

SECTION 3.6

DEVELOPMENT OF UK STRATEGY AND OPTIONS, NOVEMBER 2002 TO JANUARY 2003

Contents

Introduction and key findings	4
The response to resolution 1441	5
Iraq's response	5
Cabinet, 14 November 2002	7
UK assumptions about Iraq's position	8
JIC Assessment, 14 November 2002: 'Iraq: Regime Cohesion Under Pressure'	8
Psychological profile of Saddam Hussein	10
Concerns about the US view on the threshold for a material breach	12
The Prague Summit, 21 November 2002	19
Intelligence update, 21 November 2002	25
Mr Blair's meeting with Dr Blix, 22 November 2002	26
Security Council, 25 November 2002	29
Debate on resolution 1441, 25 November 2002	30
Cabinet, 28 November 2002	34
Iraq's declaration of 7 December and the response	35
JIC Assessment, 6 December 2002: 'Iraq: Military Options'	42
Iraq's declaration, 7 December 2002	43
The UK's initial response	43
JIC Assessment, 13 December 2002	49
Mr Blair's conversation with President Bush, 16 December 2002	51
Sir Richard Dearlove's visit to Washington, December 2002	53
Mr Straw's statement, 18 December 2002	54
Prime Minister's Questions, 18 December 2002	55
Mr Hoon's statement, 18 December 2002	56
JIC Assessment, 18 December 2002	56
Cabinet, 19 December 2002	61
Security Council, 19 December 2002	62
The need for a communications strategy	67

The absence of a “smoking gun”	69
Advice for Mr Blair in early January 2003	71
Public statements, 7 and 8 January 2003	78
Publication of the UK’s policy objectives	78
Mr Hoon’s statement, 7 January 2003	80
Mr Blair’s speech to the Foreign Office Conference, 7 January 2003	81
Prime Minister’s Questions, 8 January 2003	83
Cabinet, 9 January 2003	84
Security Council, 9 January 2003	86
Growing pressure to find evidence of Saddam Hussein’s non-compliance	88
Mr Blair’s press conference, 13 January 2003	91
Lord Goldsmith’s draft advice, 14 January 2003	93
Prime Minister’s Questions, 15 January 2003	93
Concern that the US might act at the end of January	95
Cabinet, 16 January 2003	98
The decision to deploy ground forces	101
Mr Blair’s meeting with Dr Blix, 17 January 2003	103
Security Council, 20 January 2003	105
The positions of other members of the Security Council	107
Mr Blair’s conversation with President Bush, 24 January 2003	113
Cabinet, 23 January 2003	114
Mr Blair’s Note to President Bush, 24 January 2003	115
Mr Blair’s interview on <i>BBC’s Breakfast with Frost</i> , 26 January 2003	121
Security Council, 27 January 2003	124
President Bush’s State of the Union address, 28 January 2003	131
Security Council, 29 January 2003	134
Mr Blair’s meeting with President Bush, 31 January 2003	135
The US position	135
Other views	138
JIC Assessment, 29 January 2003	144
Cabinet, 30 January 2003	150
Mr Blair’s conversations with President Bush, 29 and 30 January 2003	151
Mr Blair’s meeting with Mr Aznar, 30 January 2003	153
Papers produced for Mr Blair’s meeting with President Bush	154
MOD letter, 29 January 2003	154
FCO advice, 30 January 2003	155
Lord Goldsmith’s minute, 30 January 2003	158

Mr Blair’s Note, 30 January 2003	158
Sir Jeremy Greenstock’s advice, 31 January 2003	160
Mr Blair’s meeting with President Bush, 31 January 2003	163
The views of Mr Blair and Sir Jeremy Greenstock	172
Conclusions	174

Introduction and key findings

1. This Section addresses the development of UK strategy on Iraq between the adoption of resolution 1441 on 8 November 2002 (see Section 3.5) and Mr Blair's meeting with President Bush, in Washington, on 31 January 2003.
2. Other key developments in the UK's thinking between mid-November and the end of January which had an impact on the strategy and the planning and preparation for military action are addressed elsewhere in the report:
 - The Joint Intelligence Committee's (JIC) Assessments of Iraq's declaration of 7 December 2002, and its view that there was a continuing policy of concealment and deception in relation to its chemical, biological, nuclear and ballistic missile programmes, are addressed in Section 4.3.
 - How advice was sought from Lord Goldsmith, the Attorney General, regarding the interpretation of UN Security Council resolution 1441 (2002) and the manner in which that advice was provided is addressed in Section 5.
 - The development of the options to deploy ground forces and the decision on 17 January to deploy a large scale land force for potential operations in southern Iraq rather than for operations in northern Iraq, as well as maritime and air forces, are addressed in Sections 6.1 and 6.2.
 - UK planning and preparations for a post-Saddam Hussein Iraq are addressed in Sections 6.4 and 6.5.

Key findings

- Following the adoption of resolution 1441, the UK was pursuing a strategy of coercive diplomacy to secure the disarmament of Iraq. The hope was that this might be achieved by peaceful means, but views differed on how likely that would be.
- The UK Government remained convinced that Iraq had retained prohibited weapons and was pursuing chemical, biological and ballistic missile programmes in contravention of its obligations to disarm; and that the absence of evidence of weapons and programmes was the result of a successful policy of concealment.
- By early January 2003, Mr Blair had concluded that Iraq had had "no change of heart" and military action to remove Saddam Hussein's regime was likely to be required to disarm Iraq.
- The US Administration was planning military action no later than early March.
- Mr Blair and Mr Jack Straw, the Foreign Secretary, concluded that a second UN (United Nations) resolution would be essential to secure domestic and international support for military action. In the absence of a "smoking gun", that would require more time and a series of reports from the UN inspectors which established a pattern of Iraqi non-compliance with its obligations.

- Mr Blair secured President Bush's support for a second resolution but did not secure agreement that the inspections process should continue until the end of March or early April. That left little time for the inspections process to provide the evidence that would be needed to achieve international agreement on the way ahead.

The response to resolution 1441

Iraq's response

3. Iraq announced on 13 November 2002 that it would comply with resolution 1441.

4. Iraq challenged US and UK claims, including the UK statement that it had decided to keep possession of its weapons of mass destruction (WMD), and restated its position that it had neither produced nor was in possession of weapons of mass destruction.

5. Iraq informed the Security Council of its decision to comply with resolution 1441 (2002), without conditions, in a letter from Dr Naji Sabri, the Iraqi Foreign Minister, to Mr Kofi Annan, the UN Secretary-General, on 13 November 2002.¹

6. The letter stated:

- The claims by President Bush and Mr Blair that "Iraq might have produced, or might have been on the way to producing, nuclear weapons" since 1998 and that "Iraq had indeed produced chemical and biological weapons" was "an utterly unfounded fabrication" and "baseless".
- Iraq had agreed to the return of the inspectors, and had "already stated" that it had "neither produced nor possessed any nuclear, chemical or biological, weapons of mass destruction during the absence of the inspectors".
- Iraq would "deal with resolution 1441, despite its iniquitous contents". It was "ready to receive the inspectors so that they can perform their duties, and ascertain that Iraq has produced no weapons of mass destruction during their absence".
- Iraq was "eager for them to accomplish their task in accordance with international law as soon as possible". If they did so "in a professional and lawful manner" the (US and UK) "liars" would be "revealed to the public and the declared aim of the Security Council will be achieved".
- The Security Council would be "under obligation" by "the public and the law to apply paragraph 14 of ... resolution ... 687, by applying it to ... (Israel), and

¹ UN Security Council, 13 November 2002, 'Letter dated 13 November 2002 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General' (S/2002/1242).

thereafter to the entire region of the Middle East ... so that it is free of mass destruction weapons”.

7. The letter challenged a statement made by Sir Jeremy Greenstock, UK Permanent Representative to the United Nations in New York, that Iraq had been provided with the opportunity to dispose of its weapons of mass destruction, but Iraq had ignored that opportunity and decided to keep possession. The letter asked why “none of the representatives” of the members of the Security Council had “asked ... when, how or where such an alleged decision had been taken by Iraq to keep weapons of mass destruction”.

8. Iraq referred to the American Administration having exerted pressure and threatened to leave the UN if it did not agree to what America wanted; and that America threatened to perpetrate “aggression”. Iraq feared that the United Nations may “lose the trust and interest of peoples”. “All those” who were concerned about the organisation were “called upon to exercise caution and act in accordance with international law and the Charter of the United Nations”.

9. Iraq appealed to Mr Annan to ensure that those implementing the resolution did not:

“... push the situation to the edge of the precipice ... because the people of Iraq will not choose to live if the price is their dignity, homeland, their freedom or things sacrosanct to them. On the contrary, the price will be their lives if that is the only way forward to preserve what must be preserved.”

10. The UK remained sceptical about Iraq’s intentions, focusing on its track record of deceit and deception, and repeating the need to maintain the threat of military action to secure compliance.

11. In a lecture that evening, Mr Jack Straw, the Foreign Secretary, welcomed Iraq’s response “so far as it goes” but added:

“... we must remain vigilant for experience with Iraq tells us to temper optimism with scepticism and to read the small print. Iraq’s intentions are notoriously changeable. What matters above all is their actions not their words.

“... The history of UN weapons inspections in Iraq is littered with examples of deceit, evasion, intimidation and harassment. I hope even Iraq will recognise the consequences of any repeat. If Saddam fails to co-operate fully, then he faces force.

“UNSCR [UN Security Council resolution] 1441 sets out the pathway to peace. Those of us who negotiated the text were determined to ensure that it was not a set of traps for Iraq ... But we must be clear: he will not comply unless he is sure that the international community has another route to disarmament – the military route ...”²

² The National Archives, 13 November 2002, *The Future of Foreign Policy*.

12. Mr Blair used an interview with the Arabic Service of *Radio Monte Carlo* on 14 November to send a message to Saddam Hussein, the Iraqi people and the Arab world that it was Saddam Hussein's fault that the people of Iraq were not enjoying real wealth and prosperity.³ He declared that the objective of the United Nations resolution was disarmament not regime change.

13. Mr Blair emphasised that Saddam Hussein's duty was to co-operate fully with the inspectors by providing an "honest declaration [of Iraq's proscribed capabilities]" and then to co-operate in eradicating them. Mr Blair added that if Saddam did not disarm the consequence would be that he would be "disarmed by force". The choice for Saddam Hussein was "very, very clear".

14. Mr Blair also stated that weapons of mass destruction and terrorism were two separate, but linked issues that had to be dealt with:

"... if we allow countries which have got repressive and brutal regimes to develop these weapons, at some point they will use them, and that is why we have got to take the action."

Cabinet, 14 November 2002

15. Mr Straw told Cabinet on 14 November that while the Security Council would need to be reconvened to discuss any breach in the event of Iraqi non-compliance, the key aspect of resolution 1441 was that military action could be taken without a further resolution.

16. Mr Straw told Cabinet on 14 November that Iraq was required to accept the terms of resolution 1441 by the end of that week. Iraq had sent the UN a tirade of abuse but the response was nevertheless positive.⁴ The requirement for Iraq to make a declaration of its holdings of weapons of mass destruction and the facilities for developing such weapons was more important. The new inspection regime would start work by 23 December.

17. Mr Straw stated that a "key aspect of the resolution was that there was no requirement for a second resolution before action was taken against Iraq in the event of its non-compliance, although reconvening the Security Council to discuss any breach was clearly stated".

18. Mr Blair concluded that "the Iraq regime was under pressure and the leadership was concerned about the reliability of internal support".

19. The issue of whether assurances to Cabinet that military action could be taken without a further resolution accurately reflected the position of Lord Goldsmith at that time is addressed in Section 5.

³ The National Archives, 14 November 2002, *Prime Minister gives interview to Radio Monte Carlo*.

⁴ Cabinet Conclusions, 14 November 2002.

UK assumptions about Iraq's position

JIC ASSESSMENT, 14 NOVEMBER 2002: 'IRAQ: REGIME COHESION UNDER PRESSURE'

20. In mid-November, the Joint Intelligence Committee reviewed its July 2002 Assessment of regime cohesion in Iraq.

21. The JIC judged that Iraq had accepted resolution 1441 to avert a large-scale US-led ground attack and it would focus on concealing sensitive items from the inspectors.

22. If Saddam Hussein believed a large-scale attack was inevitable, he would probably cease co-operation and become far more confrontational.

23. In parallel with the adoption of resolution 1441, the JIC decided to revisit its July 2002 assessment of regime cohesion in Iraq to:

“... examine how the Iraqi regime is responding to mounting international pressure ... [and] assess whether there are any signs of strain within the regime and evaluate the speed and effectiveness of Iraqi decision-making.”⁵

24. In the JIC discussion of the draft Assessment on 13 November, three key points were made:

- The draft Key Judgement that the cracks in the Iraqi regime had not widened since the last Assessment was correct.
- Concealment and the retention of a WMD capability “remained a cornerstone of Saddam’s policy” and his intention was to allow the inspectors in and “manage” the inspections indefinitely as a means of avoiding conflict. But the resolution put the onus on Iraq to prove it had no WMD programmes. The inspectors would need to be prepared to deal with diversionary tactics including lengthy inspections of sites not related to WMD. The UN Monitoring, Verification and Inspections Commission (UNMOVIC) would “eventually” bring pressure to bear on Saddam Hussein, “causing further cracks in the regime”.
- The Assessment should address the extent to which cracks might widen, the role of regime members and how concerns about their personal survival might affect their support for Iraq’s WMD policy.⁶

25. The Key Judgements of the JIC were:

- Iraq accepted UNSCR 1441 because Saddam knew this was the only way to avert a large-scale US-led Coalition ground attack. The regime probably believes that a Coalition attack will not be possible when inspectors are inside Iraq.

⁵ [JIC Assessment, 14 November 2002, 'Iraq: Regime Cohesion Under Pressure'](#).

⁶ Minutes, 13 November 2002, JIC meeting.

- Iraq could try to overload UNMOVIC by releasing large volumes of information about legitimate industries. Although less likely, Iraq might admit to some 'expendable' parts of its WMD programmes to demonstrate ostensible co-operation and to provoke divisions in the UN. But it will focus on concealing sensitive items from inspectors.
- There is no real evidence as yet of real cracks within the regime, but these might appear if UNMOVIC makes real progress. But loyalty within the Iraq military or security apparatus is unlikely to collapse until an overwhelming Coalition attack is seen as inevitable or actually begins. And regime breakdown cannot be guaranteed short of a major ground invasion.
- If Saddam were to perceive a large-scale Coalition attack to be inevitable, he would probably cease any co-operation with the UN and become far more confrontational.
- Saddam's total control means that Iraqi policy can change substantially with little warning. There is considerable scope for Saddam to miscalculate or react unpredictably."⁷

26. Other important points made in the Assessment were:

- The agreement of "new, tougher rights for inspectors" in resolution 1441 had been "an unwelcome surprise to the Iraqi leadership".
- "Regime survival" was Saddam Hussein's "overriding priority". But he also "had a very strong commitment to retaining WMD" which he saw as "key to Iraq's power and influence".
- Iraq's security apparatus was "designed to prevent internal rebellion". Top officials already associated "their fate with that of the regime, fearing retribution from the Iraqi population, or the Coalition".
- Regime concerns about internal security were "focused on southern Iraq" but the JIC continued to judge that "an internal uprising would be unable to overthrow Saddam except in conjunction with a large-scale external attack".
- Iraq had "no credible alternative to ostensible co-operation with the UN" and it could "only continue playing for time in the hope that the international pressure it faces eventually weakens". Saddam Hussein would "avoid extreme actions, at least in the short term".
- The JIC had "no new intelligence" on whether Iraq would "declare any prohibited materials or activity in response" to resolution 1441. Any disclosures on WMD would "damage the regime's already limited credibility, given its continuing blanket denials of WMD possession". The Iraqi regime would "seek to take advantage of any opportunity to fudge Iraq's obligations or delay the UN process".

⁷ [JIC Assessment, 14 November 2002, 'Iraq: Regime Cohesion Under Pressure'](#).

- “Senior Iraqis” agreed “that Iraq should maintain a WMD capability”, but if UNMOVIC made “demonstrable progress which threatens to overcome Iraq’s policy of deception and concealment, and Saddam refuses to give ground, there could be pressure on key insiders to break with Saddam in order to ensure their own survival”.

PSYCHOLOGICAL PROFILE OF SADDAM HUSSEIN

27. Following Mr Blair’s discussion with President Bush on 6 November (see Section 3.5), No.10 commissioned a psychological profile of Saddam Hussein, “not least for the pointers this may give on splitting off Saddam from his regime”.⁸

28. On 14 November, the Private Secretary to Sir Richard Dearlove, Chief of the Secret Intelligence Service (SIS), sent Mr John Scarlett, Chairman of the JIC, a draft psychological profile of Saddam Hussein, based on a Defence Intelligence Staff (DIS) document produced in late 2001.⁹

29. The key points identified in the profile included:

- Personal survival, survival of the regime, and Iraqi-led Arab unity are the three most powerful factors that motivate Saddam ...
- He thinks strategically and will operate tactically. He is a judicious political calculator ...
- His propensity to take risks coupled with vigilance and a task-oriented approach to problems has led to generally judicious decision making. However, his tendency to seek and filter information to support his beliefs has created a skewed appreciation of any risks he may take ...
- The result is perpetuation of a deeply entrenched belief that the intention of outsiders is unjust and it is they who are responsible for the ills in Iraq ...”

30. The profile stated that Saddam Hussein would “not wish a conflict in which Iraq will be grievously damaged and his stature as a leader destroyed”. His perception of damage was “far more focused on reputation than on physical or economic standing”. Saddam Hussein would:

“... use whatever force is necessary. This is reflected in [...] Saddam’s willingness to use WMD both internally and regionally if he believes he is about to fall.”

31. Addressing Saddam Hussein’s decision-making, the profile stated:

“Although his actions may at times appear obtuse and reckless to the West, Saddam is a rational actor ... Each time he defies the UN or US he will push them, testing

⁸ Letter Rycroft to McDonald, 6 November 2002, ‘Iraq: Prime Minister’s Phone Call with Bush, 6 November’.

⁹ [Letter PS/C to Scarlett, 14 November 2002, ‘Iraq: Psychological Profile of Saddam’](#) attaching Paper ‘Saddam Hussein, DIS Psychological Profile Updated’.

their resolve a step at a time, often until his adversary is on the brink of military attack ... if he feels he is losing control, and becoming increasingly politically confined and potentially 'losing', he can become very dogmatic, increasingly impulsive and extremely non-compliant."

32. In relation to Saddam Hussein's perception of risk, the profile stated that he was only likely to identify alternative strategies "once something has been *proved* to fail outright".

33. In terms of predicting Saddam Hussein's future behaviour, the profile stated: "Saddam maximises benefits before he minimises costs." He was:

"... not aiming to gain extra power or resources but simply to maintain his current leadership position. The assumption that the current situation may increase his intent to take dramatic action, does not, therefore, necessarily apply.

"Whilst there is little doubt that Saddam's behaviour is being influenced by political pressure, there are no compelling indications that he is likely to take radical or unpredictable action. On the contrary, Saddam is currently making decisions and adopting tactics that make his near term behaviour more predictable and stable than usual."

34. The profile concluded:

"... [Saddam still judges there to be some opportunity to derail moves towards war.] Whilst his threat perception remains 'potential' Saddam will continue to pursue a strategy of relative compliance, with the main intention of not giving the US or the UK any ground to move against him militarily; provocation at this stage is therefore not an option.

"Many factors within the next few months might serve to either maintain Saddam's current threat perception, or give him cause to confirm the inevitability of an attack. The UN resolution is one such factor. If Saddam perceives a semblance of hope in the resolution, the likelihood of him taking precipitate action remains low. If, however, the resolution confirms in Saddam's mind, the inevitability of an attack, then he will have little motivation to remain compliant.

"In the longer term, there will come a time where Saddam may decide that a strategy to deal with the potential loss he faces requires him to take radical, aggressive action. He is unlikely to wait until such a threat becomes imminent. Once he is confronted with tangible evidence of an inevitable attack, such as troops on Iraq's borders ... he is likely to conclude that he has no alternative option to guarantee his survival. In this instance he is likely to act quickly, decisively and whilst he still maintains some degree of loyalty within his command structures."

35. The profile was seen by Mr Jonathan Powell, Mr Blair's Chief of Staff, and Sir David Manning, Mr Blair's Foreign Policy Adviser and Head of the Cabinet Office

Overseas and Defence Secretariat (OD Sec), but there is no indication whether or not it was seen by Mr Blair.¹⁰

Concerns about the US view on the threshold for a material breach

36. Concerns about the differences between the UK and the US on what would constitute a material breach, the US stance of “zero tolerance”, and the debate in the US on “triggers” for military action were already emerging.

37. A debate on what might constitute a material breach and what actions by Iraq might trigger a military response had begun within the US Administration before the adoption of resolution 1441.

38. Reporting conversations with senior officials in the US Administration on 7 November, Mr Tony Brenton, Deputy Head of Mission, British Embassy Washington, reported that the hawks in Washington saw the resolution as a defeat and warned that they would be “looking for the least breach of its terms as a justification for resuming the countdown to war”.¹¹

39. The US statement after the adoption of resolution 1441 on 8 November 2002 made it clear that the US would regard every act of Iraqi non-compliance as an indication that Iraq had no intention of disarming.¹² President Bush had also warned that “the old game of cheat and retreat” would “no longer be tolerated”.

40. Sir Jeremy Greenstock advised overnight on 14-15 November that there were indications that President Bush’s reference to “zero tolerance” was causing some members of the US Administration to seek to lower the bar set in resolution 1441.¹³ That might include Iraqi attacks on aircraft enforcing the No-Fly Zones (NFZs), despite the agreement that operative paragraph (OP)8 of resolution 1441 did not apply to the NFZs.

41. Sir David Manning subsequently spoke to Dr Condoleezza Rice, President Bush’s National Security Advisor, on 15 November.¹⁴ They agreed that recent Iraqi attacks on UK and US planes in the NFZs would continue to be treated as a “discrete issue, separate from what would trigger military action under [resolution] 1441”.

42. Sir David stated that the UK and the US should not be drawn on “hypothetical scenarios” about what would constitute a material breach. Reflecting Mr Blair’s words to President Bush at Camp David on 7 September (see Section 3.4), that “If Saddam

¹⁰ Manuscript comment Manning, 14 November 2002, on [Letter PS/C to Scarlett, 14 November 2002, ‘Iraq: Psychological Profile of Saddam’](#) attaching Paper ‘Saddam Hussein, DIS Psychological Profile Updated’.

