
5 followed was that he took the view, because not only of
6 the number of troops that we had on the ground in the
7 south and the area that we were literally occupying but
8 also our involvement in Baghdad and elsewhere, that we
9 had to have joint responsibility.

10 Then I think it was more making a kind of a virtue
11 out of a necessity. We judged there might be some
12 advantage from that for whoever was sitting alongside
13 the Garner and then the Bremer figure in terms of having
14 joint power as well. So that is where we were. It
15 would have been desirable if we had had a clear area for
16 which we were responsible without the Americans and got
17 on with it but, you know, it wasn't to be.

18 You can pin responsibility for failing to sign the
19 MOU on the Americans. I don't think you can pin
20 responsibility for the legal advice that we are
21 responsible across Iraq on the Americans and, as I say,
22 the two are not directly related.

23 BARONESS USHA PRASHAR: Can I just come back to the fact
24 that it was the Attorney General who recommended that,
25 but the Security Council Resolution 1483 must have been

1 drafted on the basis of instruction provided by those
2 negotiating it, and that the UK intended to be named as
3 an occupying power. When was the decision taken? I
4 mean, who made that decision?

5 THE RT. HON. JACK STRAW MP: Sorry. Which decision? Sorry.

6 BARONESS USHA PRASHAR: To become a joint occupying power.
7 Instructions must have been given to the negotiators.

8 THE RT. HON. JACK STRAW MP: It was made by the Attorney
9 General.

10 SIR JOHN CHILCOT: If I am right, if I can interject,
11 I think the Attorney's advice we have seen postdates
12 1483.

13 THE RT. HON. JACK STRAW MP: Okay. I was not appraised of
14 that. I'm sorry.

15 BARONESS USHA PRASHAR: What I am trying to establish is
16 when was the decision taken to become a joint occupying
17 power?

18 THE RT. HON. JACK STRAW MP: I can't be certain when it was
19 taken. My guess is it was part of a process which would
20 have included conversations with the Attorney in advance
21 of this. I can't be absolutely certain about that.

22 BARONESS USHA PRASHAR: We have not been able to find any
23 record either.

24 THE RT. HON. JACK STRAW MP: Okay. I mean, at one stage
25 I recall recently reading a record of a minute which

1 I think I sent to the Prime Minister saying, "In all the
2 circumstances it may be better if we end up as joint
3 occupying power and here are the reasons", but what
4 I can't tell you for certain, as I say, is to what
5 extent that was me making a virtue of necessity, knowing
6 where the Attorney General was going to end up.

7 BARONESS USHA PRASHAR: So you can't recall when the formal
8 decision was made. Can you recall if any discussion was
9 had about the implications of becoming a joint occupying
10 power?

11 THE RT. HON. JACK STRAW MP: We were certainly discussing
12 that. I am sorry that I can't recall precisely when
13 that was made. I am happy to go back to the records and
14 offer you some further information, if you want, but
15 the -- of course we were considering the implications of
16 our relationship with the US, which is where the MOU
17 started from. So there was --

18 BARONESS USHA PRASHAR: That's one aspect. What are the
19 implications of becoming an occupying power?

20 THE RT. HON. JACK STRAW MP: We knew what they were, because
21 they were set out in the relevant treaties which
22 underpin the legal basis of being an occupying power.
23 So we knew what the legal position was. As I say --
24 I can go back and check the record -- we were seeking to
25 make a virtue of necessity about the fact we were going

1 to end up as joint occupying power anyway. So a lot of
2 discussion about the practical consequences. The
3 crucial, over-arching discussion was about how we best
4 coordinated with the Americans and got their positive
5 collaboration on not only what we were doing in the
6 south but across Iraq. That, as you know, was
7 difficult.

8 BARONESS USHA PRASHAR: On a slightly different point,
9 Stephen Pattison told us yesterday that in the late
10 stages of the negotiation of 1483 a decision was taken
11 to exclude DFID from the involvement, because of the
12 difference of opinion between members of the Cabinet and
13 the increasingly uncomfortable position of Clare Short.
14 He told us that the decision was yours.

15 Do you agree with that account?

16 THE RT. HON. JACK STRAW MP: Yes. I don't have a recall of
17 it, but I'm pretty certain -- I mean, I'm sure he is
18 telling the truth, number one. I have no reason to
19 challenge its accuracy.