¹¹ Minute Brenton to Gooderham, 7 November 2002, ‘Iraq’.

¹² The White House, 8 November 2002, *President Pleased with UN Vote*.

¹³ Telegram 2169 UKMIS New York to FCO London, 15 November 2002, ‘US Moves Towards “Zero Tolerance”’.

¹⁴ Letter Manning to McDonald, 15 November 2002, ‘Iraq: Conversation with Condi Rice’.

Hussein was obviously in breach we would know”, Sir David added that “the Security Council would know a material breach when it saw it”. He reported that the US Administration would continue to insist on “zero tolerance” to keep up the pressure on Saddam Hussein.

43. Mr Straw and Mr Colin Powell, US Secretary of State, also discussed Iraq on 15 November, including the reporting in the US that military action was imminent and inevitable.¹⁵ Mr Straw emphasised the need to build as wide a coalition as possible for any military action. They also discussed the need for patience on the Middle East Peace Process (MEPP), because of the political situation in Israel.

44. Sir Christopher Meyer, British Ambassador to the US, took a slightly different view from Sir Jeremy Greenstock about the US Administration’s position.¹⁶ As he had previously warned, “Administration hawks” would “seek to lower as far as possible the threshold for attacking Iraq”. They hated resolution 1441 and were “looking for ways of short circuiting it”. But, in his view, the “debate” on the NFZs was now “over”; although if an aircraft was shot down that would “lead to war”. The reference to “zero tolerance” was the “key [point] in the Administration’s public presentation”. There would be a “battle ... between the hawks and the rest”. The key would be President Bush’s position.

45. Sir Christopher also reported that he had been told by a senior member of the Administration earlier that week that the preferred outcome was for the Iraqi regime to implode.

46. Dr Hans Blix, Executive Chairman of UNMOVIC, was asked, at his pre-inspections press conference on 15 November, whether, if Iraq continued to insist in its declaration that it lacked WMD, that would constitute a material breach.¹⁷ He replied that although Iraq had reaffirmed that it had no such programme, “it would nevertheless have some time now to check its records”. That might lead to a change of position:

“If, on the other hand, Iraq maintained that position, it would be up to those who had evidence of such a programme to produce such evidence. If the inspectors came up with evidence, that would be brought to the notice of the Security Council.”

47. Mr Blair suggested that the UK should be working on the possibility of weakening Saddam Hussein’s regime from within. He also wanted to agree a wider agenda of action with the US.

48. In a note to No.10 officials on 17 November addressing a range of issues as well as Iraq, Mr Blair wrote that he did not know if there was “anything in the stories about

¹⁵ Letter McDonald to Manning, 15 November 2002, ‘Conversation with US Secretary of State’.

¹⁶ Telegram 1495 Washington to FCO London, 15 November 2002, ‘Iraq: Triggers’.

¹⁷ UN Press Briefing, 15 November 2002, *Headquarters Press Conference by Head of UN Iraq Weapons Inspection Team*.

Saddam preparing a bolt hole. But we should be working assiduously on trying to weaken his regime from within.”¹⁸

49. Mr Blair also set out concerns about the risks from WMD more generally:

“The true criticism of us is not that we are doing Iraq; but that we are only doing Iraq. I agree with DM [David Manning], this needs to form a major part of our agenda with the US. I want the next bilateral meeting ... with the US to draw up an agenda for action across a range of fronts ... the timing is right, i.e. not just on terrorism but on WMD; MEPP and the Arab world; climate change; WTO [World Trade Organization]. We need to be articulating a strong world vision.”

50. The note was also sent to Sir Andrew Turnbull, the Cabinet Secretary, Dr John Reid, the Minister without Portfolio and Labour Party Chair, and Mr Douglas Alexander, the Minister of State (Cabinet Office).

51. The MOD reported on 19 November that the option of a military campaign launched on 6 January appeared to have lapsed, and the timelines were “uncertain”.

52. The MOD did not regard the position that we would know a material breach when we see it as a suitable basis for planning.

53. Mr Hoon’s view was that agreement with the US on what constituted a trigger for military action was needed quickly.

54. On 19 November, following a visit to the US by Admiral Sir Michael Boyce, Chief of the Defence Staff (CDS), and before the NATO (North Atlantic Treaty Organisation) Summit in Prague on 21 November and the planned debate on Iraq on 25 November, Mr Peter Watkins, Principal Private Secretary to Mr Geoff Hoon, the Defence Secretary, sent Sir David Manning an update on military discussions with the US.¹⁹ He set out the themes which had emerged and registered a number of concerns, including the need to press the US to clarify Turkey’s position.

55. Mr Watkins wrote that the option of a military campaign launched on 6 January 2003 seemed to have “effectively lapsed” and the timelines were “uncertain”. The US military position was described as “get ready, but not too ready”, because they did “not want to bring too large a force to too high a pitch of readiness”. The MOD was concerned that:

“Lack of clarity in US thinking about possible triggers for military action needs to be resolved quickly, particularly in relation to the No-Fly Zones.”

¹⁸ Note Blair [to No.10 officials], 17 November 2002, [extract ‘Iraq/Saddam, WMD’].

¹⁹ [Letter Watkins to Manning, 19 November 2002, ‘Iraq: Military Planning after UNSCR 1441’.](#)

56. Addressing the issue of “Timetable and Triggers”, Mr Watkins wrote:

“To some extent, triggers are now under Saddam’s control and so cannot be slotted into any firm timetable. Moreover, what constitutes a ‘violation’ and/or ‘material breach’ remains undefined: many in the US are reduced to saying ‘we’ll know when we see it’, which is not a suitable base for planning.”

57. There was “a sense in the US” of “two broad timelines in play, implying two different plans”. The first was a “high-impact event to which the US might feel the need to respond quickly at short notice”. The second was a decision that a material breach had occurred which would be followed by a “more deliberative build-up to military action”.

58. The first scenario would effectively hand the initiative to Saddam Hussein. It might provoke a rapid response, but that could not be decisive because it could not involve sufficient land forces to take control of Iraq, “unless ... it leads ... to regime collapse, a scenario in which the US seem to invest quite a lot of hope”.

59. The second scenario would give Saddam Hussein time, which he “might be able to exploit diplomatically and militarily”. A deliberate campaign “would require some 60-90 days’ build-up, and the time will soon come when the question has to be confronted of whether it is sensible to contemplate fighting in the summer”. A “common understanding” needed to be reached with the US and plans “shaped accordingly”.

60. The MOD was concerned that, if a Coalition aircraft was shot down, it would, “under long-standing plans, trigger a massive US response”, which the US might use to trigger a wider campaign.

61. Mr Hoon believed that the UK response should include:

- pressing the US to “unblock” the Turkish position (on whether it would allow US and UK forces to transit Turkey);
- working “quickly to reach an agreed US/UK view on triggers ... well before we are confronted with it in practice”; and
- explaining to the US that hostility in the No-Fly Zones should be met only by “self-defence responses”.

62. A copy of the letter was sent to the Private Offices of Mr Straw, and Mr Gordon Brown, the Chancellor of the Exchequer, and to Mr Desmond Bowen, Deputy Head of OD Sec.

63. Mr Blair and Mr Straw, and their most senior officials, were clearly aware that difficult and controversial questions had yet to be resolved in relation to:

- **what would constitute a further material breach and how and by whom that would be determined;**

- **the issue of whether a further resolution would be needed to authorise force; and**
- **the implications of a veto.**

64. The papers produced before Mr Straw’s meeting on 20 November recognised that Lord Goldsmith’s advice would be needed to clarify those issues.

65. A paper on what might constitute a material breach, which highlighted “a number of difficult questions ... on which we will need to consult the Attorney General”, was prepared by the FCO and sent to Sir David Manning, Sir Jeremy Greenstock, Sir Christopher Meyer and Mr Watkins on 15 November.²⁰

66. The FCO paper stated that “Most, if not all members of the Council will be inclined” to take the view that a “material breach” should be interpreted in the light of the Vienna Convention. Dr Blix had “made it clear” that he would “be using a similar definition for the purposes of reporting under OP11”. The paper stated that it was not for Dr Blix to determine what constituted a material breach, “but his decision (or not) to report to the Council and the terms in which he reports” would “be influential”.

67. The FCO stated that the US was “becoming more and more inclined to interpret the 1441 definition downwards”: “Although, some weeks ago, NSC [National Security Council] indicated that they would not regard trivial omissions in Iraq’s declaration [or minor problems encountered by UNMOVIC] as triggers for the use of force, more recently DoD [Department of Defense] have indicated that they want to test Saddam early.”

68. The FCO also drew attention to President Bush’s remarks on 8 November, which it described as “zero tolerance” and his warning against “unproductive debates” about what would constitute an Iraqi violation.

69. An examination of past practice on seven separate occasions since 1991 showed that the Council had determined Iraq to be in material breach of its obligations where there seemed “to have been a conviction that an Iraqi act would seriously impede inspectors in the fulfilment of their mandate and therefore undermine an essential condition of the cease-fire”.

70. Against that background, the FCO listed the following incidents as ones which the UK would consider to be material breaches:

- “[A]ny incident sufficiently serious to demonstrate that Iraq had no real intention of complying” such as “an Iraqi decision to expel UNMOVIC, or to refuse access to a particular site, parts of a site or important information”, “discovery by

²⁰ [Letter Sinclair to Manning, 15 November 2002, ‘Iraq: Material Breach’, attaching Paper \[FCO\], \[undated\], ‘Iraq: A Material Breach’.](#)

UNMOVIC/IAEA [International Atomic Energy Agency] of a concealed weapons programme, or of a cache of WMD material not declared ...”

- “Efforts to constrain UNMOVIC/IAEA’s operations in significant ways contrary to the provisions of SCR 1441 (2002) ... and other relevant resolutions. Systematic efforts to deter, obstruct or intimidate the interview process would need to be particularly carefully watched.”
- “Systematic Iraqi harassment of inspectors ... which jeopardised their ability to fulfil their duties ...”
- Failure to accept resolution 1441.
- “A pattern of relatively minor Iraqi obstructions of UNMOVIC/IAEA.”

71. On the last point, the paper added:

“We would not take the view that a short (hours) delay in giving UNMOVIC access to a site would constitute a material breach unless there was clear evidence that the Iraqis used such a delay to smuggle information out of a site or to coach potential witnesses. But repeated incidents of such obstruction, even without evidence of accompanying Iraqi deception, would cumulatively indicate that the Iraqis were not fully co-operating, and thus cast doubt upon whether UNMOVIC would ever be able to implement its mandate properly.”

72. The FCO stated that a similar US list would “probably ... be even tougher”. “Given the opportunity” in the resolution for the US to make its own report to the Council, the UK needed “to be clear in our own minds where the dividing lines” were. The paper recommended that the UK would need to work out “where to draw our red lines” with the US; and that “in the interests of maintaining maximum Council support for use of force, we should try to persuade the Americans to focus on the more serious possible violations, or to establish a pattern of minor obstruction”.

73. The paper did not address the issue of whether a Council decision would be needed “to determine that Iraq’s actions justify the serious consequences referred to in OP13 of 1441”. That would be “a matter on which we will need the Attorney’s views”.

74. An undated, unsigned document, headed “Background on material breach” and received in No.10 around 20 November, raised the need to address three, primarily legal, issues:

- the need to clarify whether OP4 “must be construed” in the light of the Vienna Convention and past practice as that suggested “a much higher bar than the US”;
- the need to seek Lord Goldsmith’s advice “on how OPs 1 and 2 (and 13) and the declaration of material breach they contain affect the legal situation of Iraq and our authority to use force”; and specifically whether it could be argued that “1441 itself (especially OPs 1, 2 and 13 taken together) contains a conditional

authority to use force ... which will be fully uncovered once that Council discussion has taken place”; and

- “What happens if a second Resolution is vetoed?”²¹

75. The document appears to have drawn on the analysis in the FCO paper of 15 November.

76. On the second issue, the author wrote:

“If this [the argument that 1441 contains a conditional authority to use force] has merit (and the most we can hope for in the absence of an express Chapter VII authorisation is a reasonable argument) it would be helpful to know that now. We would not have to impale ourselves and Ministers on the difficult point of what happens if the US/UK try and fail to get an express authorisation.

“... we think London seriously needs to consider revising its thinking on 1441.

“... from the point of view of OP4 the question is ‘What does Iraq have to do to put itself beyond the protection of the law? At what point does its conduct amount to material breach?’ Innocent until proved guilty.

“But if you come at it through OPs 1 and 2 the question is ‘When has Iraq blown its last chance? (regardless of whether OP4 is ever breached)’. Compliance with OP4 is strictly irrelevant: Iraq is guilty but released on a suspended sentence/ parole. This seems to us to have huge presentational angles – as well as whatever legal deductions can be made. **If we are not careful, we are in danger of losing the key advantage of the resolution and turning a provision which we thought of deleting as unnecessary into the main operational paragraph of the text ...**”

77. Someone in No.10 wrote: “Is this, tho’ a hidden trigger? (We and the US denied that there was one in 1441.)”²²

78. On what would happen in the event of a veto, the author of the document wrote that this was:

“... probably too difficult at this stage – everything depends on the circs ... But knowing the answer to the legal implications of 1441 ... would either (i) leave us no worse off than we are – if the AG thinks the argument doesn’t run or (ii) radically improve the situation if the AG thinks we have a case.”²³

²¹ [Paper, \[unattributed and undated\], ‘Background on Material Breach’.](#)

²² [Manuscript comment \[unattributed\], 20 November 2002, on Paper, \[unattributed and undated\], ‘Background on Material Breach’.](#)

²³ [Paper, \[unattributed and undated\], ‘Background on Material Breach’.](#)

79. Mr Matthew Rycroft, Mr Blair's Private Secretary for Foreign Affairs, commented to Sir David Manning that the document was:

“... helpful. Of course a S[ecurity] C[ouncil] discussion is needed if there is a material breach. But as the PM has said all along that discussion must be in the context of an understanding that action must follow.”²⁴

80. Mr Straw held an office meeting on 20 November to discuss Iraq policy with Sir Michael Jay, FCO Permanent Under Secretary (PUS), Sir Jeremy Greenstock, Sir David Manning, and Mr Peter Ricketts, FCO Political Director.²⁵

81. Sir Jeremy Greenstock told Mr Straw that he “believed we could get a second resolution provided the Americans did not go for material breach too early”. The “facts to convince nine members of the Security Council” would be needed. He thought that the Council “would not ... need much persuading”.

82. Sir Jeremy proposed that “When the time came”, the UK should put down a draft resolution and, “if we could show that we had done everything possible, then we would be in the best possible position if – in the end – there were no resolution”.

83. Sir David Manning suggested that France should be invited to co-sponsor the resolution. Mr Straw agreed.

84. Sir Jeremy Greenstock advised that “the real strength” of resolution 1441 lay in its first two operative paragraphs: OP1 reaffirming Iraq's material breach up to the adoption of 1441 and OP2 suspending that material breach to give Iraq a final opportunity. Sir Jeremy stated that OP4 (and 11 and 12) were, therefore, not needed to reach the “serious consequences” in OP13. He was already using that argument in the Security Council and cautioned Mr Straw that focusing too much on OP4 brought a danger of weakening OPs 1 and 2.

85. Sir Michael Jay took a different view, advising that the UK could use all the OPs in resolution 1441. Mr Straw agreed that it would be a mistake to focus exclusively on OPs 1 and 2.

The Prague Summit, 21 November 2002

86. In his remarks at the NATO Summit in Prague on 21 November and in his subsequent statement to Parliament on 25 November, Mr Blair emphasised the resolve of the international community and his hope that that would result in the peaceful disarmament of Iraq; but that if it did not there was a commitment to act.

²⁴ [Manuscript comment Rycroft, 20 November 2002 on Paper \[unattributed and undated\], 'Background on Material Breach'](#).

²⁵ [Minute McDonald to Gray, 20 November 2002, 'Iraq: Follow-up to SCR 1441'](#).

87. In his bilateral discussion with President Bush, Mr Blair assessed that there was a need to be ready for military action early in the New Year, as soon as possible after it was clear that there was a material breach. The chance of Saddam Hussein co-operating was no higher than 20 percent.

88. Mr Blair confirmed that the UK would provide military support if that was necessary.

89. In preparation for the bilateral discussion with President Bush at the NATO Summit in Prague, Sir David Manning suggested that the points Mr Blair might cover on Iraq included:

“We are well placed after ... 1441. International community behind us. If we are patient, and let Saddam make mistakes, they will stay there. We must work together to help Blix/UNMOVIC. We should avoid being trapped into tight definition of what would constitute material breach – keep our options open.”²⁶

90. Mr Alistair Campbell, Mr Blair’s Director of Communications and Strategy, wrote in his diaries that he had been told by Mr Dan Bartlett, President Bush’s Communications Director, at dinner on 20 November that the US view was that it was “seventy to thirty that there would be war, but that thirty was genuine”.²⁷ They had also discussed the need to “set up a proper operation in Qatar, not least to have people to make an impact on Al Jazeera”.

91. Sir David Manning reported that, during the lunch for Heads of State and Government, President Bush had emphasised that resolution 1441 was about disarmament, not inspections.²⁸ As Mr Blair had said at the earlier plenary discussion, that was not a game of hide and seek. Saddam Hussein must co-operate. There would be very severe consequences if he didn’t.

92. President Bush added that Mr Blair had made the excellent point that the greater our resolve appeared to be, the greater the chances that the current crisis could be resolved peacefully. Saddam Hussein must be under no illusion that if he did not disarm, an international coalition would do the job for him. President Bush had emphasised that he very much wanted the UN route to work and that he was grateful for the support he had received.

93. Sir David reported that there had been “wide support” for President Bush’s intervention. The Prime Ministers of Denmark, Iceland, the Netherlands, Portugal and

²⁶ Minute Manning to Prime Minister, 20 November 2002, ‘Prague Summit: Bush Bilateral’.

²⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁸ Letter Manning to McDonald, 21 November 2002, ‘NATO Prague Summit: Lunch for Heads of State and Government’.

Spain had all promised full support. Mr Blair had said that “it was very important that the UN had come to a common view on Iraq and therefore on the threat from WMD”. It:

“... had been right to go the UN route; but we must now have the courage to go the whole way. The international community had expressed its will and set out its demands. It must not flinch from enforcing them.”

94. In the press conference before the bilateral meeting with Mr Blair, President Bush was asked about his expectations of support from the UK in the event of “possible conflict” in Iraq.²⁹ He replied:

“My expectation is that we can do this peacefully if Saddam Hussein disarms ... If he chooses not to disarm, we will work with our close friends, the closest of which is Great Britain, and we will disarm him. But our first choice is not to use the military option, our first choice is for Mr Saddam Hussein to disarm and that is where we will be devoting a lot of our energies.”

95. Mr Blair stated:

“We will do what is necessary both to secure ourselves at home and to make sure that the will of the United Nations is enforced abroad. And I think what you will find here at the NATO Summit is a total and united determination ... that Saddam Hussein has to disarm himself ... and how that happens is a choice for him. We hope and want it to happen through the United Nations inspectors ... But if he fails to co-operate with them ... then he will be disarmed by force, and that is the clear will of the international community ...”

96. In his bilateral discussion with President Bush, Mr Blair confirmed that the UK would support the US militarily if necessary.³⁰

97. In response to a request for his views on the military planning, Mr Blair said there was a need to be ready for military action early in the New Year and as soon as possible after it became clear that there was a material breach. There was a chance of Saddam Hussein co-operating, but it was “no higher than 20 percent”.

98. In a discussion about what co-operation meant, Mr Blair’s view was that Iraq’s duty to co-operate extended to the declaration, the inspections and the interviews. The inspectors were “meant to enter Iraq and dismantle all the WMD with full co-operation with Iraq ... [I]t was not a game of cat and mouse.” He thought that “Saddam would miscalculate at some point”. Mr Blair doubted that Saddam Hussein would admit to up to date WMD facilities or technology, but he might admit to some residual WMD.

²⁹ The National Archives, 21 November 2002, *Press conference: PM Tony Blair and President George Bush*.

³⁰ Letter Rycroft to McDonald, 21 November 2002, ‘Prime Minister’s Meeting with President Bush, 21 November’.

99. Mr Blair thought that there was “an outside possibility of Saddam’s regime crumbling”.

100. Mr Blair and President Bush also discussed the need to provide support for Dr Blix and to be clear about his role, including that it would not be for Dr Blix to take decisions on military action.

101. Mr Blair and President Bush discussed the importance of moving forward on the Middle East Peace Process, which would become easier to manage without Saddam Hussein, and the need to persuade Israel not to escalate the conflict if it was attacked by Iraq.

102. Describing the Summit in his diaries, Mr Campbell wrote that the “press were all focused on Iraq, and on the line that the US had pretty much decided”.³¹

103. Mr Campbell wrote that President Bush:

“... felt there was a need for real pressure to build through troop movements, international condemnation, really tough and unpredictable inspections, to get Saddam off balance.

“... once we made that phone call that agrees Saddam’s in breach, we had to do something militarily and quickly. Quick sustainable bombing raid, and boots on the ground ... [I]f Blix gets dicked around, while a US or UK plane gets shot down, we go for him.

“... was clearly not keen on Blix, said he was wringing his hands and talking war and peace but ‘That is our judgement. He is not going to get between us and freedom. Once we strike we go for it, we don’t wait ...’”

104. Mr Campbell also wrote that, in response to a comment from Mr Blair that he “believed the regime would crumble pretty quickly”, President Bush had said that “both our secret services needed to be put to work to help that. They were thinking of a list of the top ten most wanted as part of a divide and rule strategy ...”

105. Mr Rycroft’s record of the conversation confirms Mr Campbell’s account.³²

106. In Sir David Manning’s bilateral meeting with Dr Rice, they discussed the possibility of seeking an “audit” of Iraq’s declaration of its WMD holdings and pressing for implementation of the provision in resolution 687 (1991) that stipulated Saddam Hussein must pass legislation requiring the Iraqi people to reveal any WMD or associated facilities.³³ That would be a test of how co-operative Saddam Hussein intended to be.

³¹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

³² Letter Rycroft to McDonald, 21 November 2002, ‘Prime Minister’s Meeting with President Bush, 21 November’.