20 BARONESS USHA PRASHAR: Why did you take that decision and
21 what was the impact of that decision on the engagement
22 of DFID in the post-conflict?

23 THE RT. HON. JACK STRAW MP: After I saw his evidence, I was
24 trying to remember why I'd taken that decision. I am
25 just having to be fairly imprecise. I have not talked

1 to my officials at the time about this, but this was
2 fairly close to the time at which Clare Short in the
3 event did decide to resign.

4 I think that I got wind of this, and I think the
5 reason was that I had decided we had settled the policy.
6 We knew what the parameters were. We just had to get on
7 with it. So that was the reason. If a flash of
8 recollection comes back to me about why I made that
9 decision, I will, of course, report it.

10 BARONESS USHA PRASHAR: Thank you. The 1483 authorised US
11 and the UK through the CPA to carry out a number of
12 activities that went beyond what would have been
13 permitted under the international humanitarian law, and
14 a number of these activities were expressed to be done
15 in coordination between the CPA and the United Nations'
16 Special Representative, as the Attorney General's office
17 advised you on 9th June.

18 We asked in our statement a request whether you were
19 satisfied that the appropriate mechanisms were in place
20 to ensure that this consultation happened and you
21 replied that:

22 "It was evident that the CPA was not in June 2003
23 operating to its optimum and that action was required."

24 Now were you satisfied that the legal requirements
25 set out in the letter from the Attorney General's office

1 were being met?

2 THE RT. HON. JACK STRAW MP: I can't say at this stage
3 whether I was satisfied the legal requirements were met.
4 I don't recall being told that legal requirements of
5 1483 and other canons of international law to which the
6 US and UK were working had been broken. I mean, what is
7 certainly the case is that these kind of practical
8 arrangements weren't working very well. You have had
9 evidence from Sir Jeremy Greenstock and John Sawers
10 about that.

11 BARONESS USHA PRASHAR: But you didn't have a mechanism
12 within the Foreign Office to keep you satisfied that the
13 legal requirements had been met or were you relying on
14 people on the ground to ensure that happened?

15 THE RT. HON. JACK STRAW MP: Well, Baroness, in terms of was
16 the legal requirement being met, the occupying powers
17 had powers and everything on the list to act effectively
18 as police. So there were legal requirements in respect
19 of those people, and the British military forces had
20 lawyers attached to them at very great length to ensure
21 we were meeting those obligations and that was our
22 responsibility.

23 On the wider end of this, if you are talking about
24 the extent to which the CPA were working in cooperation
25 with the UN, as it were, if that's a legal requirement,

1 a sort of obligation under 1483, my perception is that
2 up until the terrorist attack on the UN compound on 19th
3 August 2003 cooperation between the CPA and the UN was
4 increasing.

5 I went to Baghdad in early July. I am 99% certain
6 I saw de Mello there and talked to him, and it was
7 gradually building up and they had I think 100 people at
8 least in the compound. But for that attack, I think --
9 because de Mello's reputation, amongst other things,
10 couldn't be ignored; by that stage you had Bremer in
11 post, who was an interesting character, but wanted to
12 achieve some success -- the UN/US/UK cooperation would
13 have continued to enhance, but the attack of 19th August
14 completely scuppered that.

15 BARONESS USHA PRASHAR: Tragically when Sergio de Mello was
16 killed, he was not replaced by any Special
17 Representative, but in early 2004 Brahimi was named as
18 a Special Advisor as opposed to a Special
19 Representative. What were the implications of that?
20 Did that in any way impact on our ability to work within
21 the requirements of the --

22 THE RT. HON. JACK STRAW MP: Brahimi is also someone who had
23 given very distinguished service in Afghanistan as well.
24 He is an extraordinarily impressive international public
25 servant, very highly respected.

1 It is just a sad fact of life that the attack on
2 19th August led to a withdrawal by the UN, and they lost
3 -- as well as Sergio de Mello many, many other staff
4 they lost. They just pulled out. They took a long time
5 to get any kind of representation effectively back
6 there.