³³ Minute Manning to Prime Minister, 21 November 2002, ‘Blix: Conversation with Condi Rice’.

107. The statement on Iraq issued after the Summit said that the 19 Heads of State and Government had:

“... expressed our serious concern about terrorism and the proliferation of weapons of mass destruction.

“Concerning Iraq, we pledge our full support for the implementation of ... resolution 1441 and call on Iraq to comply fully and immediately with this and all relevant UN Security Council resolutions.

“We deplore Iraq’s failure to comply fully with its obligations, which were imposed as a necessary step to restore international peace and security and we recall the Security Council has decided in its resolution to afford Iraq a final opportunity to comply ...

“NATO Allies stand united in their commitment to take effective action to assist and support the efforts of the UN to ensure full and immediate compliance by Iraq, without conditions or restriction, with UNSCR 1441. We recall that the Security Council in this resolution has warned Iraq that it will face serious consequences as a result of its continued violation of its obligations.”³⁴

108. In his statement to Parliament on 25 November, Mr Blair described the Summit as “a profound demonstration of unity in the face of the new threats that confront us”.³⁵ “Every nation” had spoken of “the menace of international terrorism and weapons of mass destruction”. The Summit statement was “a remarkable statement of defiance” which had “rightly” linked terrorism and weapons of mass destruction. The threat from WMD “in the hands of rogue unstable states” was:

“... not part of some different danger ...

“The strength of the ... statement on Iraq was testimony to that belief. There was complete unanimity ... that the choice for war or peace lies with Saddam, and that if he breaches the will of the United Nations, the United Nations will have to act. There was strong support for multilateralism and for the decision of President Bush to go through the UN, but equally strong insistence that multilateralism and the UN be seen to work.

“Some of the most powerful expressions of these sentiments ... came not from the old but from the new members of the NATO Alliance.”

109. Mr Blair concluded that the “ultimate message” from the Summit was that “if we care about these values of freedom, the rule of law and democracy, we should not flinch from the fight in defending them”; and that “Britain” would “defend them with courage and certainty”.

³⁴ NATO Press Release, 21 November 2002, *Prague Summit Statement on Iraq*.

³⁵ House of Commons, *Official Report*, 25 November 2002, columns 36-44.

110. In response to a question from Mr Doug Henderson (Labour) about whether action without the express authority of the UN would lack “international political legitimacy” and “severely damage” the UN and NATO, Mr Blair responded that it “would all depend on the circumstances”. In Kosovo, action had been taken “outside the UN because there was an unreasonable blockage against action being taken”. Mr Blair did not believe that the Security Council would “get to that point” on Iraq: “The countries that signed up to the deal at the United Nations know that if there is a breach by Saddam we have to act.”

111. Asked by Mr Alan Simpson (Labour) for an assurance that, before he committed “any British troops or support to such a war” Mr Blair would seek a specific mandate through the UN and a specific vote in advance from the House of Commons, Mr Blair replied that Mr Straw would “deal with both points” in the debate on resolution 1441 later that day.

112. In response to a question from Mr Tam Dalyell (Labour) about the effect of discussion in the Security Council and if it would have “the final judgement”, Mr Blair replied that it would “be for the weapons inspectors to say whether there is a breach”, and that there would then be “a discussion about the seriousness of that breach”. “All that” the UK had been “saying throughout” was that “the implication is that if there is a significant breach, there must be action”. There was an “international consensus” that it was “not sensible to tie ourselves down to every single set of circumstances, that we want to keep some freedom of manoeuvre and that we should keep maximum pressure on Saddam”.

113. Mr Blair added:

“President Bush made a principled and difficult decision to go through the United Nations. He was right to do that. We supported him strongly and we are now obliged to ensure that the UN route works. I believe that we can do it in a way that avoids conflict, if at all possible.”

114. Mr Blair’s statement was repeated in the House of Lords.³⁶ No major issues on Iraq were raised.

115. An Oral Question on the UK’s policy on Iraq had been answered earlier that afternoon when a number of issues, including who would be responsible for determining a material breach, the potential consequences in the region of military action in Iraq, and the need for an effective and well-planned exit were raised.³⁷

³⁶ House of Lords, *Official Report*, 25 November 2002, columns 597-604.

³⁷ House of Lords, *Official Report*, 25 November 2002, columns 557-560.

Intelligence update, 21 November 2002

116. Mr Scarlett wrote to No.10 on 21 November to highlight new intelligence on Iraq's thinking on managing UNMOVIC which he considered "confirmed" earlier JIC judgements.

117. Mr Scarlett concluded that the Iraqi regime was confident in its ability to mislead the inspectors.

118. Subsequent intelligence that Saddam Hussein had made clear that UNMOVIC was to be given no grounds for claiming that inspections were being obstructed was interpreted as part of a policy of concealment. The possibility that it might have indicated an intention to co-operate with UNMOVIC appears not to have been considered.

119. Mr Scarlett wrote to Sir David Manning and other senior officials on 21 November drawing their attention to "the first significant ... intelligence we have received on the Iraqi regime's thinking on how to manage UNMOVIC" since the adoption of resolution 1441.³⁸

120. Mr Scarlett stated that the key points were:

- Iraq intended to demonstrate its ostensible co-operation with UNMOVIC but would actually resume its game playing.
- Iraq intended to declare a small part of its illegal programmes, and overload UNMOVIC with large quantities of information on legitimate activities.
- WMD was seen as vital to the regime's survival, so a core WMD capability and infrastructure must be retained.
- Iraq was concerned about the provisions for conducting interviews of Iraqis outside Iraq, which could expose illicit procurement.
- There was concern about the potential destruction by the inspectors of dual-use facilities.

121. Mr Scarlett commented that the concerns exposing illicit procurement might be referring to conventional weapons programmes and that the dual-use facilities supported "the WMD programmes".

122. Mr Scarlett wrote that the intelligence confirmed earlier JIC judgements, including the identification of "overload" as a potential strategy. There was no intelligence on which illegal programmes might be declared.

123. Mr Scarlett also drew attention to preparations to intimidate potential Iraqi interviewees.

³⁸ Minute Scarlett to Manning, 21 November 2002, 'Iraqi Strategy for Dealing with UNMOVIC'.

124. Mr Scarlett's other comments included the observations that:

- There seemed to be “an inconsistency in Iraq’s policy towards inspectors. The [intelligence] indicates the regime plans to let the inspectors into any site. But it also indicates that the regime must rethink a core WMD capability.”
- It was “possible” that Iraq was “so confident of its concealment strategy that it believes inspectors will not discover prohibited activity. Nonetheless, this [intelligence] is important in that it further confirms that ultimately the Iraqi regime does not envisage having to accept genuine and complete disarmament, and is confident in its ability to mislead inspectors”.

125. The intelligence described by Mr Scarlett was based on reported comments, including from someone with access to senior members of the Iraqi regime; but it was not quoting Saddam Hussein’s views.

126. Mr Campbell wrote in his diaries:

“There was some interesting stuff around on deception programmes, for example [Iraqi] officials being forced to put papers and materials in their homes with the warning that they and their families would be harmed if they were lost.”³⁹

127. The Assessments Staff Intelligence Update on 26 November stated that intelligence indicated Saddam Hussein was personally handling all dealings with UNMOVIC; and he was confident the inspectors would not find anything, nor find grounds for claiming Iraq had obstructed its work.⁴⁰

128. The Update was summarising intelligence from a reliable source quoting Saddam Hussein’s own views second hand. The intelligence reported that Saddam had made clear UNMOVIC was to be given no grounds for claiming that inspections were being obstructed; not that he was confident that the inspectors would not find grounds for claiming that they were being obstructed.

Mr Blair’s meeting with Dr Blix, 22 November 2002

129. Mr Blair was advised to tell Dr Blix in a meeting on 22 November that there was a need for UNMOVIC to “bolster its credibility with some in the US”; and that UNMOVIC should make full use of the powers resolution 1441 had provided.

130. Dr Blix told Mr Blair that Iraq’s tactics seemed to be co-operation on practical arrangements but no real change in their approach.

131. Mr Blair said inspections should not be a game of hide and seek, and that one of the reasons for strong action on Iraq was to deter others.

³⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

⁴⁰ Minute [Assessments Staff Intelligence Update], 26 November 2002, ‘Iraq – 26 November 2002’.

132. At a press conference on 15 November, Dr Blix had identified potential practical problems with interviews outside Iraq.⁴¹

133. In response to a question about whether it was possible for Iraqi experts to be interviewed adequately inside the country, Dr Blix responded that:

“... interviews were an important source of information. If there were a big weapons programme in Iraq there would be many people engaged in it. The UNSCOM [UN Special Commission] and the IAEA had interviewed a lot of people in the past and learned a great deal. He [Dr Blix] was also aware that most of the interviews had gone rather well and without great problems. There was also quite a number in which the persons interviewed were clearly intimidated by Iraqi representatives. Hence, there should be the possibility for interviews to be done in private, with the IAEA and the Commission deciding the modalities and the place for them. The question would be whether in the present atmosphere the Iraqis would be willing to be interviewed alone. He said he understood the need for the interviews to be carried out abroad. Defectors had been a very important source of information, and would presumably continue to be so. His concerns were about the practicality of taking people abroad if the [Iraq] Government was not willing to allow that to happen.”

134. An advance team of 30 staff from UNMOVIC travelled to Baghdad with Dr Blix and Dr Mohamed ElBaradei, Director General of the IAEA, on 18 November to prepare for inspections.⁴²

135. In Mr Straw’s office meeting of 20 November with Sir Michael Jay and others, discussed earlier in this Section, Sir Jeremy Greenstock stated that UNMOVIC was “desperate for professional help (e.g. sniffing equipment and investigation techniques). So far they had been underwhelmed by the initial UK response.”⁴³

136. Mr Straw had agreed the UK should do more.

137. Mr Charles Gray, Head of the FCO Middle East Department, advised the Cabinet Office that the UK was providing a list of 10 suspect sites, including the test bed site at al-Rafah, which they would like UNMOVIC to inspect at an early stage.⁴⁴ It was also planning to offer a list of the top 10 individuals the UK thought UNMOVIC should interview as a priority.

⁴¹ UN Press Briefing, 15 November 2002, *Headquarters Press Conference by Head of UN Iraq Weapons Inspection Team*.

⁴² *The Guardian*, 18 November 2002, *UN weapons inspectors arrive in Iraq*.

⁴³ [Minute McDonald to Gray, 20 November 2002, ‘Iraq: Follow-up to SCR 1441’](#).

⁴⁴ Letter Gray to Bowen, 20 November 2002, ‘Iraq: Obfuscation under UNSCR 1441’.

138. In preparation for his meeting with Dr Blix on 22 November, the FCO advised Mr Blair that it would be helpful if he could give Dr Blix a number of key messages, including that the UK:

- had “worked very hard” for resolution 1441 and it was determined to do everything it could to make it work and UNMOVIC was vital to that;
- would do “whatever we can” to meet Dr Blix’s “practical needs”, including intelligence support;
- did “not want to compromise UNMOVIC’s credibility as an independent organisation”, but there was a need for UNMOVIC to “bolster its credibility with some in the US”; UNMOVIC should make full use of the powers resolution 1441 had provided.⁴⁵

139. The FCO stated that there was “a continued whispering campaign against” Dr Blix in the US press. The UK was “keen to see a programme of multiple inspections designed to stretch Iraqi countermeasures and put Saddam’s willingness to co-operate under early test”. But the UK recognised “that UNMOVIC will need time to re-establish itself ... It will not help our objectives if we push the inspectors into making mistakes by forcing them to run before they can walk.”

140. The FCO advised that the US was “putting great weight” on the powers in resolution 1441 for UNMOVIC and the IAEA to interview individuals free of Iraqi Government “minders”, if necessary outside Iraq. The UK agreed that interviews would be a “very important route to obtaining the sort of information we will need if covert Iraqi programmes are to be uncovered”. But the UK also understood Dr Blix’s “concerns about the practical and legal implication of extracting Iraqis – perhaps with a large number of family members – from Iraq and then holding them perhaps indefinitely”. The US had admitted that it had not “thought through all these points” although it was now doing so.

141. In their meeting on 22 November, Mr Blair told Dr Blix that there had been much support at the Prague Summit for him and the inspectors, and for a tough line on the need for full Iraqi compliance with resolution 1441.⁴⁶

142. Dr Blix reported that he had told the Iraqi Foreign Minister and others in Baghdad that Iraq should not make the mistakes it had made after the Gulf Conflict of providing an incomplete account of their holdings; and that they should not repeat the mistake of playing with the UN and offering too little too late. He had not, however, detected any sign that the Iraqi approach had changed. Nor was there any sign of legislation to prohibit involvement by Iraqi citizens in WMD programmes; that could be passed overnight and would have got Iraqi co-operation off to a flying start. Preparations for

⁴⁵ Letter Davies to Wechsberg, 21 November 2002, ‘Iraq: Prime Minister’s Meeting with Dr Hans Blix, 22 November’.

⁴⁶ Letter Rycroft to Sinclair, 22 November 2002, ‘Iraq: Prime Minister’s Meeting with Blix, 22 November’.

the first inspections were well under way. Iraq's tactics appeared to be co-operation on practical arrangements but no real change in their approach to giving up their WMD.

143. Mr Blair agreed with Dr Blix that the preference was Iraqi compliance and that the “inspections should not be a game of hide and seek”. Mr Blair concluded that “one of the reasons for a strong multi-lateral approach on Iraq was to deter others”.

144. Sir David Manning said that Dr Blix should audit the declaration and be ready to audit new material supplied by the UK and US. Mr Blair “strongly agreed. He emphasised that it was important the Iraqis knew that if Blix found their declaration to be false it would constitute a material breach”. Dr Blix had “agreed”, adding that “denying access would also be a material breach”.

Security Council, 25 November 2002

145. Dr Blix provided an informal briefing to the Security Council on 25 November reporting on his and Dr ElBaradei's visit to Baghdad from 18 to 19 November.⁴⁷ They had been assured that Iraq intended to provide full co-operation. The first group of UNMOVIC and IAEA inspectors had arrived in Baghdad earlier on 25 November, and inspections would begin on 27 November, only 19 days after the adoption of resolution 1441. The report to the Security Council specified in OP5 would, therefore, be due on 27 January 2003.

146. Dr Blix reported that he had told Iraq that “many governments believed that WMD programmes remained in Iraq”; and that “The Council had wanted to offer Iraq a last opportunity. If the Iraqi side were to state – as it still did at our meeting – that there were no such programmes, it would need to provide convincing documentary or other evidence.” The FFCDs (Full, Final, and Complete Declarations) submitted by Iraq to UNSCOM had, “in many cases left it an open question whether some weapons remained”.

147. Dr Blix also reported that he had been assured by:

- Mr Dominique de Villepin, the French Foreign Minister, of “firm French support for the implementation stage”; and
- Mr Blair that the UK Government would provide “support for effective inspections” and that it was determined to “ensure the implementation of resolution 1441 ... and the elimination of WMDs and long-range missiles from Iraq”.

⁴⁷ UNMOVIC, *Briefing of the Security Council on 25 November 2002, Executive Chairman's visit to Baghdad*.

Debate on resolution 1441, 25 November 2002

148. The House of Commons voted on 25 November to “support” resolution 1441 and agreed that if the Government of Iraq failed “to comply fully” with its provisions, “the Security Council should meet in order to consider the situation and the need for full compliance”.

149. Mr Straw’s speech focused on the definition of a material breach and whether it would be for the Security Council to determine whether such a breach had occurred.

150. After its return from recess, the House of Commons debated resolution 1441 on 25 November.

151. The Government motion proposed:

“That this House supports UNSCR 1441 as unanimously adopted by the UN Security Council; agrees that the Government of Iraq must comply fully with all provisions of the resolution; and agrees that, if it fails to do so, the Security Council should meet in order to consider the situation and the need for full compliance.”⁴⁸

152. Mr Michael Moore (Liberal Democrat) proposed an amendment to make it clear that the Security Council should determine whether military action should be taken. The amendment proposed the following addition to the Government motion:

“... and believes that any decision that Iraq is in material breach of resolution 1441 is for the UN Security Council as a whole to determine and that no military action to enforce resolution 1441 should be taken against Iraq without a mandate from the UN Security Council; and further believes that no British forces should be committed to any such military action against Iraq without a debate in this House and a substantive motion in favour.”⁴⁹

153. Normally the Speaker of the House of Commons, selects the amendment proposed by the Official Opposition.⁵⁰

154. In his opening speech, Mr Straw stated that resolution 1441 had “one central aim: the peaceful removal of Iraq’s weapons of mass destruction through an effective inspection regime”.⁵¹ He set out the inspection process, including that inspections would resume in Iraq by 27 November, “four weeks ahead of the Security Council’s deadline”.

⁴⁸ House of Commons, *Official Report*, 25 November 2002, column 47.

⁴⁹ House of Commons, *Official Report*, 25 November 2002, column 73.

⁵⁰ Cook R. *The Point of Departure*. Simon & Schuster UK Ltd, 2003.

⁵¹ House of Commons, *Official Report*, 25 November 2002, columns 47-63.

155. Mr Straw also posed and then answered four “key questions” which arose from the resolution:

- What constituted a material breach?
- Who would decide what happened if there was a material breach?
- Whether there would be a second Security Council resolution if military action proved necessary?
- Whether, if military action was necessary, the House of Commons would be able to vote on it and, if so, when?

156. Addressing what would constitute a material breach, Mr Straw referred to operative paragraph 4 of the resolution, but went on to say:

“As with any definition of that type, it is never possible to give an exhaustive list of all the conceivable behaviours that it covers. That judgement has to be made against the real circumstances that arise, but I reassure the House that material breach means something significant: some behaviour or pattern of behaviour that is serious. Among such breaches could be action by the Government of Iraq seriously to obstruct or impede the inspectors, to intimidate witnesses, or a pattern of behaviour where any single action appears relatively minor but the actions as a whole add up to something deliberate and more significant: something that shows Iraq’s intention not to comply.”

157. Mr Straw also stated that the resolution made clear that there were two parts to a material breach, “a failure of disclosure and other failure to comply”.

158. Addressing who would decide what happened if there was a material breach, Mr Straw stated that if there were “any further material breach”, it would be reported to the Security Council “for assessment” and the Council would convene immediately to “consider the situation and the need for full compliance with all the relevant ... resolutions in order to secure international peace and security”.

159. Mr Straw added:

“If there is evidence of a false statement or omission, together with a failure to comply in other respects, it can be reported to the Security Council as a further material breach either by a Security Council member or by the inspectors. The Council will undoubtedly require the opinion of the inspectors, regardless of who makes the final report.

“There is then a clear requirement for an immediate meeting of the Security Council to make the assessment ... Where the breach is flagrant – say, a physical and serious attack on the inspectors the decision on whether there had been a material breach will effectively have been made by the Iraqis ... there will be no decision to be made. The Security Council will undoubtedly then act ...”

160. Addressing the need for a second Security Council resolution if military action proved necessary, Mr Straw stated that resolution 1441 did:

“... not stipulate that there has to be a second ... resolution to authorise military action in the event of a further material breach ... The idea that there should be a second resolution was an alternative discussed informally among members of the ... Council ... during the weeks of negotiation, but no draft to that effect was ever tabled ... nor put to the vote ...

“I should make it clear ... that the preference of the Government in the event of any material breach is that there should be a second ... resolution authorising military action. However, the faith being placed in the Security Council ... requires the Council to show a corresponding level of responsibility. So far it has done and I believe it will do so in the future, but we must reserve our position in the event that it does not ... So the discussion ... in the event of a material breach, will be on the understanding action will follow.”

161. Mr Straw also stated:

“... the moment there is any evidence of a material breach ... there will be a meeting of the Security Council at which it is ... open for any member to move any resolution ... Our preference is for a Security Council resolution, and I hope we would move it.”

162. Addressing whether the House of Commons would be able to vote if military action was necessary and, if so, when, Mr Straw told Parliament:

“No decision on military action has yet been taken ... and I fervently hope that none will be necessary ... However, we have got this far in terms of Saddam’s compliance only because active diplomacy has been backed by the credible threat of force. For that threat to remain credible, it is crucial that we make proper preparations.”

163. Mr Straw stated:

“Any decision ... to take military action will be put to the House as soon as possible after it has been taken ... [T]he Government have no difficulty about the idea of a substantive motion on military action ... at the appropriate time.”

“... If we can come to the House without placing our troops at risk, we shall do so ...”

164. In response to questions, Mr Straw added:

“... if we can and if it is safe to do so, we will propose a resolution seeking the House’s approval of decisions ... before military action takes place.”

165. Mr Michael Ancram (Conservative) supported the motion although he sought to highlight divisions within the Parliamentary Labour Party by asserting that he would have “liked the motion to be more specific and stronger ... and to dispel the uncertainties

which ... cloud parts of the issue.”⁵² He referred to the statement made by Mr Blair in his interview with *Radio Monte Carlo* on 14 November that if Saddam failed to disarm “the consequence is that the weapons will be disarmed by force”.

166. Mr Hoon assured the House of Commons that military action would be a last resort. There were “prudent preparations and planning necessary for military action”, but that did “not mean a commitment to take such action”.

167. In his speech closing the debate, Mr Hoon stated:

“Neither Britain nor the United States is looking for a pretext for military action, which is always a grave step, and which will certainly be a last resort. No member of the Government will risk British lives unnecessarily.”⁵³

168. In response to a question from Mr Mohammad Sarwar (Labour), Mr Hoon added:

“We expect Saddam Hussein to have the survival instinct ... to co-operate with UNMOVIC and to comply with resolution 1441, but we cannot exclude the possibility that he will fail to do so. Let us not delude ourselves. All our experience shows that Saddam Hussein has only ever complied with the will of the international community when diplomacy has been backed by the credible threat of force.”

169. Mr Hoon stated that continuing with “the prudent preparations and planning necessary for military action” was the “only responsible course”. But that did “not mean a commitment to take such action in any circumstances”. It did mean that appropriate steps were being taken “to ensure that British forces” were “ready”, and that they had “the training, equipment and support” that they would need “to undertake military action, should it prove necessary”.

170. Addressing the US request to “a number of countries ... seeking support in the event that military action proves necessary”, Mr Hoon stated:

“Although no decision has been made to commit UK forces to military action, discussions with the US will continue so that an appropriate British contribution can be identified should it prove necessary.

“... There is no inevitability about military action. The US is clear about the fact that the issue is Iraqi disarmament ...

“Those who have accused the US of unilateralism should consider carefully. The US Government have followed an impeccably multilateral approach, first in building unanimous Security Council support for resolution 1441 and now in seeking to build broad-based support for military action should it be required ... within the limits

⁵² House of Commons, *Official Report*, 25 November 2002, columns 63-65.

⁵³ House of Commons, *Official Report*, 25 November 2002, columns 122-129.

imposed by these uncertainties, we have been considering the contribution we might be able to make if military action ultimately becomes necessary.

“At this stage it would be inappropriate to go into details of the size and shape of forces that might be involved, for two specific reasons. First, as events unfold and time passes, plans will inevitably evolve. It would be misleading to describe specific force packages today as if they had some permanent and definitive status ... Secondly, as I am sure the House appreciates, I have no intention of assisting Saddam Hussein’s contingency planning.”

171. The Liberal Democrat amendment was defeated by 452 votes to 85.

172. The question of who would be responsible for interpreting whether there had been a material breach was also raised by Baroness Williams of Crosby in an Oral Question in the House of Lords.

173. In response to an Oral Question from Baroness Williams of Crosby, Baroness Symons of Vernham Dean, the joint FCO/Department of Trade and Industry (DTI) Minister for Trade and Investment, stated on 25 November that she could not:

“... give an exhaustive list of what amounts to a material breach. It would be a question of judgement at the time ... it might be referred by the inspectorate ... it might be referred by a member of the ... Security Council. There would be an immediate meeting, when no doubt there would be a discussion about how serious such a breach was.”⁵⁴

174. In response to a question from Lord Howell of Guildford, about whether a further resolution would be required before the UK could “go to war”, Baroness Symons responded that resolution 1441 did:

“... not stipulate that there has to be a second Security Council resolution to authorise military action. Such a stipulation was never tabled ... the preference of the British Government in the event of a material breach is that there should be a second resolution. But we are not about rewriting UNSCR 1441. It says what it says, and it does not say that such a second resolution would be necessary.”

CABINET, 28 NOVEMBER 2002

175. In Cabinet on 28 November, Mr Straw described the vote in the House of Commons on 25 November as an “overwhelming endorsement of the Government’s strategy towards Iraq”.⁵⁵ The next deadline for Iraq was the requirement for a full declaration of their weapons of mass destruction programmes by 8 December.

⁵⁴ House of Lords, *Official Report*, 25 November 2002, columns 557-560.

⁵⁵ Cabinet Conclusions, 28 November 2002.

176. Cabinet was also informed that the Oil-for-Food resolution had been rolled over for only nine days because of difficulties with the United States on the Goods Review List.

177. Cabinet did not discuss the issues.

178. A FCO report on Saddam Hussein's crimes and humanitarian abuses, which was published on 2 December, is addressed in Section 6.4.

Iraq's declaration of 7 December and the response

179. Resolution 1441 (OP3) required Iraq to provide:

“... not later than 30 days from the date of this resolution, a currently accurate, full and complete declaration of all aspects of its programmes to develop chemical, biological, and nuclear weapons, ballistic missiles and other delivery systems such as unmanned vehicles and dispersal systems designed for use on aircraft, including any holdings and the precise locations of such weapons, components, sub-components, stocks of agents, and related material and equipment, the locations and work of its research development and production facilities, as well as all other chemical, biological, and nuclear programmes, including for any which it claims are for purposes not related to weapons production or material.”⁵⁶

180. The inclusion of a mandatory requirement for an immediate declaration of Iraq's WMD holdings by a defined date had been the subject of much discussion during the negotiation of resolution 1441 (see Section 3.5).

181. Mr Straw had originally warned that it would provide Iraq with opportunities for obfuscation, leading to endless arguments within the Council.⁵⁷

182. In a conversation with Secretary Powell on 16 September, Mr Straw had suggested that a full, final and complete declaration could only be done once the inspectors were in Iraq.⁵⁸

183. The JIC Assessment of 14 November stated that Iraq would “try to overload UNMOVIC by releasing large volumes of information”; and that it would “seek to take advantage of any opportunity to fudge” its obligations.⁵⁹

184. On 20 November, in response to a remit from COBR(R) (see Section 2), Mr Gray provided a note, agreed within the FCO and with DIS about how to handle Iraq's likely efforts to flood UNMOVIC with masses of detail as an obfuscatory tactic.⁶⁰

⁵⁶ UN Security Council resolution 1441 (2002).

⁵⁷ [Minute Straw to Prime Minister, 14 September 2002, 'Iraq: Pursuing the UN Route'](#).

⁵⁸ [Telegram 1729 UKMIS New York to FCO London, 16 September 2002, 'Iraq: Foreign Secretary's Conversation with US Secretary of State, 16 September'](#).

⁵⁹ [JIC Assessment, 14 November 2002, 'Iraq: Regime Cohesion Under Pressure'](#).

⁶⁰ Letter Gray to Bowen, 20 November 2002, 'Iraq: Obfuscation under UNSCR 1441'.

185. Mr Gray pointed out that:

- Resolution 1441 required Iraq to declare all relevant material even if it was not used for WMD production.
- UNMOVIC had an extensive database of dual-use facilities and it was thought that there could be a need to examine about 700 sites.
- UNMOVIC could take some time to scrutinise and update that “mass of material (even US analysts with very large resources at their disposal) have admitted ... that going through the material could take months)”.
- There was an expectation that there would be “many discrepancies” between the Iraqi declaration and UNSCOM documentation and approvals under resolution 661 (1990).

186. Sir David Manning warned Mr Blair in late November that there would be pressure on President Bush to move to military action as soon as Iraq submitted the declaration required by resolution 1441.

187. The UK position remained that the declaration could not constitute a *casus belli*. If an “audit” by the inspectors subsequently discovered significant discrepancies in the declaration that could constitute a material breach.

188. Following a conversation with Dr Rice on 24 November to “explore next steps on Iraq”, Sir David Manning reported to Mr Blair that Dr Rice had returned to the suggestion she had made in their discussion during the NATO Summit in Prague that Dr Blix should audit Iraq’s declaration and the information provided by the US and UK; and that she was:

“... confident this would expose an ‘audit gap’. It was very unlikely Saddam would account for the WMD outstanding ... and very unlikely that Saddam would include the details of secret holdings ...”⁶¹

189. Sir David stated that he had told Dr Rice that he thought Mr Blair:

“... would have no difficulty with this. Establishing a base-line audit was presumably what the declaration was all about ... we could not accept that the declaration itself could be a *casus belli*. But we were in no doubt that if the declaration proved false when Blix and UNMOVIC began their inspections Saddam would be in material breach.”

190. Sir David added that, if it was decided to adopt that strategy, “we should try to bring the French and Russians with us. This pointed to a discussion in the Security Council ...”

⁶¹ Minute Manning to Prime Minister, 24 November 2002, ‘Iraqi: Conversation with Condi Rice’.

191. Sir David and Dr Rice also discussed the positions of France and Russia and indications that their stance might have shifted in response to a calculation that “one way or another, the game was up for Saddam”.

192. Sir David reported that he had told Dr Rice that, if President Bush was “willing to continue down the UN route, he would have the international community pretty much behind him. As long as there were UN cover, very few of the key countries seemed likely to break ranks.” The unanimous support for resolution 1441, President Bush’s victory in the US mid-term elections and his performance in Prague had “changed the terms of trade”.

193. Sir David told Mr Blair that Dr Rice had asked if he would be willing to talk to President Bush. There were some people in Washington who would want to argue for military action as soon as the Iraqi declaration was available. President Bush would be under a lot of pressure from those who wanted him to discount the international dimension.

194. Sir David told Dr Rice he was sure Mr Blair would welcome a discussion. He added that, in his view, the UN process had been a triumph for President Bush. “If he were patient, he would now be able to take an international coalition with him all the way. This would have benefits for US policy across the board.” That would not be incompatible with a strategy “to audit the gap”, particularly if “support or acquiescence” from France and Russia had been secured.

195. Sir David commented that Dr Rice had been “clearly signalling that [President] Bush would probably be willing to continue working within UN parameters, taking the international community with him, if you [Mr Blair] made the case”. He concluded:

“... this offers us a valuable opening to influence President Bush at a key moment. I suggest you speak to him ... when we have had another day to digest developments post Prague.”

196. Mr Blair told President Bush on 26 November that he thought the inspectors probably would find something, and that would be the trigger for military action.

197. Mr Blair telephoned President Bush on 26 November to discuss the outcome of the Prague Summit, Mr Blair’s discussion with Dr Blix and the response to Iraq’s declaration, and how to make progress on the Middle East Peace Process.⁶²

198. In the discussion on Iraq, Mr Blair stated that if Iraq did not provide a full declaration, Dr Blix should produce his own audit. Mr Blair “accepted that the first time the inspectors found anything significant that was not in the declaration would constitute a material breach”. He thought that the inspectors probably would find something and that this would be the trigger for military action.

⁶² Letter Rycroft to McDonald, 26 November 2002, ‘Prime Minister’s Conversation with Bush, 26 November’.

199. Concerns were already being expressed in discussions between the US and UK about whether, in the face of Iraq's deception and concealment activities, the inspections would be able to find evidence of a material breach – a “smoking gun”.

200. The UK sought to persuade the US not to make snap judgements on the declaration and to allow Dr Blix to make the first formal response.

201. On 29 November, in response to a request from Sir David Manning, Mr Straw's Private Office provided advice on handling the Iraqi declaration.⁶³

202. The FCO advised that Iraq could maintain it had “no WMD and defy UNMOVIC/IAEA to prove them wrong, confident that they can conceal the programmes uncovered by UNSCOM in 1998”, but the expectation was that it would be “more subtle: declaring very large quantities of dual-use items and programmes and reiterating all ... past declarations. In both cases our assumption is that they will continue to hide programmes ...”

203. Dr ElBaradei had suggested that the nuclear declaration was “likely to contain information that would be of use to proliferators”; and that it should not be circulated to the Council as a whole. Resolution 1441 required Iraq to provide the declaration to the inspectors and the Council.

204. The FCO anticipated that the US might “plan to rush out its own analysis (and probable dismissal) of the document in very short order” and advised that any immediate criticism of a lengthy and technical declaration would be likely to be regarded as “evidence of a determination to pursue military action regardless”. It might also lead to requests for evidence which might not be releasable or would alert Iraq to potential inspections.

205. The FCO expected the US to focus on seven areas in the declaration:

- ballistic missiles;
- biological programmes;
- chemical programmes;
- an Unmanned Aerial Vehicle (UAV) programme intended to deliver chemical and biological warfare (CBW) agents;
- mobile WMD facilities;
- the outstanding discrepancies in relation to CBW munitions; and
- the procurement of aluminium tubes.

206. The FCO advised that it would be best to “delay giving a definitive response until we have been able to assess the content, while expressing a healthy scepticism based

⁶³ [Letter Sinclair to Manning, 29 November 2002, 'Iraq: 8 December Declaration'](#).

on Iraq's past record of deceit". There was a "need to avoid giving the impression that an omission in the declaration would, in itself, constitute a material breach". The UK should caution the US "against a rush to judgement".

207. The UK aim should be to get the inspectors to "check (or audit)" the declaration "as soon as possible through intrusive inspections, interviews and access to records" against information from other sources, including:

- The information available to UNSCOM in 1998. If Iraq declared "nothing", it "must demonstrate the destruction of material or the disbandment of possible WMD programmes identified by UNSCOM".
- "Intelligence material provided by the US/UK. We have already pointed UNMOVIC towards key sites and provided a list of 6,500 individuals involved in WMD programmes"; the DIS was "working on a top ten list of people". UNMOVIC/IAEA was "willing to visit sites not mentioned" by Iraq but they would "not want to be seen to be taking instructions from the UK/US".
- "Information obtained ... through early interviews ..."

Where the declaration was "inconsistent with intelligence", the UK would "want UNMOVIC/IAEA to be able to discover that inconsistency on the ground before notifying the Council". That would avoid giving Iraq the chance to conceal evidence.

208. The FCO stated that an early initial meeting of the Security Council in mid-December would demonstrate support for the inspectors and maintain pressure on Iraq as well as demonstrating the intention "to keep the Council at the centre of Iraq handling". That should also call for a more detailed discussion of the declaration in early January. That would "give the US/UK a better opportunity (and more time) to highlight shortcomings" before the meeting of the Council to discuss the inspectors report, which was due on 27 January.

209. The FCO letter also provided a refined version of the advice in its letter to Sir David Manning of 15 November about what might comprise a material breach. This was further refined in advice on 6 December, which is addressed later in this Section.

210. Mr Campbell had asked Mr John Williams, FCO Press Secretary, for "a wider note on handling in the context of a set of public objectives to be agreed with the US". That would include:

- The declaration would be "a key test of Iraq's willingness to comply".
- The inspectors needed to test the declaration before a decision could be taken on whether Saddam Hussein was in breach or complying.
- The UK would be drawing "any discrepancies or mis-statements ... to the attention of UNMOVIC/IAEA and, if necessary the Security Council, where the issues will be pursued".

- With “his long record of obstruction and deceit”, Saddam Hussein was “unlikely to make an honest declaration”; the UK wanted “to see his dishonesty demonstrated by inspections” if he made a false declaration.
- The UK would not allow the process “to become an indefinite game of hide and seek”.

211. In a discussion between No.10 and FCO officials and a team of US officials on 2 December, one senior US official expressed doubts about whether the inspectors would ever find any WMD evidence.⁶⁴

212. In a separate meeting between FCO and MOD officials and the team of US officials, it was suggested that the strategy of “force of [sic] mind” had not got through to Saddam Hussein, partly it was thought because of the mixed signals from France and Russia.⁶⁵ One US official thought that once he did get that message Saddam’s position might “shift very quickly”.

213. Concerns were also expressed about the activities of Al Qaida in northern Iraq.

214. On 3 and 4 December, Sir David Manning discussed the need to avoid making snap judgements on the Iraqi declaration and the advantages of allowing Dr Blix time to make the first formal response with Dr Rice.⁶⁶ They also discussed the need to avoid “the prospect of a protracted game of hide and seek, waiting to see whether Saddam could be caught out, or whether he would make a mistake”.

215. Sir David recorded that the US Administration was “now thinking hard about what might constitute triggers” and asked the FCO for advice on that before a telephone call between Mr Blair and President Bush the following week.

216. On 5 December, Mr Straw told Cabinet that the Iraqi declaration was “likely to be lengthy” and “designed to show dissension inside the United Nations”.⁶⁷ It was “unlikely to be fully compliant”. The weapons inspectorates should be “encouraged to make a proper assessment”.

217. No further discussion on Iraq was recorded.

218. The FCO advised on 6 December that there was no agreement in the Security Council on precise criteria for what would constitute a material breach. Each case would need to be considered in the light of circumstances.

219. The FCO position was increasingly shifting from a single specific incident demonstrating a material breach to the need to establish a pattern of

⁶⁴ Letter Rycroft to Watkins, 2 December 2002, ‘Iraq: Talks with US Officials 2 December’.

⁶⁵ Minute Ehrman to Private Secretary [FCO], 2 December 2002, ‘Iraq: Visit of Wolfowitz and Grossman’.

⁶⁶ Letter Manning to McDonald, 3 December 2002, ‘Iraq: Conversation with Condi Rice’; Letter Manning to McDonald, 4 December 2002, ‘Iraq: Conversation with Condi Rice’.

⁶⁷ Cabinet Conclusions, 5 December 2002.

non-co-operation over time demonstrating that Iraq had no intention of complying with its obligations.

220. Following its advice of 15 and 29 November, Mr Straw's Private Office responded on 6 December to Sir David Manning's request for further advice on what would constitute a "trigger" for action.⁶⁸

221. The FCO stated that a material breach could not "be a minor violation but must be a violation of a provision essential to achieving the object or purpose of the original Gulf War [1991] cease-fire". That position had been reflected in Mr Straw's remarks in the House of Commons on 25 November. The FCO expected most members of the Security Council to take a similar view.

222. Consistent with the advice sent to Sir David on 15 and 29 November, the FCO wrote that there were two broad areas where Iraqi behaviour could amount to a material breach:

- **Non-compliance with its disarmament obligations** – if Iraq concealed WMD. Evidence might take the form of discovery of WMD material not included in the declaration or evidence which Iraq could not satisfactorily explain which clearly pointed to a concealed WMD programme (e.g. a yellowcake receipt).
- **Non-co-operation with UNMOVIC/IAEA** – if Iraq's behaviour demonstrated that it had no intention of co-operating fully with UNMOVIC in fulfilling its mandate under resolution 1441 (2002) or other relevant resolutions. Evidence might comprise a single incident such as denying access to a particular site, information or personnel. Evidence of coaching witnesses or smuggling information out of potential sites would be "pretty damning". Attempts to impede the removal and destruction of WMD or related material would be potentially a material breach.

223. The FCO view was that there would be no need for "a single specific instance". A "pattern of lower level incidents" could amount to a demonstration of non-co-operation sufficiently serious to constitute a material breach. Indications of concealment could include "a series of unanswered questions identified by UNMOVIC/IAEA which suggested a concealed WMD programme" or "failure ... to demonstrate convincingly that the WMD material identified by UNSCOM in 1998 had been destroyed and properly accounted for". "Much would depend on the circumstances and whether the incidents demonstrated deliberate non-co-operation rather than inefficiency or confusion."

224. The FCO concluded that there were:

"... bound to be grey areas over whether Iraqi failures are sufficiently serious to constitute a material breach. There is no agreement in the Council on the precise criteria. We would need in each case to look at the particular circumstances."

⁶⁸ [Letter McDonald to Manning, 6 December 2002, 'Iraq: Material Breach'](#).

Moreover, some incidents of non-compliance may be susceptible to remedial action by UNMOVIC/IAEA (e.g. by destroying weapons etc). In such cases, those seeking to trigger enforcement action would need to explain how such action would be necessary to enforce Iraqi compliance.”

225. When Dr Blix briefed members of the Security Council on 6 December, the Council decided to make UNMOVIC “the depository of the declaration” and asked UNMOVIC and the IAEA to “review it immediately, with their experts and from the standpoint of existing international treaties, for any areas in the declaration that may contribute to proliferation, or be sensitive, in order to assure confidentiality of that information”.⁶⁹ Members of the Council would meet the following week to decide on the further handling of the declaration. The declaration would “not be available for some days until this procedure is carried out and mechanical/logistical arrangements are made”.

JIC Assessment, 6 December 2002: ‘Iraq: Military Options’

226. A JIC assessment of Iraq’s military options on 6 December confirmed that a massive ground force would be required to be certain of toppling Saddam Hussein and highlighted the possibility of Iraqi attacks on Coalition Forces.

227. At the request of the MOD, the JIC evaluated Iraq’s military capabilities and its military options and issued an Assessment on 6 December.⁷⁰

228. In the JIC discussion on 4 December, the draft Assessment was described as “an important paper which highlighted the gaps in our knowledge”.⁷¹ The judgements were based “largely on a mixture of observation and past experience”, but the draft Assessment “did not quite do justice to the intelligence”; the judgements “could be made more confidently”. The Assessment needed to bring out more clearly the risks of a phased attack and unpack the risks involved in possible scenarios, such as the use of CBW before Coalition Forces were properly assembled and urban fighting: “Nothing short of a massive deployment would guarantee overthrowing the regime.”

229. The JIC’s Key Judgements included:

- Saddam Hussein would “initially seek international pressure to halt Coalition [military] action”. If that failed, he would “seek to inflict serious casualties on Iraq’s neighbours and on Coalition Forces”.
- A ground attack might fracture Saddam’s regime, but only a massive Coalition force was guaranteed to topple him. The smaller the initial Coalition force, the more likely Iraqi forces were to resist. A phased Coalition attack could allow Iraq to claim military successes.

⁶⁹ UN Press Release, 10 December 2002, *December 6 Press Statement by Security Council President on Briefing of Council Members by Dr Blix* (SC/7594).

⁷⁰ [JIC Assessment, 6 December 2002, ‘Iraq: Military Options’](#).

⁷¹ Minutes, 4 December 2002, JIC meeting.

- Iraqi responses to military action might include “seizing hostages as ‘human shields’; using non-lethal BW in a deniable manner; suicide attacks; or a scorched earth policy with the aim of creating humanitarian or environmental catastrophe. At some point, motivated by revenge, Saddam would seek to inflict the maximum damage on his enemies, whether Iraqi or outsiders.”⁷²

230. The Assessment of the military options is addressed in Section 6.1.

231. The statements on Iraq’s WMD capabilities and intentions are addressed in Section 4.3.

Iraq’s declaration, 7 December 2002

232. Iraq’s declaration was provided to the Security Council on 7 December 2002.

233. The Iraqi declaration was detailed and technical, written in a combination of English, Russian and Arabic, with approximately 7,000 pages dealing with ballistic missile projects.⁷³ A backlog of semi-annual declarations of activity, covering the period 1998-2002 which Iraq had already provided to UNMOVIC, was not then available to the UK.

234. On 8 December, the President of the Security Council issued a statement recording that:

“After consulting with the members of the Security Council, the Presidency decided to allow access to the Iraqi declaration to those members with the expertise to assess the risks of proliferation and other sensitive information to begin its immediate review.

“This review will be in close co-ordination and consultation with ... UNMOVIC and the ... IAEA, and will assist them in producing a working version of the declaration as soon as possible.”⁷⁴

235. In a statement issued on 8 December, the Russian Ministry of Foreign Affairs said that “Iraq’s timely submission of its declaration, parallel to its continuing co-operation with the international weapons inspectors, confirms its commitment to act in compliance with resolution 1441”.⁷⁵

The UK’s initial response

236. Mr Blair expressed scepticism about Iraq’s intentions and reiterated that, if it did not comply, force would be used.

⁷² JIC Assessment, 6 December 2002, ‘Iraq: Military Options’.

⁷³ JIC Assessment, 18 December 2002, ‘An Initial Assessment of Iraq’s WMD Declaration’.

⁷⁴ UN Press Release, 9 December 2002, *Press Statement on Iraq by Security Council President* (SC/7590).

⁷⁵ Telegram 448 Moscow to FCO London, 9 December 2002, ‘Russia: Local Reaction to Iraqi Declaration’.

237. In an interview for the *Financial Times* published on its website on 9 December, Mr Blair was reported to have stated that war with Iraq was “plainly not inevitable” if Saddam Hussein complied, but:

“... you would have to be somewhat naive not to be sceptical about the likelihood of his compliance, given his past history ... If he fails to co-operate, either in any false declaration or in refusing access to the sites, or interviewing witnesses, or any of the rest of it, then that is a breach. And in those circumstances, my understanding is that the United Nations are very clear that there should [be] action.