7 BARONESS USHA PRASHAR: Were you concerned there were any
8 broad implications for our responsibilities under
9 international law and the Security Council Resolution
10 that de Mello was replaced by a Special Advisor and how
11 that was --

12 THE RT. HON. JACK STRAW MP: Not directly. I just -- we
13 wanted -- the sense is I think that it was Kofi Annan's
14 decision. The UN had been traumatised by that attack.
15 Some very senior people as well as de Mello had been
16 killed or badly injured, and they were in a state of
17 shock. So I was very pleased that Kofi Annan had
18 managed to persuade Lakhdar Brahimi to go in there.

19 We gave him quite a lot of help in terms of
20 security, because one of the problems of the compound,
21 as it turned out, was inadequacy of security.

22 The UN, of course, was not responsible for the sort
23 of hard end of law enforcement on the ground during the
24 period of this occupation. That was a matter for the US
25 and the UK. So it didn't have any direct

1 responsibility.

2 BARONESS USHA PRASHAR: Okay. Thank you.

3 SIR JOHN CHILCOT: We are coming towards the end of this
4 session, and in a few moments I'll invite your
5 reflections, Mr Straw.

6 I have, though, two questions on policing I would
7 just like to put.

8 THE RT. HON. JACK STRAW MP: Okay.

9 SIR JOHN CHILCOT: I am grateful for your response in your
10 written statement to these questions and we have taken
11 quite a lot of evidence on this topic.

12 The first thing to ask is in October '03 your
13 private office was assuring Number 10, Nigel Sheinwald,
14 that:

15 "We judge the coalition now has a credible and
16 deliverable strategy for policing, training 30,000 Iraqi
17 police over the coming year."

18 We get rather different accounts from Paul
19 Kernaghan, the Chief Constable, and indeed from DCC
20 Brand, who was in the field.

21 Brand says really not until December that a
22 comprehensive plan was developed. Well,
23 October/December.

24 But Paul Kernaghan, looking back on it, said he
25 didn't really think such a thing as a comprehensive plan

1 had ever really existed.

2 I wonder how, with hindsight, confident you are on the
3 basis of the judgment that was being offered to
4 Number 10 in October?

5 THE RT. HON. JACK STRAW MP: I remember this because, for
6 reasons which were anticipated in one of your questions,
7 I knew a fair bit of British policing, having been Home
8 Secretary, and knew a lot of the individuals who were
9 going out there, particularly those in the lead. So
10 I took a fairly close interest in this.

11 At the time I thought that was a reasonable
12 judgment, and that minute would have come to me with
13 advice behind it. I wasn't intending to exaggerate the
14 situation.

15 With hindsight, which was your question, Sir John,
16 was it accurate? No, I don't think it was with the
17 benefit of hindsight.

18 I visited the training compound in Basra at one
19 stage. I also visited one run by a rather extraordinary
20 Kojak figure in Baghdad as well. There was a lot going
21 on, but part of the difficulty was getting those police
22 on the ground and that then translating into really
23 effective policing against a background in which the
24 Iraqi Police had a poor reputation.

25 SIR JOHN CHILCOT: Yes. Thank you. I think there's

1 a standing question as to how long it actually takes to
2 create from a very low, poor base that there was there
3 an effective and working police system.

4 The other question I have is really about our own
5 contribution and it is -- I think it sums itself up like
6 this.

7 The UK has had and has still an expeditionary
8 military capability. It can do that. It certainly
9 doesn't have an expeditionary police capability, which
10 says something about the relative balance in
11 an aftermath between what the military need to be able
12 to provide and what the police side on the civilian
13 front can provide from the UK's own resources.

14 Do you see there is a tension there?

15 THE RT. HON. JACK STRAW MP: Yes. More than a tension, if I
16 may say so. It is a big gap in terms of our capability.
17 It goes back to the very unusual structure, training and
18 culture of the British police compared to most other
19 police services.

20 If you are going into a country and you are going to
21 occupy it, you need a gendarmerie style of police and
22 you need to make sure they are armed. The only police
23 service within the United Kingdom which has anything
24 like that experience, training, expertise is the Police
25 Service for Northern Ireland. It is well-known. It is

1 very ...

2 From within the United Kingdom -- within Great
3 Britain the expertise is very different. There are
4 a very limited number of armed officers who are
5 specialists. Officers on the whole are good at public
6 order. They know about obtaining consent, because
7 that's how they have to keep themselves safe as well as
8 the areas they are controlling safe in the main, but can
9 they deal in that sort of hinterland between an army --
10 the acute end -- an army's activity and tranquility?
11 Not very well.