“As for a second resolution, we said we would go back for a discussion ...

“We want to do this with the maximum international support and I believe that support will be there ... in my view it is clear and right that if Saddam is in breach then we have to impose by conflict, that which we would have preferred to impose by the will of the UN and the inspectors.”⁷⁶

238. Asked if he was saying he did not need a second resolution to take military action, Mr Blair replied:

“If we get to a situation ... where there is a clear breach and ... someone puts an unreasonable block ... on it [action] ... as we have seen before ... over Kosovo you cannot say there are no set of circumstances in which you would ever refuse to act, because in my view if he breaches and the UN does nothing, then the authority of the UN is then hugely weakened. But I don’t believe that will happen.

“I believe that at the heart of that UN resolution is really a deal ... which said ... the US and the UK and those who feel really strongly about the threat that Saddam and weapons of mass destruction pose, they are prepared to go the UN route, to bring everyone together ... we will put in the inspectors and give him the chance to comply. We’ll go back to the UN route as the way of enforcing this, then the quid pro quo is ... if he then having been given the chance to do the right thing does the wrong thing, we are not going to walk away from it.”

239. Mr Blair also emphasised the threat posed by WMD and the “enormous” potential for them to “fall into the hands of either unstable states or terrorist groups”.

240. During a discussion of the deficiencies in Iraq’s declaration between Mr Straw and Secretary Powell on 11 December, and in response to probing about the statement that “a deficient declaration would be enough” to warrant action, Mr Straw told Secretary Powell that he did not think Mr Blair had “gone beyond the well rehearsed UK lines on two resolutions”.⁷⁷

⁷⁶ *Financial Times*, 9 December 2002, *Tony Blair on the Iraq crisis and the Middle East*.

⁷⁷ Letter McDonald to Manning, 11 December 2002, ‘US Secretary of State’.

241. On 9 December, the FCO issued the formal request seeking Lord Goldsmith's advice on whether a further decision by the Security Council would be required before force could be used to secure Iraq's compliance with its disarmament obligations.

242. The request stated that Lord Goldsmith's advice was not needed "now".

243. The content of the letter from Mr Michael Wood, FCO Legal Adviser, to Lord Goldsmith⁷⁸ and the meeting held at Lord Goldsmith's request with No.10 officials on 19 December,⁷⁹ are addressed in Section 5.

244. Mr Blair was advised on 11 December that there was impatience in the US Administration and it "looked intent on military action in February/March".

245. There was a need to build "the strongest possible case" that Saddam Hussein was in material breach of his obligations and "the widest possible international support for action" through a second resolution.

246. Sir David Manning and Sir Richard Dearlove had a joint meeting with Dr Rice and Mr George Tenet, the Director of Central Intelligence, in Washington on 9 December.⁸⁰

247. Sir David reported to Mr Blair that Dr Rice had "clearly been provoked" by Saddam Hussein's "challenge that it was up to us to prove he had WMD rather than up to him to prove he did not". She was:

"... confident that the [Iraqi] declaration would be a sham. The [US] Administration would in due course declare it deficient and say that Saddam was in material breach. But she again accepted that this would not amount to a casus belli."

248. Dr Rice had "made no effort to hide the fact that the Administration would now be looking to build the case for early military action ... probably mid/late February as we suspected". But she had:

"... denied that military planning was dictating the timetable. The need to resolve the crisis quickly was dictated by political factors. Internally ... President [Bush] was being 'griddled'. Externally, the international community ... would soon lose their nerve if they began to doubt our determination to impose disarmament on Saddam if he did not disarm himself. And if we let the inspections process run, and Blix found nothing as was only too likely, the Russians, French and others would deride US and UK claims ... leaving us exposed and Saddam strengthened."

⁷⁸ [Letter Wood to Adams, 9 December 2002, 'Iraq: Security Council Resolution 1441 \(2002\)'](#).

⁷⁹ [Minute Brummell, 19 December 2002, 'Iraq: Note of Meeting at No. 10 Downing Street – 4.00 pm, 19 December 2002'](#).

⁸⁰ [Minute Manning to Prime Minister, 11 December 2002, 'Iraq'](#).

249. Sir David reported that he had been clear about Mr Blair's determination that Saddam Hussein had to disarm or be disarmed; he was "obliged to co-operate" and if he didn't, "he would be in breach and military action would follow".

250. Sir David said that Iraq's declaration should be handled in a way "calculated to maintain Coalition support and to try to secure a second resolution". He thought that was possible, but Dr Rice's.

"... impatience for action was much more obvious than her commitment to secure international backing. She wanted to know what I thought would constitute material breach, and how we could catch Saddam out if he did not trap himself through his own mistakes."

251. Sir David told Dr Rice that some cases would be straightforward, such as:

"... the discovery of VX, anthrax, or a nuclear programme ... But it would be much more difficult if we were dogged by a series of low-level and less clear-cut acts of obstruction ... We would then be in a grey area where it would be much harder to persuade the international community to act."

252. Sir David stated that the UK needed "a convincing case based on evidence. Public defiance by Saddam was not the same as proving non-compliance." The US and UK "should work hard over the next couple of months to build our case and secure a second resolution". That would comprise three strands of action:

- Analysing the declaration: "If Saddam failed to address the discrepancies identified by UNSCOM ... would immediately have a powerful argument that the declaration was false and incomplete".
- "the smoking gun: it was unlikely but not impossible, that we would acquire intelligence that caught Saddam red-handed ..." Dr Rice thought the chances of that were "very slim".
- "Pattern of deceit": building up "a comprehensive picture of Saddam's obstruction and deception. This would consist of the steady accumulation of examples that might be small in themselves but would be telling when taken together".

253. Dr Rice had agreed the US and UK should pursue those strands and:

"... would like to go to the Security Council around the end of January or early February to make the case that Saddam was not co-operating and the time had come for military action."

254. Before that, Mr Blair and President Bush "should meet to review the evidence and the options".

255. Sir David wrote that Dr Rice was "very irritated" about Dr Blix's reluctance to interview key individuals outside Iraq, and she was "impervious to arguments" that those

identified might refuse because of fear for their lives or those of their families. If Dr Blix would not use the powers in resolution 1441, he would “have to go”.

256. Sir David reported that he had also “raised the question of British energy companies”. He “hoped they would be treated fairly and not overlooked if Saddam left the scene and new oil and gas concessions were being allocated”.

257. Dr Rice had responded that:

“... it would be particularly unjust if those energy companies who had observed the sanctions regime were not among the beneficiaries in a post-Saddam Iraq. She knew UK companies belonged in this category.”

258. Sir David concluded:

“Condi’s mood has hardened substantially since the NATO Prague Summit in favour of early military action. (This may be fuelled by a President who is increasingly uncomfortable with pressure inside the Republican Party, and riled by Saddam’s taunts). She does not expect the inspections process to produce conclusive (perhaps not even convincing) evidence. This is prompting her insistence that we must make clear that the burden of proof is on Saddam, not us ... From this evidence I think there is a real risk that the Administration will overdo the pressure on Blix: they might force him into resignation with damaging repercussions ...

“The mood of the Administration could shift again. But on present form they look intent on military action in February/March. We need to ensure that they use the next two to three months to build the strongest possible case that Saddam is in material breach; and then secure the widest possible international coalition of support for action expressed through a second ... resolution. We are in for a tough few weeks. Your influence with Bush will be critical.”

259. Sir David recommended:

- co-ordinating US and UK reactions to the Iraqi declaration and asking pointed questions exposing its shortcomings, “putting the onus on Saddam to explain and justify”;
- impressing on Dr Blix the need for a “robust and energetic inspections regime, including a programme of interview” while discouraging the US Administration from putting such pressure on him that he “denounces them and/or resigns”;
- making “maximum efforts to find a smoking gun”, ideally “a top level defector ... willing to testify publicly about Saddam’s WMD programme. Sir Richard Dearlove and Mr Tenet were “on the case”;
- building up “the dossier on Saddam’s pattern of deception and obstruction, eg pieces of intelligence showing that he is moving equipment around, has destroyed documentation, etc”; and

- “consider an early, steady phone call from you to Bush; and pencil in a January meeting between you.”

260. During a meeting with Mr Hoon and Adm Boyce to discuss military planning on 11 December (see Section 6.1), Sir David Manning and Sir Richard Dearlove also briefed Mr Blair on their recent visits to Washington and “on UK attempts to secure credible evidence that the Iraqi WMD declaration was false.”⁸¹

261. Mr Rycroft recorded that Mr Blair:

“... said that we needed to analyse the Iraqi declaration, ask pointed questions about issues which the declaration failed to deal with ... encourage Blix to ask these questions of the Iraqis too, and continue to work on securing credible evidence that Saddam was pursuing WMD programmes.”

262. Mr Blair would speak to President Bush and possibly Dr Blix in the next few days.

263. Mr Campbell wrote in his diaries:

“C [Sir Richard Dearlove] and David Manning were just back from the US and they reported the mood there was far tougher. They [the US] felt Saddam was just messing about and that Blix was hopeless and too soft.”⁸²

264. In preparation for a conversation with President Bush, Mr Stephen Pattison, Head of the FCO United Nations Department, provided advice on key messages for Mr Blair.⁸³

265. The FCO messages were:

- We’re working fast on analysing the declaration and identifying discrepancies between it and our intelligence.
- We should not rush to a final judgement. It will be worth taking a little time to build the best possible case against Iraq.
- The UK would adopt a sceptical tone when Dr Blix briefed the Security Council on 19 December.
- The onus was on Iraq to demonstrate it was co-operating fully and UNMOVIC should be encouraged to push hard. Access to information would be crucial.
- The UK should help UNMOVIC to identify personnel who might be able to provide relevant information.
- An omission in the declaration would not “by itself” constitute a material breach.
- It was “much more likely that we shall be able to establish a material breach over time, as we build up a pattern of non-compliance which is sufficiently serious to

⁸¹ [Letter Rycroft to Watkins, 11 December 2002, ‘Iraq: Military Preparations’.](#)

⁸² Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

⁸³ Letter Pattison to Rycroft, 11 December 2002, ‘Iraq: PM’s Conversation with President Bush’.

indicate that Iraq has no intention of full co-operation ... We need to encourage UNMOVIC to keep careful data to establish whether there is a pattern of Iraqi behaviour indicating they have no intention of complying”.

- It would be important to keep the Security Council united, but that would “not be easy”.

266. Cabinet on 12 December was told that the Security Council had decided that Iraq’s declaration had to be scrutinised before it was made available to a wider audience to ensure that particularly sensitive information had been excised.⁸⁴ An initial discussion of the declaration was expected the following week.

267. Mr Peter Gooderham, Political Counsellor in the British Embassy Washington, reported on 12 December that a US official had told him that he expected the US Administration to decide “probably sometime in mid-January, to lay it on the line that Iraq had ‘one last chance’ to co-operate”.⁸⁵ This would be accompanied by “an increasingly overt military build up from early January”. Additional measures for putting pressure on Saddam Hussein were also being considered. The US Administration was also considering a public presentation of the evidence against Iraq.

268. The letter was seen by Sir David Manning.⁸⁶

269. Mr Julian Miller, Chief of the Assessments Staff, advised Sir David Manning on 13 December that the Iraqi declaration was “largely based on material already presented to the UN”, and that:

“There appears to have been no attempt to answer any of the unresolved questions highlighted by UNSCOM or refute any of the points made in the UK or US dossiers.”⁸⁷

270. The absence of new material was described as “striking, particularly in relation to the biological weapons programme, where UNSCOM have described previous Iraqi FFCDs as deficient in all areas”. The DIS had also clarified that Iraq had “only previously admitted to testing VX in aerial munitions, not to any other weaponisation”.

JIC ASSESSMENT, 13 DECEMBER 2002

271. A JIC Assessment issued on 13 December warned that any US-led action against Iraq and a subsequent occupation was one of many issues that could draw large numbers to Islamist extremist ideology over the next five years.

272. The Assessment is addressed in the Box below.

⁸⁴ Cabinet Conclusions, 12 December 2002.

⁸⁵ Letter Gooderham to Oakden, 12 December 2002, ‘Iraq: How Imminent is War?’

⁸⁶ Manuscript comment Manning, 17 December 2002, on Letter Gooderham to Oakden, 12 December 2002, ‘Iraq: How Imminent is War?’

⁸⁷ Minute Miller to Manning, 13 December 2002, ‘Iraq: WMD Declaration’.

JIC Assessment, 13 December 2002: 'International Terrorism: The Next Five Years'

At the request of the Cabinet Office, the JIC assessed the threat from international terrorism over the next five years, to inform the UK's counter-terrorism strategy, on 11 December.⁸⁸

The minutes record that the points made in discussion included:

- The paper needed to make a firmer judgement about whether the threat from terrorism would diminish or increase. For instance, "would the terrorists up the ante ... by attempting to use CBRN [chemical, biological, radiological and nuclear] weapons"?
- "The paper should make more of the possible links between terrorist groups and the loose network of WMD suppliers."
- In relation to prospects for 2007, the paper should "stress the likelihood of mutation of the threat, and highlight linkages to regional political factors, particularly in the Middle East".

The JIC Assessment judged that Al Qaida would continue to attempt mass effect attacks, and that "Attacks using chemical/biological materials within the next five years are almost inevitable."⁸⁹

The JIC also judged that Al Qaida might "develop radiological dispersal devices or, less likely, improvised nuclear devices" and that "Technology, expertise and materiel could be acquired from state programmes."

The JIC assessed that "Strong Coalition measures in the campaign against terrorism" would "further radicalise at least some young Muslims. Many issues could draw large numbers to the Islamist extremist ideology over the next five years, including US-led action against Iraq and a subsequent occupation."

The Assessment stated: "Major political change in countries like Iraq [... and others] could place elements of state CBRN programmes at the disposal of Al Qaida."

The JIC sustained its Assessment that the UK would "remain a priority Al Qaida target".

Sir David Omand, the Cabinet Office Permanent Secretary and Security and Intelligence co-ordinator from June 2002 to April 2005, told the Inquiry:

"On 13 December 2002, we warned that US-led action could draw large numbers to the Islamist extremist ideology over the following five years ..."⁹⁰

⁸⁸ Minutes, 11 December 2002, JIC meeting.

⁸⁹ JIC Assessment, 13 December 2002, 'International Terrorism: The Next Five Years'.

⁹⁰ Public hearing, 20 January 2010, page 39.

273. Following Mr Blair’s meeting with Mr Jacques Chirac, the French President, on 13 December, in the margins of the European Council, Sir David Manning reported that President Chirac:

“... had sounded sceptical about the need for military action in Iraq. He would only support this if Saddam made a huge mistake.”⁹¹

MR BLAIR’S CONVERSATION WITH PRESIDENT BUSH, 16 DECEMBER 2002

274. Following Iraq’s declaration, Mr Blair concluded that it was hard to see how conflict could be avoided unless Saddam Hussein started to behave honestly.

275. On 15 December, Mr Straw and Secretary Powell discussed the Iraqi declaration and the need for “hard, on-the-ground evidence” to secure international support for military action.⁹² They also discussed “flood[ing] the zone with intelligence driven inspections”, and an article by Harlan Ullman in the *Washington Post* which had “correctly” made the point that “if you don’t find anything, then there can be no casus belli”.

276. Mr Blair sent a note to officials in No.10 on 16 December.⁹³

277. On Iraq, Mr Blair wrote that the Iraqi declaration was “plainly inconsistent with our intelligence. The test will be to prove it is false.” Mr Blair asked for a report on Dr Blix’s “modus operandi” and to see him later that week or in early January if that were possible.

278. Mr Blair wrote:

“We also need to build on the whole issue of WMD and show its importance. AC [Alastair Campbell] to do a communications note on this, amplifying his earlier one this weekend. But studying the Iraqi declaration, it is hard to see how conflict can be avoided, unless Saddam starts to behave honestly. My sense of Russia and France is that albeit reluctantly, they accept this and will support a new resolution if the breach by Saddam is clear and significant.”

279. Mr Campbell’s response on 19 December is addressed later in this Section.

280. Sir David Manning advised Mr Blair to warn President Bush not to rush to a final judgement. Time would be needed to build the “strongest possible case” against Iraq, and to secure a second resolution.

⁹¹ Letter Rycroft to Sinclair, 13 December 2015, ‘Prime Minister’s Meeting with Chirac, 13 December’.

⁹² Letter Straw to Manning, 17 December 2002, ‘Powell: Iraq’.

⁹³ [Note Blair \[to No.10 officials\], 16 December 2002, \[extract ‘Iraq’\]](#).

281. Sir David Manning advised Mr Blair that he should make the following points in his discussion with President Bush:

- The declaration was a “sham” which they should expose in the debate in the Security Council later that week.
- “We should build up the strongest possible case over the next few weeks. Try to find the smoking gun. Tough but may not be impossible.” A defector “ready to give details of Saddam’s WMD programme” would be better than in country interviews.
- “In addition we need to piece together comprehensive picture of Iraqi obstruction and deception to demonstrate pattern of deceit.”
- “Do everything possible to maintain international coalition you skilfully built. If there is a clear material breach, believe we can get a second resolution ...”
- The UK’s military preparations were “beginning to become more public”. The US and UK military chiefs needed “to keep in very close step”.⁹⁴

282. Mr Blair told President Bush on 16 December that the Iraqi declaration was “patently false”.

283. Mr Blair was “cautiously optimistic” that the inspectors would find proof. Sir Richard Dearlove was pursuing that.

284. Mr Blair suggested that he and President Bush should take stock in January.

285. Mr Blair and President Bush spoke on 16 December.⁹⁵

286. Mr Blair commented that the Iraqi declaration “was patently false. We now needed proof that demonstrated it.” He and President Bush discussed the need to put the burden of truth on Saddam Hussein, how much time he should be allowed, and the need to avoid a loss of momentum.

287. Mr Blair said that military preparations should continue. He did not think that Saddam Hussein would co-operate. He was “cautiously optimistic that the inspectors might find proof that the declaration was false. We needed something or someone who was in some way involved.” Sir Richard Dearlove was pursuing that with Mr Tenet.

288. Mr Blair was “hopeful that this strategy would work; we should take stock in January if it was”.

⁹⁴ Minute Manning to Prime Minister, 16 December 2002, ‘Call to Bush at 12.30 – Checklist’.

⁹⁵ Letter Rycroft to McDonald, 16 December 2002, ‘Prime Minister’s Telephone Call with President Bush, 16 December’.

SIR RICHARD DEARLOVE'S VISIT TO WASHINGTON, DECEMBER 2002

289. During a visit to Washington in mid-December, Sir Richard Dearlove emphasised the need for sufficient evidence to make a convincing case that Iraq had failed to abide by resolution 1441.

290. During a discussion on 15 December, Sir Richard Dearlove told his interlocutor that his impression from his meeting with Mr Blair on 11 December was that “HMG would need clear evidence beyond an audit of the Iraqi declaration, to commit to military action”.⁹⁶

291. Sir Richard reported a view that President Bush was relying on Mr Blair’s assurances that HMG would be with the US.

292. The report sent to Sir David Manning recorded that Sir Richard had discussed the Iraq declaration and the need for a “road map” setting out the next steps with a number of US officials.⁹⁷

293. Sir Richard had told one US official that, in addition to setting out clearly and persuasively that Iraq had failed to abide by resolution 1441:

“... we needed to continue on parallel tracks designed to reinforce the case, and for HMG, to give the PM sufficient evidence of a breach which the declaration by itself did not. We needed:

- a detailed audit of the declaration
- to press the interview issue or force Saddam’s refusal to co-operate
- to prepare for the release of intelligence to prove deception
- to press on with a rigorous inspection regime absent a ‘silver-bullet’.”

294. Sir Richard had said that “perhaps by the end of January all those elements would have produced sufficient evidence to make the convincing case we needed”. A “convincing defector or a revealing site inspection” would be preferable, “but we could not depend on this”. He added later that “success was far from guaranteed”.

295. In a separate conversation with another official, Sir Richard Dearlove had said that he “estimated the chance of a successful operation to produce a defector or a smoking gun at about 20 percent”.

296. In a manuscript comment to Mr Blair, Sir David Manning wrote that “we should go flat out” to find a defector or evidence in a site inspection.⁹⁸

⁹⁶ SIS Internal Record, 16 December 2002.

⁹⁷ Letter PS/C to Sir David Manning, 18 December 2002, ‘Iraq: C’s Discussions in Washington 16-17 December’ attaching Paper, ‘Iraq: C’s Discussion in Washington 16-17 December’.

⁹⁸ Manuscript comment Manning, 18 December 2002, on Paper, ‘Iraq: C’s Discussion in Washington 16-17 December’.

297. Mr Blair replied: “absolutely”.⁹⁹

298. In relation to the estimate that the chance of a successful operation to produce a defector or a smoking gun was about 20 percent, Mr Powell commented: “Not good”.¹⁰⁰

299. On the description of a discussion about a possible presentation of intelligence “when conflict was inevitable”, including overhead photographs of material being moved and intercepts of conversations about deception operations, Mr Blair wrote “but can’t this be used to convince Blix?”¹⁰¹

300. A separate copy of the report was sent to Mr Straw’s Private Office on 19 December.

MR STRAW’S STATEMENT, 18 DECEMBER 2002

301. In a statement issued on 18 December Mr Straw said that Saddam Hussein had decided to continue the pretence that Iraq had no WMD programme. If he persisted “in this obvious falsehood” it would become clear that he had “rejected the pathway to peace”.

302. Mr Straw issued a statement on 18 December stating:

“We have not yet completed a full analysis. But it is clear, even on a preliminary assessment, that it is not the full and complete declaration requested ... and we wish to hear the views of UNMOVIC and the IAEA.

“There are some obvious omissions ... And it seems that Saddam Hussein has decided to continue the pretence that Iraq has had no WMD programme since UNSCOM left in 1998.

“This will fool nobody. If Saddam persists in this obvious falsehood, it will become clear that he has rejected the pathway to peace laid down in resolution 1441.

“... we have always said that we would want the declaration tested by hard questions and robust inspections. As that process continues, we will complete a full analysis of the Iraqi documents.

“Saddam can be in no doubt by now that resolution 1441 offers him the final opportunity to comply honestly and openly.”¹⁰²

⁹⁹ Manuscript comment Blair on Paper, ‘Iraq: C’s Discussion in Washington 16-17 December’.

¹⁰⁰ Manuscript comment Powell on Paper, ‘Iraq: C’s Discussion in Washington 16-17 December’.

¹⁰¹ Manuscript comment Blair on Paper, ‘Iraq: C’s Discussion in Washington 16-17 December’.

¹⁰² The National Archives, 18 December 2002, *Statement by Foreign Secretary on Iraq Declaration*.

PRIME MINISTER'S QUESTIONS, 18 DECEMBER 2002

303. Mr Blair continued to express scepticism about whether Saddam Hussein would comply with resolution 1441; and to emphasise that the UK would if necessary disarm him by force.

304. During Prime Minister's Questions (PMQs) on 18 December Mr Iain Duncan Smith, Leader of the Opposition, asked Mr Blair when the Government would make a formal response to the Iraqi declaration and whether he agreed that Secretary Powell's scepticism was well founded.¹⁰³ Mr Blair replied that the Government would respond "shortly after the Christmas break"; "most people" were "pretty sceptical", but it was important to study the Iraqi declaration in detail and make a considered response.

305. In response to a question from Mr Charles Kennedy, Leader of the Liberal Democrats, about military deployments, and a reported comment by Mr Hoon that the Security Council would not be the final judge of whether military action was necessary, Mr Blair stated:

"... resolution 1441 assumes that there will be a further discussion in the UN Security Council ... [I]t has always been our desire to act with the full authority of the ... Council. We have always made it clear, however, that, if there were a breach and if, for any reason, the Security Council were blocked in any way, we do not believe it right that that breach should go unpunished ... [I]t is important to make sure that we do our level best to work with the UN in any way that we can, but the bottom line – as I have set out from the very beginning – must be that the United Nations route must be the way of dealing with the issue, not the way of avoiding dealing with it ... I believe that the UN will support action in circumstances where there has been a breach."¹⁰⁴

306. Mr Kennedy also asked if the Government would back the US if it decided to take any "pre-emptive unilateral action" before the UN inspectorate had completed its task and submitted its conclusions and recommendations to the Security Council. Mr Blair replied that the US was "bound by the UN resolution, just as we are", and reiterated the points he had made to the *Financial Times* on 10 December about the nature of the "deal" in resolution 1441.

307. Subsequently, in response to a question from Mr Andrew Selous (Conservative) asking for a "clearer explanation" of whether the purpose of a "possible war" in Iraq was "to protect Iraq's citizens and neighbours from Saddam, to enhance UN authority, or to protect Britain from a future missile attack or Iraqi-sponsored terrorism, Mr Blair responded that those factors were not "mutually inconsistent":

"The reasons for being prepared to take action ... are, first, that Saddam has weapons of mass destruction that threaten his region ... if a conflict took place

¹⁰³ House of Commons, *Official Report*, 18 December 2002, columns 835-837.

¹⁰⁴ House of Commons, *Official Report*, 18 December 2002, columns 841-842.

there involving weapons of mass destruction, it is unthinkable that we would not be involved in some way, as we were 10 years ago.

“Secondly, it is important because there is a UN resolution ... that Saddam must give up those weapons ... [I]f ... we were to allow Saddam to breach the UN will and did nothing about it, the consequences would be felt not just in respect of Iraq. We would send a message across the world that this was a serious issue, but one about which we were prepared to do nothing ... We are members of the international community and we believe it is important that Britain make sure that Saddam complies with those UN resolutions. That is why Britain has a vital national interest in ensuring that the resolution is implemented.”¹⁰⁵

MR HOON’S STATEMENT, 18 DECEMBER 2002

308. Mr Hoon told Parliament on 18 December that the UK was making contingency preparations, including the deployment of a naval Task Group for exercises; and that there might be additional maritime deployments in the New Year.

309. In a statement to Parliament on 18 December on contingency preparations for military operations against Iraq, Mr Hoon reported that he had “authorised a range of steps to improve readiness”.¹⁰⁶ He also referred to the planned deployment of a naval Task Group, led by HMS Ark Royal, to the Gulf and Asia-Pacific region, in early 2003, which remained “available for a range of potential operations if required”.

310. Mr Hoon added that the UK was also considering the deployment of “additional maritime forces early in the new year to ensure the readiness of a broad range of maritime capabilities, should they be required”.

311. The development of plans for a possible UK contribution to US-led military action after Mr Blair’s decision at the end of October to offer ground forces to the US for planning purposes, and discussions with the US, are addressed in Sections 6.1 and 6.2.

JIC Assessment, 18 December 2002

312. The JIC’s initial Assessment on 18 December of the Iraqi declaration stated that:

- **Intelligence from late November indicated that Iraq’s aim was to overload UNMOVIC with information.**
- **Iraq “continued to claim that it has not conducted any illicit WMD or ballistic missile programmes since 1991”.**

¹⁰⁵ House of Commons, *Official Report*, 18 December 2002, columns 841-842.

¹⁰⁶ House of Commons, *Official Report*, 18 December 2002, columns 845-846.

- There had been “No serious attempt” to answer any of the unresolved questions highlighted by UNSCOM or to refute any of the points made in the UK dossier on Iraq’s WMD programme.

313. The JIC Assessment addressed the substance of the issues, but the judgement that Iraq had made no attempt to deal with the points in the dossier made the dossier a test for Iraq.

314. That was not its purpose. It was for the UN not the UK to define the bar for Iraq.

315. An ‘Initial DIS Assessment’ of Iraq’s declaration, based on an analysis of the text provided in English and a partial but continuing translation of the key sections written in Arabic, was produced on 16 December.¹⁰⁷

316. On 18 December, the JIC discussed a draft Assessment, supported by the DIS analysis of 16 December.¹⁰⁸

317. Comments recorded in the minutes of the discussion included:

- There had been “no significant disagreements of perception or judgement between the UK and the US”.
- The declaration was “surprisingly bad”; virtually none of the issues arising from the 1999 UNSCOM report had been answered.
- Further analysis of the annexes “would be an enormous job”, and the UK “would have to rely upon seeing the UN translation of much of the Arabic material”. That text was “unlikely to contain the missing information”.
- There would be “a fuller assessment in due course”.

318. The JIC Assessment, ‘An Initial Assessment of Iraq’s WMD Declaration’, was issued on 18 December, with the DIS Assessment of 16 December as an Annex.¹⁰⁹

319. The Key Judgements were:

- The declaration failed “to address the issues outstanding from UNSCOM’s report to the UN Security Council in 1999”.
- Iraq maintained that it currently had “no proscribed WMD programmes”.
- “The majority of information in the declaration” had “already been passed to the UN in some form”.
- “The new material so far found” did “not alter UK assessments of Iraq’s WMD programmes”.

¹⁰⁷ Paper [DIS], 16 December 2002, ‘Iraq: Initial DIS Assessment of the “Currently Accurate, Full and Complete Declaration”’.

¹⁰⁸ Minutes, 18 December 2002, JIC meeting.

¹⁰⁹ [JIC Assessment, 18 December 2002, ‘An Initial Assessment of Iraq’s WMD Declaration’.](#)

- The declaration made “no attempt to deal with the points made in the UK dossier”.

320. The key elements of the Assessment are set out in the Box below.

JIC Assessment, 18 December 2002: ‘An Initial Assessment of Iraq’s WMD Declaration’

The Assessment rehearsed the UK’s knowledge of Iraq’s production of WMD before 1991 and the material which UNSCOM had been “unable to account for”, and the judgements in the September dossier.

Intelligence on the declaration

“Intelligence indicated in early November that Iraq was considering a number of options ... including a possible admission of a small proportion of its illegal activity. But by late November intelligence indicated that Iraq’s declaration would omit references to its banned weapons and that the aim was to overload UNMOVIC with information.” A senior Iraqi official was quoted as saying “the declaration would be general and lacking in detail and had been padded out with various scientific reports and studies”.

Overview

The declaration was “largely based on material already presented to the UN in previous FFCDs [Full, Final, and Complete Declarations] and other correspondence”. “No serious attempt” had “apparently been made to answer any of the unresolved questions highlighted by UNSCOM or to refute any of the points made in the UK dossier”. Iraq continued to “claim that it has not conducted any illicit WMD or ballistic missile programmes since 1991”. “Little new material ... on the nuclear, chemical or biological weapons” had been found; there was “some new material” on missiles.

Chemical weapons

The declaration was based on a June 1996 FFCD and additional information provided to the UN before 1998. Some of that information had not been seen previously by the UK. As well as the “unaccounted for” quantities of agent, precursors and munitions which UNSCOM had identified, the declaration did not:

- “provide a key document detailing the consumption of special munitions in the 1980s” which had been “removed from UNSCOM by the Iraqis”;
- “substantiate Iraq’s denials ... that attempts were made to manufacture and weaponise VX”.

The list of “over 30 sites in which chemical activity” took place was “incomplete”.

Biological weapons

The declaration reiterated information already provided to the UN, which had already been reviewed. It failed to “provide a technically coherent account of Iraq’s biological weapons programme”. The declaration provided new material relating to 40 sites which Iraq claimed had no connection with proscribed activity but which were judged capable of supporting a BW programme. It did not mention some dual-use sites previously monitored by UNSCOM. Names of individuals included in previous declarations on biological weapons

had been “systematically removed”, although the declaration stated that they would be “provided to UNMOVIC on request”.

It did not:

- “address the issue of unaccounted for growth media”;
- “provide fully documented accounts” of the pre-1991 programmes or “recognition of the military application”;
- “acknowledge any proscribed biological weapons activity post-1991”; or
- “mention ... transportable production facilities”.

Nuclear weapons

The declaration was “largely the same as the FFCD” for activity pre-1991 which had been issued in 1998, “with a new extended summary”. It was “accurate” but “incomplete”. It maintained that no weapons-related work had been undertaken since 1998. It did not address whether Iraq had been seeking uranium in Africa.

Ballistic missiles

Most of the data provided related to pre-1991 programmes. The declaration acknowledged “some facilities established since 1998” and “known from intelligence”. It also provided “some limited new evidence of proscribed missile development post-1991”. Two designs were judged to have ranges greater than the limit of 150km.

The “major omissions” were:

- “no attempt to resolve outstanding issues” relating to SCUD missiles;
- “no mention of any post-1998 activity at many missile related facilities, including the al-Rafah engine test stand”, which was “capable of testing engines for missiles with ranges over 1000km”; and
- “no details of recent procurement activity associated with more advanced missile propellant”.

Unmanned Aerial Vehicles (UAVs)

- The declaration referred to “aborted attempts” to convert an anti-ship missile into a land attack weapon with a range of 95km. The JIC judged the “system would be suitable for chemical and biological delivery”.
- The declaration claimed that the L-29 aircraft was “a target-drone” and there “was no mention of a chemical or biological agent delivery capability”. The JIC judged that Iraq had “more aircraft” and had “conducted more flight tests than stated”; and that its range was “understated”.
- The declaration provided “limited, but new information on two UAV programmes”, which Iraq claimed had “started after 1998”, that had been included in reports recently passed to UNMOVIC. They would be “used as target drones”. The JIC judged that the UAVs “would have a significantly better performance” than claimed and could be “adapted to chemical and biological agent delivery”.

Conclusion

The JIC concluded that the declaration so far analysed failed to address the outstanding issues from UNSCOM's report to the Security Council in 1999 and "made no attempt to answer any of the points outlined in the UK dossier". Iraq might:

"... feel they dealt with these points in their previous rebuttal of the dossier. Some of the deficiencies may be addressed in the parts yet to be translated, but this does not look likely."

321. On 20 December, Mr Miller sent Sir David Manning a further DIS overview of the Iraqi declaration.¹¹⁰

322. Mr Miller re-stated the key findings outlined in the 18 December JIC Assessment and identified the principal areas of apparent omission. The main new points identified were:

- an admission by the Iraqis that they have delivered 50 Al Samoud missiles to their military. The UK dossier stated that at least 50 of these missiles had been produced and were being deployed to military units;
- details of missile related procurement activities post-1998, which Iraq claims were for permitted programmes. There are no details concerning the origin of the material and equipment procured, some of which we judge were obtained illicitly;
- the document fails to cover refurbishment at potential BW sites."

323. Mr Miller reported that the DIS would continue to analyse the declaration when a full English text was available from the UN. That was likely to be after Christmas.

324. On 18 December, the JIC also discussed a letter of 13 December from Mr Miller on the cohesion of the Iraqi regime.¹¹¹

325. The main point raised was that the fundamental judgement of the JIC of 6 December had not changed, "especially that nothing short of a massive Coalition force was guaranteed to threaten the regime enough to topple it". There were, however, "more areas of pressure building within the regime, although it was still impossible to say how and when it might fracture". The Iraqi people's perceptions of Saddam Hussein's position would be "crucial". The two "tipping points" would be when:

- "people decided that they would be better off without Saddam"; and
- "they decided that he had finally lost control".

326. The JIC "would need to keep coming back to this subject as events developed in the New Year".

¹¹⁰ [Minute Miller to Manning, 20 December 2002, 'Iraq: WMD Declaration'](#).

¹¹¹ Minutes, 18 December 2002, JIC meeting.

Meeting of the US National Security Council, 18 December 2002

In his memoir, *War and Decision*, Mr Douglas Feith, US Under Secretary of Defense for Policy, described a meeting of the US National Security Council on 18 December 2002, at which the US response to Iraq's declaration was discussed.¹¹²

Mr Feith described differences of view between President Bush and other members of the Council about the position the US Administration should adopt in response to the discussion of the Iraqi declaration of 7 December in the Security Council on 19 December, and the impact which describing the declaration as a material breach of resolution 1441 would have.

Mr Feith reported that, after some discussion, President Bush stated that he thought "war was inevitable". President Bush was concerned that use of the term material breach would create an expectation of military action and a debate about whether it was sufficient for the US to go to war.

Secretary Powell was reported to have taken a different position; and that he had suggested the US should make its case to the Security Council that Saddam Hussein was not co-operating soon after Dr Blix's report on 27 January 2003.

Mr Feith reported that President Bush had reminded those in the room that the point of the 7 December declaration was to test whether Saddam would accept the "final opportunity" for peace offered by the Security Council; and that he had summed up the discussion by stating:

"We've got what we need now, to show America that Saddam won't disarm himself."

Cabinet, 19 December 2002

327. In his update to Cabinet on 19 December, Mr Straw suggested that the Iraqi declaration did not meet the requirements of resolution 1441 and that the next step would be increased efforts by the inspectors to find the evidence. The Security Council could be in a position to declare a material breach by 27 January 2003.

328. Mr Hoon informed Cabinet that preparations were being made to be ready for possible military action.

329. Mr Blair promised that there would be an "opportunity to discuss Iraq in the New Year".

330. Mr Straw reported to Cabinet on 19 December that Iraq's declaration did not look as "accurate, full and complete as the resolution required"; and that, in particular, it failed to explain the material which had been "unaccounted for in 1998 such as: 360 tonnes of bulk chemical warfare agent; 3,000 tonnes of precursor chemicals; growth media

¹¹² Feith DJ. *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism*. HarperCollins, 2008.

for biological agent production and 30,000 munitions for the delivery of chemical and biological agents”.¹¹³

331. Mr Straw reminded his colleagues that a false statement did not represent a material breach, “but it could be a contributing factor”. The next step would be increased efforts by the inspectors to find the evidence. The inspectors had to report to the UN Security Council on progress by 27 January. By that time, “the Security Council could be in a position to declare a material breach”. President Bush would be making his State of the Union speech on 28 January.

332. Mr Hoon informed his colleagues that, “to be ready for possible military action”, it was “increasingly necessary to make visible preparations. Contracts for equipment would be let; Reservists and their employers would be consulted; the notice to move for some units would be reduced; and a naval Task Group led by HMS Ark Royal would depart for exercises.” The US had not yet finalised its military planning but it was “already building up a formidable force and would be ready to use it”.

333. Mr Blair said that “there would be an opportunity to discuss Iraq in the New Year”.

334. Mr Campbell wrote in his diaries that Ms Clare Short, the International Development Secretary, had pointed up the need for more discussion on Iraq.¹¹⁴

Security Council, 19 December 2002

335. In response to a briefing from Dr Blix and Dr ElBaradei on 19 December, the Security Council agreed to a further discussion early the following month, after members of the Council had completed their analytical work.

336. Sir Jeremy Greenstock reported overnight on 17/18 December that Dr Blix would tell the Security Council on 19 December that it could not have confidence that the declaration “disposed of” the question of Iraq’s WMD holdings but that he could not say Iraq definitely had WMD; there was more work to do and the ball was in Iraq’s court.¹¹⁵

337. On 17 and 18 December, Secretary Powell and Mr Straw discussed the pressure on the US Administration to say “something strong” (in response to Dr Blix’s briefing to Members of the Security Council) and the need to catch Iraq “red-handed”.¹¹⁶

338. Dr Blix and Dr ElBaradei briefed Members of the Security Council on 19 December on inspections in Iraq and their preliminary assessment of Iraq’s declaration.¹¹⁷

¹¹³ Cabinet Conclusions, 19 December 2002.

¹¹⁴ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹¹⁵ Telegram 2411 UKMIS New York to FCO London, 18 December 2002, ‘Iraq: Handling of WMD Declaration’.

¹¹⁶ Letter [1] McDonald to Manning, 18 December 2002, ‘Iraq’; Letter [2] McDonald to Manning, 18 December 2002, ‘Iraq’.

¹¹⁷ UN Press Release, 19 December 2002, *Statement to press on Iraq inspections by Security Council President* (SC/7614).

339. Dr Blix reported on the speed of UNMOVIC’s build-up of operations in Iraq and that it had inspected 44 sites, including eight newly declared locations.¹¹⁸ Access to the sites, including those previously designated by Iraq as sensitive or Presidential, had been “prompt”, and assistance had been “expeditious”. The location of artillery shells and containers with mustard gas, which had been placed under UNSCOM supervision in 1998, had been identified and they would be sampled and eventually destroyed. Dr Blix reported that Iraq had formally been asked to submit the names of all personnel currently or formerly associated with some aspect of Iraq’s programme of weapons of mass destruction and ballistic missiles by the end of the year; and for legislation implementing resolutions, notably laws prohibiting engagement in the development, production or storage of proscribed material.

340. In his “necessarily provisional” comments on the declaration, Dr Blix stated that Iraq continued to state that there were no weapons of mass destruction in Iraq when the inspectors left in December 1998 and that none had “been designed, procured, produced or stored in the period since then”. While individual Governments had stated that they had “convincing evidence to the contrary”, UNMOVIC was, at that point, “neither in a position to confirm Iraq’s statements, nor in possession of evidence to disprove it”.

341. During the period between 1991 and 1998, Iraq had submitted many declarations which had “proved inaccurate or incomplete or was unsupported or contradicted by evidence”. The statements by Iraq were not sufficient to create confidence that no weapons programmes and proscribed items remained: the statements needed to be “supported by documentation or other evidence” which would allow them to be verified.

342. The overall impression was that “not much new significant information” had been provided which related to proscribed programmes; nor had “much new supporting documentation or other evidence been submitted”. Iraq had provided new information on:

- missile activities, including a series of new projects at various stages of development, which Iraq claimed were permitted;
- a short-range rocket manufactured using 81mm aluminium tubes; and
- the “Air Force” document¹¹⁹ relating to the consumption of chemical weapons in the Iran-Iraq war.

New material had been provided “concerning non-weapons related activities”.

¹¹⁸ UN Security Council, 19 December 2002, ‘Notes for briefing the Security Council regarding inspections in Iraq and a preliminary assessment of Iraq’s declaration under paragraph 3 of resolution 1441 (2002) – Hans Blix, Executive Chairman UNMOVIC’.

¹¹⁹ A document found by an UNSCOM inspector in a safe in Iraqi Air Force headquarters in 1998. It gave an account of the expenditure of bombs, including chemical bombs, by Iraq in the Iran-Iraq war which raised questions about Iraq’s previous accounts. Iraq had taken the document from the inspector.

343. There were also inconsistencies and areas which needed clarification, including:

- the omission of information on imports of bacterial growth media;
- declaration of the development of a variant of the Al Samoud missile which had exceeded the permitted range in test flights; and
- a lack of supporting evidence to address unresolved issues identified in the 1999 UNSCOM and Amorim reports.

344. In conclusion, Dr Blix stated that, if Iraq failed to provide evidence supporting its statements, the inspectors could not guarantee that all possibly concealed items and activities would be found; but they would make attempts at concealment more difficult.

345. A statement by the President of the Council said that the members had noted the contents of the briefing and expressed their intention to have a further discussion “early in January after all members of the Council finish their own analytical work” and more regular briefings from UNMOVIC and the IAEA.¹²⁰

346. In his remarks to the Security Council, Sir Jeremy Greenstock drew on the statement issued by Mr Straw on 18 December. He gave examples of weapons and materials which had not been accounted for in the declaration and added that:

“The declaration fell well short of providing compelling evidence that Iraq wishes to establish a new co-operative relationship with UNMOVIC and the Council. On the contrary, it suggested that Iraq had no intention of complying with SCR 1441, or taking the pathway to peace laid down in that resolution. We wanted to see ... the discrepancies probed rigorously ... In short, we were very disappointed that Iraq had not taken the 1441 opportunity. I would not speculate what this meant. But Iraq now had to be 100 percent pro-active in co-operating with the inspectors in accounting for every remaining doubt. Withholding this quality of co-operation risked bringing into play the second part of OP4 of 1441.”¹²¹

347. Sir Jeremy Greenstock also reported that Dr ElBaradei had appealed to Member States to offer whatever information they had to assist UNMOVIC and the IAEA in reaching credible conclusions on Iraq’s weapons programmes.

348. Sir Jeremy described the meeting as a “surprisingly low key affair, largely because the non-permanents had only had the declaration for 36 hours”. Some of them were insisting that they see the un-excised version.

349. Sir Jeremy reported that Dr Blix had told the press that there was little new evidence in the declaration and what was new generally related to non-weapons programmes. Iraq was co-operating on process but much more was needed on

¹²⁰ UN Press Release, 19 December 2002, *Statement to Press on Iraq Inspections by Security Council President (SC/7614)*.

¹²¹ Telegram 2450 UKMIS New York to FCO London, 20 December 2002, ‘Iraq: WMD Declaration’.

substance. There were open questions which had not been answered with evidence. Iraq had missed an opportunity in its declaration, but could still provide information.