12 Should we try to develop a UK capability? Yes, we
13 should I think, although, as I say, it -- and try to get
14 some of our police service better experienced on it,
15 but, as I say, it is not a natural thing to do in the
16 way it is, say, for the gendarmerie in France or the
17 police service in Italy.

18 SIR JOHN CHILCOT: One could spend a lot of time on this
19 very interesting topic.

20 THE RT. HON. JACK STRAW MP: It is.

21 SIR JOHN CHILCOT: I will turn to my colleagues and ask them
22 if they have any final questions they want to raise.

23 Can I then in that case, Mr Straw, invite your own
24 reflections on this whole Iraq experience?

25 One thing that would be interesting to hear, if you

1 wish to, is the Iran dimension. You took a close
2 interest in it yourself --

3 THE RT. HON. JACK STRAW MP: Right.

4 SIR JOHN CHILCOT: -- and not least with WMDs in mind.

5 THE RT. HON. JACK STRAW MP: That's a subject for another
6 four hours.

7 Well, let me just, if I may, deal with the Iran
8 dimension first and then offer some reflections which
9 I had thought about on the subject of your Inquiry.

10 I have taken a very close interest in Iran really
11 since I became Foreign Secretary. My predecessor, Robin
12 Cook, had been ready to go to Iran on two occasions, but
13 on -- to try to improve relations with the then
14 government of President Khatami, but on both occasions
15 he was put off from going I think under pressure from
16 the Israelis.

17 Prime Minister -- I was very anxious to develop
18 relations and so was our post in Tehran. That was in
19 hand before 9/11, but once 9/11 had happened the Prime
20 Minister asked me to give that priority. Immediately
21 after 9/11 President Khatami made this really, for the
22 Iranians, quite extraordinary statement reaching -- out to
23 the West. The Iranians have no love for Al 'Qaeda at all
24 and were offering cooperation as well.

25 So I went to Iran. I also went straight after that

1 to Israel and was given the usual Israeli welcome for
2 anybody who had been on a trip of which they didn't
3 approve. Most extraordinary! Prime Minister Sharon
4 wasn't going to see me and finally only saw me at
5 midnight. Anyway that's sort of par for the course,
6 because the Israelis always seek to rough up any new
7 British Foreign Secretary. That's how they are and it
8 didn't work, let me say.

9 We then -- I was very conscious -- everybody outside
10 Iran is -- of the rather vulnerable position that the
11 President of Iran is in, because this is not -- it is
12 not a dictatorship. It is not a democracy. It's
13 a very, very complex mix of theocracy and
14 semi-democracy. It is even more opaque than the
15 American system.

16 My judgment and our judgment was that this was the
17 best hope we had of improving relations and trying to
18 get Iran in from the cold. Khatami was ready to do
19 business.

20 You then had the decision, which I think was almost
21 inadvertent, by President Bush to include Iran in the
22 Axis of Evil speech. Interestingly, when I read
23 President Bush's speech¹¹, there is no reflection on what
24 it did for Iran at all. It there should have been,
25 because this was a major, in my view, foreign policy

¹¹ The witness confirmed that he was referring to the book: Bush, George W.- *Decision Points* (Virgin Books, 2010).

1 blunder by the United States.

2 That undermined President Khatami very, very
3 significantly and led to a great deal of bitterness by
4 the reformists. It also led to people elsewhere in the
5 system saying to Khatami and his reformists, "That's
6 what you get for trying to reach out to the Americans".
7 So the long-term consequences were poor.

8 That said, during late '02 we got wind from the
9 NCRI, who are the civilian wing of the MEK terrorist
10 organisation, disclosing details about Iran's nuclear
11 programme, nuclear weapons programme as they claimed.
12 That then led to the detailed negotiations which we got
13 going with the so-called E3.

14 As I think I said to you, Sir John, at an earlier stage, one
15 of the unexpected consequences of the divisions over
16 Iraq was to lead to a determination in Paris, Berlin and
17 London that we shouldn't be ever there again if we could
18 possibly avoid it.

19 So, with the full support of our heads of
20 government, Joschka Fischer, Dominique de Villepin and I
21 really set about, with a will, a common position on Iran,
22 which led to a sort of detailed letter to the Iranians
23 sent in early August '03 and then to very intense
24 negotiations.