350. Mr Campbell recorded that Mr Blair was “worried about Blix’s comments that we had not been helping enough with the intelligence”.¹²²

351. Mr William Ehrman, FCO Director General Defence and Intelligence, advised Mr Straw’s Private Secretary on 19 December that the UK was passing intelligence to UNMOVIC but “We had not found a silver bullet yet.”¹²³

352. Mr Straw issued a statement which said that the declaration failed to meet Iraq’s obligations and that there could not, therefore, be any confidence in Iraq’s claims that it had no WMD.

353. In a statement issued after the reports to the Security Council, Mr Straw said that they showed:

“... clearly that Iraq has failed to meet the obligations imposed on it by Security Council resolution 1441, which requires them to make a full and complete disclosure of their weapons of mass destruction ... as Dr Blix has said, this means that we cannot have confidence ... to put it very mildly – that Iraq has no weapons of mass destruction as it has claimed. This now means that Iraq faces even greater responsibilities to comply fully with the inspectors and co-operate fully with the United Nations if military action is to be avoided. This disclosure does not of itself trigger military action ... but it is a very serious failure to comply, and a clear warning has to go out to Iraq that they now have to co-operate fully with the United Nations and its inspectors as is required of them by international law.”¹²⁴

354. Secretary Powell warned that Iraq was “well on its way to losing its last chance”, and that there was a “practical limit” to how long the inspectors could be given to complete their work.

355. Secretary Powell gave a press conference on 19 December stating that the Iraqi declaration did not address Iraq’s stockpiles or supplies of chemical and biological agents and the procurement and use of high-strength aluminium tubes that can be used in a nuclear weapons programme: “Most brazenly of all, the Iraqi declaration denies the existence of any prohibited weapons programs at all.”¹²⁵ There was a “pattern of systematic holes and gaps”. The US was “disappointed, but ... not deceived ... On the

¹²² Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹²³ Minute Ehrman to Private Secretary [FCO], 19 December 2002, ‘Iraq: Passing Intelligence to UNMOVIC’.

¹²⁴ The National Archives, 19 December 2002, *Jack Straw’s Statement on Iraq after Weapons Inspectors’ report*.

¹²⁵ US Department of State Press Release, *Press Conference Secretary of State Colin L Powell, Washington, 19 December 2002*.

basis of this declaration, on the basis of the evidence before us, our path for the coming weeks is clear.”

356. Secretary Powell proposed a four-step approach in the coming weeks to:

- audit and examine the Iraqi declaration “to understand the full extent of Iraq’s failure to meet its disclosure obligations”;
- conduct interviews with scientists and other witnesses outside Iraq;
- intensify UN inspectors’ efforts inside Iraq; and
- consult the Security Council and US allies on how to compel Iraq to comply with the terms of the resolution.

357. Secretary Powell stated that the United States, and he hoped other Council members, would “provide the inspectors with every possible assistance, all the support they need to succeed in their crucial mission”. Resolution 1441 had called for “serious consequences for Iraq” if it did not comply. So far, Iraq was “well on its way to losing its last chance”. There was “no calendar deadline”, but there was “a practical limit to how much longer you can just go down the road of non-co-operation and how much time the inspectors can be given to do their work ... This situation cannot continue.”

358. Mr Straw and Secretary Powell had spoken before the press conference about Mr Straw’s remarks on the *BBC’s Today* programme earlier that day. Mr Straw said that he had “repeated [the] long standing position that [the UK] would prefer a second resolution, with the usual Kosovo caveats”.¹²⁶

359. Mr Straw and Secretary Powell also discussed the need for the White House to be clear about Mr Blair’s position.

360. In a letter to Mr Straw’s Private Secretary, Mr Ehrman wrote:

“With the American military machine now increasingly set on auto-pilot towards war, the nightmare scenario of the UK having to decide whether to join US military action without a second SCR is only made more likely ...”¹²⁷

361. Sir Christopher Meyer reported on 19 December that there was “some fairly intensive kremlinology going on in the White House about the British political scene ... What did Tony Blair need to be able comfortably to go to war?”.¹²⁸ The current US view “which could change, was that a second SCR was attainable”. Sir Christopher had told a senior US official that “a spring war looked as close as possible to being inevitable without actually being inevitable”.

¹²⁶ Letter McDonald to Manning, 19 December 2002, ‘Iraq: Conversation with Colin Powell, 19 December’.

¹²⁷ Minute Ehrman to Private Secretary [FCO], 19 December 2002, ‘Iraq: Passing Intelligence to UNMOVIC’.

¹²⁸ Letter Meyer to Manning, 19 December 2002, ‘Iraq’.

The need for a communications strategy

362. Mr Campbell advised Mr Blair that a statement would be needed early in the New Year bringing all the strands of the strategy on Iraq together to set out the UK Government's position and to counter the sense that the UK was acting for America.

363. Mr Campbell suggested that the statement should communicate the “big picture” and provide the basis for addressing difficult questions: Why Iraq? Why now? And why us? That should include the UK's definition of material breach.

364. Mr John Williams had written to Mr Campbell on 2 December in response to a request for “strategic public objectives on Iraq, setting out our aims, and working through the difficult issues”.¹²⁹ Mr Williams provided two papers, one on “Public Objectives” for public use and one on “Media Tactics”. Both had been approved by Mr Straw.

365. The paper on “public objectives” drew on the strategic objectives agreed by Mr Blair and sent to Ministers on 22 October (see Section 3.5).

366. Production of a document setting out the UK objectives and the need to be more “in control of the agenda” was discussed at meeting of an Iraq Strategy Group chaired by Mr Campbell on 10 December and subsequently.¹³⁰

367. In response to Mr Blair's request of 16 December, Mr Campbell wrote to Mr Blair on 19 December setting out the need to explain the UK's strategy and seeking Mr Blair's views.¹³¹

368. Mr Campbell wrote: “Iraq is moving up a gear as an issue and as we enter the New Year we need to step up our communications efforts.”

369. Mr Campbell recommended that the objectives approved in October should be published as soon as Parliament returned on 7 January, with a statement in the House of Commons from Mr Blair alongside publicity generated by the FCO Heads of Mission Conference. The statement would set out the strategic framework for the Government's overall approach and draw together the diplomatic, political and humanitarian strands of the strategy on Iraq as well as addressing issues of proliferation and terrorism. It would “give us all the big picture to communicate and give us a handle for the difficult questions as we go”.

¹²⁹ [Email Williams to Campbell, 2 December 2002, 'Strategy Note' attaching Paper, 'Public Objectives' and Paper, 'Media Tactics'.](#)

¹³⁰ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹³¹ [Minute Campbell to Prime Minister, 19 December 2002, 'Re: Iraq Communications'.](#)

370. Mr Campbell argued that the communications strategy “should be rooted in where we think we will end up which currently looks like a military conflict that ends in Saddam falling”. The major steps and key messages envisaged by Mr Campbell were:

- Iraq’s declaration would be “shown to be false – requires strategy which ... emphasises our determination to ensure Saddam Hussein understands ... this is his last chance and that we are trying our hardest to make the process work ... We need to guard against the sense that we are looking for the process to fail, rather than looking for the process to succeed;”
- a “UN discussion” where the tone would be one of “regret that he [Saddam] failed to take the chance” and with the “UK at heart of coalition building around key arguments”;
- a “Military build up” which moved from the “current argument that ‘sometimes the only way to avoid conflict is by making it clear willing to use force if necessary’ to ‘we did not want war, but Saddam Hussein has rejected the peaceful path to disarmament’”;
- “Military conflict: This is the last resort. Now we need to get the job done”; and
- “Post conflict: We’re there to help for the long term.”

371. A “specific communications plan for the Iraqi people” was being developed which would emphasise Iraq’s territorial integrity and make it clear that “we are gunning for Saddam’s people at the top, not the ‘ordinary’ people”. In Mr Campbell’s view they would “actually prefer a ‘regime change’ message to a more subtle ‘disarmament’ message”.

372. Mr Campbell argued that the UK needed a “clear sense of a UK Government position that is our own ... not merely an echo” of the US position and counter the sense that the UK was acting for America. The UK had to “communicate better the threat and relevance to the UK”. The UK position “should be that the issue of Iraq/WMD has to be addressed, we worked hard to get [the] UN route ... and we’re working hard to make that route work. But Saddam has to understand this is his last chance, and in the meantime we carry on military preparations.”

373. Mr Campbell wrote that the US tone was “dismissive” on inspections; the UK had to be deliberative. The UK needed to “set out our own definition of material breach. The closest we have is Jack [Straw]’s statement that ‘material breach means something significant: some behaviour or pattern of behaviour which is serious’”. In Mr Campbell’s view, the media confused “material breach and trigger”.

374. Other points made by Mr Campbell were that the UK needed to:

- “... rebut the ‘poodle charge’ by answering more clearly the questions – Why Iraq? Why now? And why us?”;
- “... put over to the public” that we are in charge of our military preparations, separate from the Americans, “though obviously linked”. The fact that the US/UK

had hugely superior military was likely to have the most impact on Iraqi opinion “so we have agreed MOD should step up their military preparedness briefing”;

- rebut negative stories, including the “charge that the conflict is all about oil”;
- “... make more of the issue of WMD more generally, and make the link (largely unbelieved here or in the US) with terrorism. It is a theoretical link, not yet an actual one, and the US, in continuing to make claims of an actual link, risk being counter productive”; and
- have “better answers to the charge of double standards re Israel, which is the single biggest impediment to effective communications in the region”.

375. Mr Campbell concluded that there was “a big job of work to do” which would “require a lot of input” from Mr Blair and set out a list of potential communications opportunities in January.

376. Mr Campbell also set out the arrangements he had put in place to “implement a major communications strategy, including:

- a weekly strategy meeting;
- daily reviews;
- daily US conference calls;
- CIC [Communications and Information Centre] reactivated;
- excellent output by the Islamic Media Unit;
- a small but effective presence in Amman (media route to Baghdad); and
- good co-operation with the Agencies.”

377. Mr Campbell also sent Mr Blair an “agreed Iraq strategy document”, advising him that it showed “a lot of work has been done, and we have the outlines of a good communications strategy”.

The absence of a “smoking gun”

378. Mr Straw told Secretary Powell on 30 December that the US and UK should develop a clear “plan B” postponing military action on the basis that inspections plus the threat of force was containing Saddam Hussein.

379. On 24 December, Mr Straw told Secretary Powell that the UK was:

“... clear that a second resolution should be sought if justified. Such an approach was essential from the point of view of UK politics. Although we had not sought or received definitive legal advice, I thought it would be hard going with our Attorney General if there were no second resolution. It would be especially difficult for us without a second resolution except in a ‘Kosovo-equivalent situation’ (where we had a majority in the Security Council but were vetoed by one P5 Member only).”¹³²

¹³² Letter Straw to Manning, 24 December 2002, ‘Conversation with Powell: Iraq’.

380. Mr Straw and Secretary Powell discussed again the importance of Mr Blair making that point when he next spoke to President Bush. They also discussed that it would be hard to see how there could be a second resolution, and even harder to justify military action, if the inspectors failed to find anything.

381. Mr Straw and Secretary Powell spoke twice on 30 December. In their first conversation, they discussed the possibility that the military would be ready to take action but there would be no *casus belli*.¹³³

382. In their second conversation Mr Straw and Secretary Powell discussed the likelihood that, when the UN inspectors reported to the Security Council on 27 January, they would report that they needed more time to complete their work.¹³⁴

383. Mr Straw said it was:

“... perfectly possible that a clear casus belli could have been presented by 27 January, in which case we would get a second resolution and military action would go ahead. But there was a sufficient possibility that we would not be in that position. We should therefore develop a clear ‘plan B’ for the President and the Prime Minister in which military action was postponed on the basis that inspections plus the threat of force was containing Saddam.”

384. Mr Straw said he would discuss that further with Sir David Manning and Mr Ricketts.

Resolution 1452

On 30 December, the Security Council adopted resolution 1452, adjusting the Goods Review List approved in resolution 1409 (2002) and deciding to conduct a thorough review of the List and the procedures for its implementation.¹³⁵

Russia and Syria abstained in the vote:

- The Russian representative stated that the text was too restrictive.
- The Syrian representative stated that Iraq’s co-operation with the weapons inspectors and constructive approach on resolution 1441 (2002) should lead to the lifting of sanctions, not the addition of further restrictions.¹³⁶

¹³³ Telegram 671 FCO London to Washington, 30 December 2002, ‘Iraq: Foreign Secretary’s Conversation with US Secretary of State, 30 December’.

¹³⁴ Letter Straw to Manning, 30 December 2002, ‘Iraq: Conversation with Colin Powell, 30 December’.

¹³⁵ UN Security Council resolution 1454 (2002).

¹³⁶ UN Press Release, 30 December 2002, *Security Council Adjusts List of Restricted Goods Procedures of Iraq Oil-for-Food Programme (SC/7623)*.

Advice for Mr Blair in early January 2003

385. Mr Straw advised Mr Blair on 3 January 2003 that there was an urgent need to lower expectations that military action against Iraq was inevitable.

386. The UK should emphasise that the preferred strategy was peaceful disarmament and that decisions would not be taken at the Security Council on 27 January.

387. Mr Straw and Secretary Powell's view was that it would be rash to bank on an assumption that the inspectors' reports to the Security Council on 27 January would provide grounds to trigger a further meeting of the Security Council and a resolution authorising the use of force.

388. There was a need for private discussions with the US on the strategy in the event that the inspections failed to produce an "early and large smoking gun".

389. Mr Straw's view was that a peaceful solution was, on balance, more likely than conflict.

390. Mr Straw wrote to Mr Blair on 3 January 2003 about the need urgently to lower public expectations, in the UK and abroad, that:

"... the die will be cast at the Security Council meeting on 27 January. If we are not careful, the necessary military build up will allow the media to set us up for a fall ... when and if the outcome ... is far from an authorisation for war. Your speech to the Diplomatic Service Conference on Tuesday [7 January] is therefore very important in setting the scene for the next three weeks."¹³⁷

391. Mr Straw wrote:

"... a lot of effort is being made by the ... agencies to provide Blix and EIBaradei [with leads drawing on intelligence reports] ... to enable them to upgrade their inspections over the next three weeks. It is possible that this will produce a big smoking gun, sufficient for Blix and EIBaradei to point in their 27 January report to a breach of obligation by Iraq sufficient to trigger OPs 11 and 12 of [resolution] 1441, a further meeting of the Security Council, and a resolution authorising the use of force ... But, in my view (shared by Powell) it would be rash to bank on this. So far, reality has not matched the expectation generated by the intelligence ...

"Scenarios just as likely as a clear material breach by 27 January are:

- (i) an indication from Blix/EI-Baradei that they have been broadly satisfied with the level of co-operation by Iraq, and have so far found nothing of any significance but will continue looking;

¹³⁷ [Minute Straw to Prime Minister, 3 January 2003, 'Iraq – Plan B'.](#)

- (ii) concerns by them of some lack of co-operation, and in respect of some of their finds, but in neither case adding up to a *casus belli* to satisfy a majority on the Security Council.”

392. Mr Straw suggested the UK’s messages should be:

- “• to emphasise that our preferred strategy continues to be ... disarmament by peaceful means, through the UN system;
- the 27 January meeting is not and never has been a decision deadline ...
- whatever the inspectors say to the 27 January meeting, decisions, particularly on military action, would not be taken then.”

393. Mr Straw warned Mr Blair that the UK would be “faced with the argument that the finds prove that inspection is working: we will be told to let them continue and destroy what they find rather than going to war”.

394. Mr Straw suggested that the UK needed “to discuss very privately with the Americans over the next few weeks our strategy if inspections produce no early and large smoking gun”. The purpose would be to explore whether the US could or would maintain the position of continuing inspections and a military build-up at a high state of readiness “for weeks or even months”.

395. Mr Straw stated that there were signs that President Bush recognised that going to war “without a publicly convincing trigger, and without a second UNSCR, could well be politically worse for him ... as well as acutely difficult for us”. Secretary Powell had told Mr Straw that “if there was an insufficient case for a second resolution, there would equally be an insufficient case for the US to go unilateral”.

396. Mr Straw offered to discuss the issues with Mr Blair.

397. Mr Campbell wrote in his diaries that Mr Straw had:

“... called me a couple of times over the holiday and emphasised the importance of TB [Mr Blair] not positioning himself so that no war looked like failure.”¹³⁸

398. Mr Straw told the Inquiry that in “very early January [2003] he had bumped in to two journalists” who had asked about the odds of avoiding war, and that he had replied “60/40”.¹³⁹ That reply then “found its way into the newspapers”. Mr Straw stated that he had formed that “provisional judgement” from his own reading of the Iraqi regime’s behaviour:

“... by its own terms it acted with some rationality. I could not believe that, faced with the near certainty of military action if it failed to comply with 1441, the regime could

¹³⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹³⁹ Statement, January 2010, paragraphs 34-35.

fail to appreciate that its very survival depended on full compliance, and that this would be relatively straightforward for them to prove – unless they had something terrifying to hide. In the event, however, my optimism proved unfounded.”

399. Asked to explain the basis for his optimism, Mr Straw responded in his statement for the Inquiry in January 2011 that:

“... a key foundation ... was that the United States had committed itself to dealing with Saddam by working through the United Nations ...

“This was coupled to emerging evidence that, while by no means sufficiently, the inspectors were beginning to make some progress ...

“Additionally, there were indications from the United States that it was moving closer to committing itself to going for a second resolution. My optimism at the time was therefore also in part based on the hope of a unified Security Council position, in the form of a second resolution. I believed at the time, and I still believe today, that confronting Saddam Hussein with this clear united position from the international community ... would have presented us with the best way to deal with Iraq peacefully.”¹⁴⁰

400. Mr Straw confirmed that he was aware that Mr Blair was more sceptical than he was, but in early 2003 his instinct was more optimistic that there would be compliance.¹⁴¹

401. Mr Straw wrote in his memoir that he “wanted to pull back on the idea of a ‘rush to war’ and in particular avoid Hans Blix’s next report, due on 27 January, being the decisive moment”. At the beginning of 2003, he was “optimistic about a peaceful resolution” and, when he had been asked about “the odds of avoiding war” by journalists from *The Times* and the *Sun* on 3 January, he had replied “Sixty/forty”.¹⁴²

402. Sir David Manning advised Mr Blair that the US was close to giving up hope on the UN route and that President Bush was in danger of being driven by the tempo of his own military build-up.

403. The UK should continue to seek to persuade the US that more time was needed to build the case against Saddam Hussein and improve the odds for a second resolution.

404. Sir David Manning provided a note for Mr Blair’s return to office on 4 January, which stated that there had been “no major developments while you have been away. But we need to focus hard on inspections, and military planning in the next few days.”¹⁴³

¹⁴⁰ Statement, 19 January 2011, paragraphs 4.1-4.6.

¹⁴¹ Public hearing, 2 February 2011, pages 79-80.

¹⁴² Straw J. *Last Man Standing: Memoirs of a Political Survivor*. Macmillan, 2012.

¹⁴³ [Minute Manning to Prime Minister, 3 January 2003, ‘Iraq’](#).

405. On inspections, Sir David advised:

“My sense is that the Americans are close to giving up hope that UNMOVIC can deliver results. We should urge them to stick with it. UNMOVIC only reached full strength at Christmas ... The inspectors needed targeted support; and time to build up operating skills. Even so, it’s true that the chances of them finding a smoking gun are relatively small which is why we need a defector if we can get one. But this too, needs time.

“The Americans are in a hurry; perhaps too much of one. This colours their approach to UNMOVIC and makes them impatient ... Too much looks like hurried improvisation, half thought out strategy, with fingers crossed that Saddam will collapse in short order ...”

406. Sir David concluded that there was a danger of the US being driven by the tempo of the military build-up and understandable preference to fight in the spring not the summer. In his view, “more time” was needed “to build the case against Saddam and improve the odds for a second resolution”.

407. In a manuscript note on Mr Straw’s letter of 3 January, Sir David Manning told Mr Blair that Washington was “aware of the pitfalls and thinking in terms of a second resolution”.¹⁴⁴

408. Sir David Manning discussed potential developments before Dr Blix’s report to the Security Council on 27 January with Dr Rice on 3 January. “Emphasising that he was speaking personally”, he told Dr Rice that he was:

“... convinced that we needed a second resolution; and that we would only get one if we could produce convincing evidence that Saddam was in breach. Supposition would not be enough. Apart from the problem of the Security Council, we would not be able to get endorsement from the House of Commons for military action ...”¹⁴⁵

409. Sir David suggested the pursuit of a three-part policy:

- compiling a register of intelligence reports that pointed to specific locations where Saddam Hussein might be hiding WMD, or documents relevant to the WMD programme, and trying “to persuade Dr Blix to mount co-ordinated surprise inspections [...] It was much too early to assume that the inspection route would yield nothing”;
- urging Dr Blix to state publicly that there were numerous gaps and unanswered questions in the declaration: “By demanding that Saddam produce the missing pieces we would be putting the pressure back on him in a way which his apologists would find difficult to counter”; and

¹⁴⁴ Manuscript comment Manning to PM, 3 January 2003, on [Minute Straw to Prime Minister, 3 January 2003, ‘Iraq – Plan B’](#).

¹⁴⁵ Letter Manning to McDonald, 3 January 2003, ‘Iraq: Conversation with Condi Rice’.

- staying closely engaged with the Arab world and exploring the recent suggestion that Saddam Hussein should be given an ultimatum to leave Iraq.

410. Returning to the issue of a second resolution, Sir David wrote that he had repeated that it would be needed:

“... if we were to take military action. This was not because our determination to deal with the Iraqi problem had diminished in any way. Rather it was about the political realities in the UK.”

411. Sir David Manning recorded that the UK must now work closely with the Americans over inspections and approaches to Dr Blix. He knew that the FCO and SIS were working on that and he had asked for advice by 8 January, “on the best way forward”, which he could show to Mr Blair.

412. Sir David and Dr Rice had also discussed the possibility of a meeting between President Bush and Mr Blair.

413. Sir David recommended that Mr Blair should read the record of the conversation in full and that it had been “helpful on a second resolution”.¹⁴⁶ Dr Rice had been very keen that President Bush and Mr Blair should meet at the end of January.