25 They, in the end, foundered, and I shall write about

1 this in longer time, but they foundered with the Khatami
2 regime because they wanted a sort of grand bargain.
3 They needed some response from the Americans, including
4 sort of elementary stuff like parts for their -- not
5 parts from the United States, but parts from, say, UK or
6 European suppliers -- for their civilian aircraft. There
7 was no way they were going to be used for fighters, but
8 to export those parts the European suppliers required
9 the permission of the US, otherwise they would lose
10 their US market under the Iran and Libya Sanctions Act.

11 At the time, not least with the influence of people
12 like John Bolton, despite the best efforts of Colin
13 Powell, it simply wasn't possible to get the Americans
14 to agree to those changes.

15 There was a last effort made at negotiations between
16 the Americans and the Iranians under the Khatami regime
17 in early June, late May or early June 2005, shortly
18 before the elections, but they weren't successful, and,
19 of course, the Iranians -- I mean, they are incredibly
20 difficult to negotiate with. They never ever close
21 a sale. That said, ultimately it was going to be
22 possible to do a deal, as happened in the past, if
23 they saw there was something in it for them.

24 Then you had Ahmadinejad elected in the summer of
25 2005. You are familiar with the rest.

1 Now, in terms of the future, nobody knows for certain
2 whether Iran does have any nuclear weapons programme.
3 There is a high level of circumstantial evidence
4 suggesting that they do. My own judgment is that they
5 almost certainly are trying to build up a capability for
6 a nuclear weapons programme and they also have
7 a missiles system. Query whether they have any
8 intention of building the kit, which I think is much
9 less likely but this is all supposition.

10 How do we handle it? We handle it by negotiations,
11 by -- here I am in a different position from others, but
12 by rather more carrot than stick dealing with the
13 Iranians. They are a very important, powerful country
14 in the Middle East. They, of course famously, are not
15 Arab. I think the handling by the West of Iran shows
16 a lack of understanding of the history and it also - as
17 part of that - shows a lack of understanding of their
18 national psyche, because it is a self-evident truth that
19 this regime is not supported by an overall majority of
20 Iranians. They wouldn't have had to fiddle the
21 elections if it was going to be. It is supported by
22 quite a lot, but by no means the majority.

23 The desire for international respect; the desire to
24 show that these are Persians with a very fine history, that
25 they are very distinctive; that they have a religion

1 which is as distinctive as Anglicanism, and it is really
2 interesting that they developed their own version of
3 Islam as we were developing our own version of
4 Christianity for the same reasons, as an expression of
5 nationalism, in my view, at more or less the same time
6 in the 16th century. Those things need to be factored
7 into this. I think if they are, then over a period it
8 will be possible to reach a rapprochement with them.
9 They are very torn -- the United States is the
10 Great Satan and we are a medium sized Satan for them.
11 There is a joke in diplomacy, it is only the Iranians
12 who think the United Kingdom is still a super power and
13 they do. They think we are much more skillful than the
14 US.

15 On the one hand, they think all those things and it
16 is an important part of the rhetoric internally. On the
17 other hand, they want normality. They know they are
18 going to be stuck in sanctions, which I support, let me
19 say, for a long time and in this sort of half neverland
20 and they want to break away from that, but my own
21 judgement, a short story, is I think we need to have
22 a reassessment of the overall strategy.

23 I hope that's a helpful impromptu essay on the
24 subject.

25 May I just turn to the more formal part of this?

1 The first thing I wanted to do was to express again my
2 deep sorrow and regret for the loss of life and the
3 injuries of our forces, coalition forces and among many
4 civilians of Iraqi and every other nationality who lost
5 their lives in this conflict. I hope I am able to say
6 that, notwithstanding the fact that I also, perhaps for
7 the reasons I have explained, do believe that in the
8 event the military action we took was justified.

9 The other thing that I wanted to say by way of
10 conclusion was this; and I am conscious there are two
11 very distinguished historians here, so I hope what I say
12 doesn't appear to be an obvious point or an
13 impertinence.

14 As I was putting it together thoughts of what
15 I wanted to say in conclusion today, I was reminded of
16 a very telling phrase in E H Carr's book about what is
17 history in which he says:

18 "Events which are now long in the past were once in
19 the future."

20 Looking at Iraq, there is a sort of conventional
21 wisdom, not to say semi-industry, that everything that
22 did happen was pre-planned, was inevitable and occurred
23 to a sinister design of President Bush and Prime
24 Minister Blair. I have to tell you, having been right
25 in the middle of all of this, that that was not the case

1 at all, least of all for Prime Minister Blair.

2 There is a related point, which is that it is
3 inevitable, as we have seen from this session, that much
4 of the questioning is bound to be about details of the
5 written record. That's the most reliable record which
6 is available. They are very important and I know you
7 are frustrated by the fact that there ought to have been
8 records available where in practice there are not. They
9 are bound to be from, as it were, an official and
10 governmental point of view.

11 There is a dimension more difficult to capture and
12 to convey, but equally, if not more, important, I suggest,
13 and that's the atmosphere and environment at the time
14 and the nature of the personal political relationships
15 one experienced before 9/11 as well as after.

16 I have tried to reflect that, but sometimes, as
17 I say, it is much easier to get down to the detail of
18 who said what according to a particular minute.

19 Prime Minister Blair's relationship with his Cabinet
20 and party can only fully be understood by reference to
21 his success as a Labour leader and his success in
22 rescuing the Labour Party from the wilderness in which
23 it had been stuck for a whole generation. I spent the
24 first 18 years of my period in Parliament in opposition.

25 It is also his style. That was why he had this

1 influence. He was much more collaborative than he is
2 often given credit for, but he also was the dominant
3 figure for the very good reason that he had led us out
4 of the wilderness into government and had won not one
5 but two elections at this stage, by a landslide.

6 His style was less formal than others and certainly
7 less formal than mine but the fact he used soft
8 furnishings rather than hard chairs does not make him
9 a bad person, nor, to make a more serious point, do
10 I believe that a more formal process would have altered
11 either the respect in which he was held by colleagues,
12 the influence he had, nor the outcome of the decisions,
13 but equally the fact the process was, frustratingly for
14 some, less formal than it should have been I don't think
15 necessarily meant the decisions were of a lower quality
16 nor that they lacked the fullest range of opinions in
17 the input.

18 Two other last points I wanted to make. One, is that I
19 have only served under two Prime Ministers but I have
20 been a voracious reader of political histories and
21 biographies. My perception is -- I am talking post war --
22 each Prime Minister is different but I don't subscribe
23 to the view that -- I am not suggesting anybody here
24 holds it but it is in the ether -- that there was
25 a golden age of Cabinet government which came abruptly

1 to an end on 2nd May 1997. I don't believe that was
2 correct. There are different levels of formality, but
3 I could -- I won't -- I'll give you two examples -- go
4 through every Prime Minister since the war of examples
5 where they didn't follow the manual on Cabinet
6 government.

7 I read Philip Zeigler's biography of Heath in the
8 summer. He records what we all remember from that
9 period, which was that in the end Heath and not even another
10 Minister but the head of the Civil Service were seeking
11 to run the government, bypassing the Cabinet.

12 The other example I give, which is well charted in
13 Margaret Gowing's magisterial two volumes¹² about the
development of
14 Britain's atomic bomb is that of Atlee, who was regarded as
15 the quintessential chairman of Cabinet, the collaborator
16 who brought everybody in. He made an explicit decision
17 to develop the atomic bomb in complete secrecy. As
18 Margaret Gowing records, he didn't involve the Cabinet.
19 Most of them were not even aware there was a committee
20 sitting on this, still less that the man in key charge
21 was a senior opposition Member of Parliament, Sir John
22 Anderson. It is an interesting story which is not
23 written up very much.

24 I mention this, because, yes, as I say, Mr Blair's
25 approach was less formal than others, less than if I had

¹² Gowing, Margaret- *Independence & Deterrence: Britain & Atomic Energy, 1945-52- Vol. I & Vol. II* (MacMillan, 1974).

1 been in his seat, but he operated as Prime Minister in
2 my view not that differently from others. Except with
3 one respect, and that is that he made a decision, yes,
4 on advice from Robin Cook and myself, but he made it,
5 that the final decision on any military action would not
6 be taken by him, not by the Cabinet, but by the House of
7 Commons. That had not happened before in that way ever.
8 It completely changed the dynamics of the decisions.

9 What it meant -- and this goes back to my point
10 about capturing -- much more difficult to capture,
11 because there are no records of this, was that the
12 argument about the military action was taking place in
13 public. The Cabinet had to -- you weren't just briefing
14 them to say -- because this is a second order issue,
15 members of the Cabinet had to be satisfied about the
16 arguments we were presenting, Geoff Hoon, Prime Minister
17 Blair and myself because they had to then make them.
18 They had to make them to their own constituents, to
19 their own constituency parties. They had to make them
20 to other members of the Parliamentary party because we
21 were alive to the fact if the argument didn't stand up,
22 then ultimately if there was military action
23 recommended, it wouldn't be carried through.

24 I understand the frustration of some people in the
25 system about saying this is a different way of

1 working, but that's another side which is, as I say,
2 difficult to capture. But I would like to emphasise, if
3 I may, to the Inquiry that that balances the way that
4 ultimately the decision was made.

5 People say there wasn't much debate about this. We
6 checked on Factiva and during 2002 there were 35,000
7 articles in British national newspapers on Iraq. That
8 is just under 100 a day. That's not a substitute for
9 Cabinet discussion, but it shows the intensity of the
10 debate and the way in which Cabinet Ministers knew,
11 because we were in all sorts of forms being challenged about
12 our views, that we had to be right on top of the issue
13 collectively.

14 Thank you. The last point, if I may, since it has
15 fallen to me, I gather to be the last witness to give
16 oral evidence in public is, if I may, and this is also
17 not regarded as an impertinence to thank you for your
18 labours, on behalf of the witnesses.

19 SIR JOHN CHILCOT: A moment for thanks all around. Can
20 I thank our witness, Mr Jack Straw, for your long
21 session of evidence today, and not the first one.

22 I do have a few concluding remarks. They will not
23 take long. Today is the last session, as our witness
24 has pointed out, in this round of public hearings.

25 My colleagues and I have found these hearings

1 extremely useful in clarifying a number of points and in
2 the coming weeks the Inquiry will be publishing further
3 transcripts of private hearings and associated
4 documents.

5 We have no plans for any further public hearings.
6 We will, however, need to continue to seek written
7 evidence as issues arise, and we may also hold a small
8 number of further private hearings. In bringing our
9 analysis of the evidence to a conclusion there will also
10 be other individuals or groups, for instance,
11 Parliamentarians, to whom we wish to talk.

12 My colleagues and I are now focusing on the task of
13 writing our report. We have said we will provide
14 a reliable account of almost nine years of United
15 Kingdom involvement in Iraq. It's a significant task.
16 We believe it's important that we do justice to all the
17 oral and the huge amount of written evidence we have
18 received.

19 My colleagues and I are also aware but completely
20 unsurprised that different people have different
21 perspectives of the same event. We shall also want to
22 reflect on the many submissions we have received.

23 We will reach our conclusions and recommendations on
24 the basis of our analysis of all the evidence, and in
25 the interests of transparency and public understanding,

1 we will, where necessary, seek the de-classification of
2 additional documentary evidence to support and explain
3 our report.

4 Now it is going to take some months deliver the
5 report itself. I don't want to set an artificial
6 deadline on our work at this stage. What I can say is
7 that my colleagues and I want to finish our report as
8 quickly as possible.

9 I would like to finish by thanking those who have
10 assisted us in holding these public hearings: the QE2
11 Centre itself and particularly Martin Litherland, the
12 events operations manager and his team for hosting us.

13 I would like to thank BowTie television for ensuring
14 our proceedings can be broadcast and relayed over the
15 Internet and our stenographer and editors from Merrill
16 Legal Solutions who tirelessly recorded our proceedings.
17 Thank you very much.

18 Finally, I would like to thank all those members of
19 the public who have attended these hearings and
20 especially, of course, if I may say so, a few who have
21 been very regular and consistent attenders. We are
22 grateful for that.

23 Finally, I would like to say a particularly warm
24 word of thanks to all the members of our Secretariat.
25 They have put in an immense amount of prolonged, hard

1 work both in arranging these public hearings and
2 supporting the committee more generally.

3 With those words, I will bring this session to
4 a close. Thank you all very much.

5 (1.53 pm)

6 (Inquiry concluded)

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