414. Describing this conversation, Sir Jeremy Greenstock told the Inquiry that Dr Rice had told Sir David Manning that:

“... she had been giving considerable thought to this whole issue over the Christmas holidays and had decided that a second resolution was necessary for American interests, that the American public were not necessarily fully on board for an attack on Iraq and the use of the American military and this was something that she felt the President would need to consider very carefully.”¹⁴⁷

415. After the conversation with President Bush on 16 December and the meeting of the Security Council on 19 December, Mr Blair also reviewed the position on Iraq in the light of likely US actions.

416. By the time Mr Blair returned to the office on 4 January 2003 he had concluded that the “likelihood was war” and, if conflict could not be avoided, the right thing to do was fully to support the US.

417. Mr Blair focused on the need to establish evidence of an Iraqi breach, persuade opinion of the case for action, and finalise the strategy with President Bush at the end of January.

¹⁴⁶ Manuscript comment Manning to PM, 3 January 2003, on Letter Manning to McDonald, 3 January 2003, ‘Iraq: Conversation with Condi Rice’.

¹⁴⁷ Public hearing, 27 November 2009, pages 66-67.

418. In a meeting overseas in early January, SIS1 told Mr Blair that the body of available evidence was “highly damning” but “none of the reports could yet be termed a silver bullet”.¹⁴⁸ Mr Blair had been “surprised and pleased” that so much had been accumulated, but he needed some more evidence that Saddam Hussein was in breach (of resolution 1441), which he (Mr Blair) could use as the basis for personal assurances to Cabinet, the Parliamentary Labour Party (PLP), and to key allies such as President Chirac and President Bush and regional leaders. As a result, SIS1 recorded that Mr Blair had asked for a “stocktake”, including an assessment of the likelihood that the UNMOVIC process would produce that kind of evidence.

419. On 4 January, Mr Blair sent a long note to officials in No.10.¹⁴⁹

420. On Iraq, Mr Blair stated:

“We start from behind. People suspect US motives; don’t accept Saddam is a threat; worry it will make us a target. Yet the truth is removing Saddam is right; he is a threat; and WMD has to be countered. So there is a big job of persuasion. We need the following in place:

- (i) most obviously, the evidence of breach of the UN resolution leading hopefully to a new resolution. Time is short. We need either evidence of actual WMD; or documentation concealed; or an eye witness account of the programme. We are making efforts on all three. But one or more needs to be in place. [...] our biggest hindrance, is the intimidation Saddam is exercising. Those who might co-operate are being told very clearly their families will die. So even though we all know the declaration ... is a lie, proving the lie will be hard. I need an early meeting on this with C.
- (ii) We need to set out the WMD case generally; publish evidence of it; and have some high profile interdiction of WMD material. People just totally underestimate the WMD threat.
- (iii) We need to link WMD and terrorism. The truth is the two coming together, is only a matter of time. But people need to understand that if we don’t act, the world will be more unsafe.
- (iv) We need to prepare a very clear statement of guarantees for the Iraqi people, setting out territorial integrity etc; and I assume without Saddam we could lift sanctions.
- (v) We need to work out the post-Saddam scenario. Are we going to identify him, and his close associates only, as fit for removal, in the hope of having the regime crumble; or are we going to be more forward. By instinct, I favour making it clear: removing Saddam is the immediate task; the

¹⁴⁸ Private hearing, SIS1, Part I, pages 60-61.

¹⁴⁹ [Note Blair \[to No.10 officials\], 4 January 2003, \[extract ‘Iraq’\]](#).

new government has to be stable; and we can move forward in time ...
There must be as little as possible vested interest in resistance.

- (vi) We need to be sure the military plan is viable. I need a meeting on this and our military's assurance that the plan can work. This is no small undertaking.
- (vii) We must strive to move the MEPP forward ...
- (viii) We have got to show sensitivity to any humanitarian fall-out from war. Britain should take the lead on this, working with the UN."

421. Mr Blair believed it would be "sensible to go to Washington late January in order to finalise the strategy".

422. There is no evidence that Mr Blair had seen Mr Straw's minute of 3 January or Sir David Manning's minute of the same day before he wrote his note of 4 January.

423. In his memoir, Mr Blair wrote that, in December 2002 and during a short winter break in January 2003, he had "tried to work out what was the right thing to do". He was:

"... past expediency, past political calculation, past personal introspection. I knew this could be the end politically. I just wanted to know: what is the right thing?

"I could see by now ... that barring something unanticipated, the likelihood was war. We could opt out ... I was sure ... and stay out of the conflict, coming in only for the aftermath. We had many allies by then. Thirteen out of 25 EU countries were onside ... But many were taking the route of avoiding the initial fighting."¹⁵⁰

424. At Chequers over Christmas 2002, he had asked himself:

"What did I truly believe? That Saddam was about to attack Britain or the US? No. That he was a bigger WMD threat than Iran or North Korea or Libya? Not really, though he was the only leader to have used them. That left alone now, with these inspections ending the same way as the last, he would threaten the stability of the region? Very possibly. That he would leach WMD material or provide help to terrorists? Yes ... Was it better for his people to be rid of him? For sure. Could it be done without a long and bloody war? You can never be sure of that. Did I want more time? Yes, but to allow me to probe every other way of doing it, rather than because I believed the nature of his regime would ever change. Would a new Iraq help build a new Middle East? I thought that was possible.

"Did I think that if we drew back now, we would have to deal with him later? ... yes, there was no other way that this man with his past was going to be anything other than a source of instability. At some point, especially if strengthened now, he would be back to his old tricks.

¹⁵⁰ Blair T. *A Journey*. Hutchinson, 2010.

“So, in or out? In I concluded. And, if in, better in fully and not partly. I still thought it possible to avoid war. I still thought it possible that other alternatives, diplomatic or through a coup, of some sort (there was much private Arab talk about such a thing), could be available to avoid conflict. I was determined at the least, to try to persuade the Americans to get more time. But I had said I would be with them, and if conflict could not be avoided, I would be in with the whole and not half a heart.”

Public statements, 7 and 8 January 2003

PUBLICATION OF THE UK'S POLICY OBJECTIVES

425. The UK's policy objectives in relation to Iraq were published by Mr Straw on 7 January.

426. Mr Blair's Note of 4 January was discussed at Mr Blair's Monday morning meeting with No.10 staff on 6 January.¹⁵¹

427. Subsequent discussions and decisions on the military plan, and planning for humanitarian assistance and a post-conflict Iraq, are addressed in Section 6.

428. Mr Campbell wrote in his diaries:

“TB was pretty sure there would be a war, or that in any event Saddam would go, and war remained the likeliest if not the only way of that coming about.”

429. Mr Campbell added:

“On Iraq, pretty much everyone was emphasising how little support there was, how little understanding there was of a real threat, but he [Mr Blair] was in pretty defiant mood on that too, said the threat was real and people would come round.”

430. Mr Campbell wrote that he had talked to Mr Blair and then agreed in a conference call that the policy objectives should be published. In Mr Campbell's view: “These strategy papers were as much about internal understanding as publicity.”

431. Mr Bowen informed the FCO on 6 January that Mr Blair had decided to publish the policy objectives for Iraq.¹⁵²

432. The objectives were published in a Written Ministerial Statement by Mr Straw on 7 January.¹⁵³

433. Mr Straw stated that he had “made clear to the House on a number of occasions” that the policy on Iraq was “to ensure that Iraq” complied “with its obligations under

¹⁵¹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹⁵² Letter Bowen to McDonald, 6 January 2003, 'Iraq' attaching Paper, January 2003, 'Iraq: Policy Objectives'.

¹⁵³ House of Commons, *Official Report*, 7 January 2003, columns 4-6WS.

relevant ... Security Council resolutions ... including by giving up its weapons of mass destruction". He "thought, however, that the House would now appreciate a more detailed statement of the Government's objectives".

434. The "prime objective" was:

"... to rid Iraq of its weapons of mass destruction (WMD) and their associated programmes and means of delivery, including prohibited ballistic missiles ... as set out in UNSCRs. This would reduce Iraq's ability to threaten its neighbours and the region, and prevent Iraq using WMD against its own people. UNSCRs also require Iraq to renounce terrorism, and return captured Kuwaitis and property taken from Kuwait."

435. Iraq's failure to comply with the "will of the international community" as expressed by the UN was "thereby perpetuating the threat to international peace and security".

436. Mr Straw also stated that a "further objective" was "to maintain the authority of the United Nations by demonstrating the Security Council's effective response to the challenge posed by Iraq's non-compliance"; and that "Success in achieving our prime objective should help deter the proliferation of WMD and BM [ballistic missiles] more generally."

437. Mr Straw identified that the six "immediate priorities" were to:

- support UNMOVIC/IAEA inspectors in Iraq;
- enable UNMOVIC/IAEA to ensure long-term Iraqi compliance;
- maintain international solidarity behind the UN Security Council.
- preserve regional stability;
- continue to make military plans in case military action was needed; and
- continue to support humanitarian efforts to relieve suffering in Iraq.

438. The objectives were based closely on those approved by Mr Blair in October 2002, as was the definition of the post-conflict end state:

"We would like Iraq to become a stable, united and law abiding state, within its present borders, co-operating with the international community, no longer posing a threat to its neighbours or to international security, abiding by all its international obligations and providing effective and representative government to its own people."

439. A reference to achieving the end state "as rapidly as possible" was omitted. Other changes included the addition of a statement that the objectives were "consistent with wider government policy", including:

- "Efforts to resolve other causes of regional stability, including the MEPP";
- "Wider political engagement with Arab countries and the Islamic world";

- “Efforts to counter the proliferation of WMD”; and
- “The elimination of terrorism as a force in international affairs”.

440. Mr Straw also stated:

“To achieve our objectives we will act in conformity with international law, including the United Nations Charter and international humanitarian law.”

441. Mr Straw concluded that the Government was “working intensively with our allies and partners to secure the peaceful disarmament of Iraq’s WMD by means of UNMOVIC/IAEA inspections”. He also warned that if the Iraqi regime did not comply, it would, as resolution 1441 made clear, “face serious consequences”.

MR HOON’S STATEMENT, 7 JANUARY 2003

442. On 7 January, Mr Hoon announced a decision to deploy additional maritime forces, including an amphibious capability, and an order to enable the call-out of Reservists.

443. This was presented as a necessary part of a policy of maintaining the pressure on Saddam Hussein to persuade him to disarm. Mr Hoon stated that no decision had been taken to commit UK forces to military action; and no “justification” for military action had been identified.

444. In an oral statement on Iraq on 7 January, Mr Hoon commended the policy objectives to the House of Commons.¹⁵⁴

445. Mr Hoon also stated that the Government was “restating” its “full and active support” for the UN inspections and was “looking to them to investigate urgently the gaps in Iraq’s declaration” of its WMD programmes, which failed “to give a satisfactory account of Iraq’s activities”.

446. Mr Hoon added that, while the Government wanted Iraq “to disarm voluntarily”, it was “evident” that this would not be achieved unless Saddam Hussein was presented with “a clear and credible threat of force”.

447. Mr Hoon concluded:

“None of that means that the use of force is inevitable ... no decision has been taken to commit those forces to action ... But ... as long as Saddam’s compliance with ... resolution 1441 is in doubt ... the threat of force must remain and it must be a real one.”

448. The details of military deployments in the announcement are addressed in Section 6.1.

¹⁵⁴ House of Commons, *Official Report*, 7 January 2003, columns 23-39.

449. Mr Hoon did not respond to an observation from Mr Bernard Jenkin (Conservative) that “It now seems unlikely that the UN inspectors will find any weapons of mass destruction in Iraq. Saddam Hussein has had too much time to conceal them and to destroy the evidence.”

450. Asked by Mr James Paice (Conservative) about the “huge task to convince the British people that they are doing the right thing”, Mr Hoon replied that it was:

“... not possible to secure overwhelming public support for military action before the explanation for that military action has been given and, therefore, before the justification for that military action has been identified. We have not yet reached that point in the process, and unless and until we do I accept that we cannot explain the justification for military action.”

451. Other points made by Mr Hoon in response to questions included:

- The Iraqi declaration was “seriously short on detail and lacks in particular any significant reference” to the conclusions reached by UNSCOM in 1999.
- If Saddam Hussein left Iraq, there “would be a different regime as far as the international community was concerned”. The removal of weapons of mass destruction from the control of the regime would be a “prerequisite”.
- Military action would be necessary “because every other avenue has been exhausted” and the opportunities offered by resolution 1441 had been “spurned by the Government in Iraq”.
- There was no “inevitability about conflict”.
- The position of the US was “no different” to that of the UK, “it agreed to a United Nations process and it wants that process to be properly implemented and enforced”.

MR BLAIR’S SPEECH TO THE FOREIGN OFFICE CONFERENCE, 7 JANUARY 2003

452. As recommended by Mr Straw and Mr Campbell, Mr Blair used his speech to senior diplomats and others on 7 January to set out the importance for the UK of remaining “the closest” ally of the US.

453. Within that context, Mr Blair stated that if Iraq defied the UN, the US should not be “forced to take on this issue alone”.

454. In his speech to the Foreign Office Conference on 7 January about Britain’s place in the world, Mr Blair stated that “people all over the world” wanted the “universal values” of freedom, human rights, the rule of law and democracy, alongside “justice, the opportunity for all”.¹⁵⁵ The world had an “overriding common interest to make progress with order”; and that the threat was “change through disorder, because then the consequences of change cannot be managed”.

¹⁵⁵ The National Archives, 7 January 2003, *PM Speech to Foreign Office Conference in London*.

455. Mr Blair set out seven principles to guide the UK. The first was that the UK:

“... should remain the closest ally of the US, and as allies to influence them to continue broadening their agenda. We are an ally of the US not because they are powerful, but because we share their values ... Anti-Americanism ... is a foolish indulgence. For all their faults and all nations have them, the US are a force for good ...

“... it is massively in our self-interest to remain close allies ...

“But we should use this alliance to good effect ... People listen to the US ... they want the US to listen back.

“So for the international community, the MEPP is ... important ... the UN is important.

“The US choice to go through the UN over Iraq was a vital step, in itself and as a symbol of the desire to work with others ...

“The price of British influence is not ... to do what the US asks. I would never commit British troops to a war I thought was wrong or unnecessary. Where we disagree ... we disagree.

“But the price of influence is that we do not leave the US to face tricky issues alone. By tricky, I mean the ones which people wish weren't there, don't want to deal with, and ... know the US should confront ... So if the US act alone, they are unilateralist ... International terrorism is one such issue ... WMD is another ... [A]t my first meeting with President Bush I said this was the key issue facing the international community. I believe this even more today ... But no one can doubt the salience of WMD ... and the importance of countering it ...

“So when as with Iraq, the international community through the UN makes a demand on a regime to disarm itself of WMD and that regime refuses, that regime threatens us. It may be uncomfortable ... unless the world takes a stand on this issue of WMD and sends out a clear signal, we will rue the consequences of our weakness.

“America should not be forced to take on this issue alone. We should be part of it. Of course it should go through the UN – that was our wish and what the US did. But if the will of the UN is breached then the will should be enforced.

“Jack Straw has today set out for Parliament ... our policy objectives on Iraq.

“So when the US confront these issues, we should be with them, and we should, in return, expect these issues to be confronted with the international community, proportionately, sensibly and in a way that delivers a better prospect of long-term peace, security and justice.”

456. Mr Blair’s seventh principle identified the need to “reach out to the Muslim world”. Mr Blair stated: “The reason there is opposition over our stance on Iraq has less to do with any love of Saddam, but over a sense of double standards. The MEPP remains essential ...”

PRIME MINISTER’S QUESTIONS, 8 JANUARY 2003

457. In PMQs on 8 January Mr Blair reiterated his position that if Saddam Hussein did not disarm voluntarily he would be disarmed by force, but he declined to speculate about the circumstances when that would be necessary.

458. Iraq and reports of differences between Mr Straw and Mr Hoon were raised by several Members of Parliament during Prime Minister’s Questions on 8 January.¹⁵⁶

459. Mr Blair consistently reiterated his position that Iraq must comply with the Security Council resolutions and “must be disarmed of all weapons of mass destruction”. If Iraq did not do so willingly, it would “have to be done by force”.

460. Mr Blair declined to respond to questions from Mr Iain Duncan Smith about whether he agreed with Mr Straw’s view that the prospects of military action were “60:40 against”.

461. Mr Duncan Smith also commented that “one cannot half prepare for war. Not for the first time, the Government are sending different messages to different audiences ...”

462. Referring to Mr Hoon’s statement the previous day, Mr Blair replied:

“We have made every preparation that we should make ... It is completely wrong to say that British troops are half prepared for any action. That is nonsense.”

463. In response to questions from Mr Charles Kennedy about whether Britain would be involved if the inspectors failed to produce concrete evidence of weapons of mass destruction but the US “nonetheless” decided to go ahead with military action, Mr Blair replied that he was “not going to speculate on the circumstances that might arise”. The weapons inspectors were “in Iraq to discover whether there has been a breach of the UN resolution” and they should be “allowed to do their work”.

464. Mr Blair also told:

- Mrs Anne Campbell (Labour) that she was “right to say that people have anxieties about the possibility of conflict in Iraq” and that British troops “should never” be put into action “unless it is necessary to do so”, but he “believed passionately that the issue of weapons of mass destruction and the related issue of international terrorism” were the “key security threats” facing the UK and that it was “only a matter of time before those issues come together”; and

¹⁵⁶ House of Commons, *Official Report*, 8 January 2003, columns 162-166.

- Mrs Patsy Calton (Liberal Democrat) that it was his “duty to explain” why he thought it was “necessary in certain circumstances to commit British troops to war”. If Saddam Hussein was “in breach of the United Nations’ will and we refused to act as an international community” it would “send a signal to Saddam that we would do nothing to prevent him from building up weapons of mass destruction” and “a signal that we were not serious about the issue of weapons of mass destruction”. He understood why people felt that it was “a very distant threat”, but what was dangerous was to do nothing: we would “rue the consequences of that weakness later”.

465. Mr Blair had an internal meeting on Iraq with No.10 officials after PMQs on 8 January.¹⁵⁷ Mr Campbell wrote that Mr Blair had said that, if Dr Blix found nothing and the UN gave no specific sanction, it was going to be very hard to do. Mr Blair felt that we had to be out there fairly soon making the case, that it was only a matter of time before Al Qaida get their hands on WMD unless we show how serious we are at dealing with the WMD issue. He was clear that it was the right thing to do, but also accepted that there was not much support.

Cabinet, 9 January 2003

466. Mr Blair told Cabinet on 9 January that there would be an opportunity for an “in-depth” discussion on Iraq the following week.

467. Mr Straw was overseas on 9 January.¹⁵⁸

468. Mr Blair told the Cabinet on 9 January that the inspection process was fully under way and:

“The report to the UN Security Council on 27 January was in no sense a deadline, rather a first report of [the inspectors’] findings. Meanwhile, the build up of military forces was necessary to sustain the pressure on Iraq.”¹⁵⁹

469. Points made during the discussion included:

- the inspections process had its own integrity and should not be compromised;
- inspections were being conducted against the background of a concerted Iraqi plan to disperse and conceal WMD, including threats to execute Iraqi experts involved with such programmes if they divulged information to the UN inspectors;
- the onset of summer in Iraq did not constitute an absolute deadline by which military action would have to be taken; and

¹⁵⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

¹⁵⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

¹⁵⁹ Cabinet Conclusions, 9 January 2003.

- the MEPP had to be taken forward and efforts were continuing to hold a conference with the Palestinians on reform in London the following week.

470. Mr Hoon reported his visit to Turkey and the sensitivities about actions involving Iraq.

471. Commenting on the preparations for the deployment of military forces to the Gulf, Mr Hoon told his colleagues that no decisions had been taken to launch military action. Nor had the US finalised its military planning. Some changes to forces assigned to Operation FRESCO, to provide an emergency fire fighting capability during the firefighters' strike, would be necessary to keep options open.

472. Mr Blair concluded that the future behaviour of Saddam Hussein in responding to UN pressure was "unpredictable". The UK was "right to continue with its military preparations". It should also maintain the focus on the fight with international terrorism and preventive measures at home. Media reports of a rift within the Cabinet were "nonsense". Cabinet the following week would "provide the opportunity for an in-depth discussion of Iraq".

473. In the press briefing after Cabinet, the Prime Minister's Official Spokesman said that Mr Blair had "underlined his view that the weapons inspectors in Iraq had to be given the time and space to do their job properly", and that "while 27 January was an important staging point in the process, it should not be regarded in any way as a deadline".¹⁶⁰

474. The Spokesman also said dismissed press reports that Mr Blair had authorised an attack on one Secretary of State by another.

475. In his diaries, Mr Campbell wrote that there had been a discussion about comments by Cabinet Ministers and the need to avoid giving personal opinions.¹⁶¹ Ms Short had accused Mr Hoon and the MOD of briefing against Mr Straw. She had also asked for a discussion of the military options because she did not believe that UK forces were needed.

476. In his memoir, Mr Robin Cook, Leader of the House of Commons, June 2001 to March 2003, wrote that three newspapers that morning had carried a story demanding Mr Straw's resignation, and a claim that Mr Blair had authorised attacks by Mr Hoon.¹⁶² Mr Cook did not believe the story. He wrote that in Cabinet Ms Short had deplored the attacks and he had said that Mr Straw was "doing a great job in keeping the Iraq crisis in the UN track".

¹⁶⁰ The National Archives, 9 January 2003, *Thursday 9 January morning government press briefing*.

¹⁶¹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹⁶² Cook R. *The Point of Departure*. Simon & Schuster UK Ltd, 2003.

477. Lord Turnbull told the Inquiry that “the presentation to ... Cabinet was still – nothing was inevitable. We are pressing the UN option. No decisions on military action, whereas you can see that, at another level, the decisions on military action were hardening up quite considerably.”¹⁶³

Security Council, 9 January 2003

478. In response to the briefing to the Security Council by Dr Blix and Dr ElBaradei on 9 January, Sir Jeremy Greenstock reported that members of the Security Council wanted time for the inspectors to reach a view.

479. As agreed on 19 December, Dr Blix and Dr ElBaradei gave an informal update of their assessment of the Iraqi declaration and the progress of inspection activities to the members of the Security Council on 9 January.¹⁶⁴ Dr Blix understood that the meeting was intended to allow members of the Council to comment on Iraq’s declaration.

480. Dr Blix stated that, if UNMOVIC had found a “smoking gun” or if there had been any impediment to their inspections, it would have been reported to the Council. Iraqi officials had “sought to construe the prompt access given to inspection teams and the fact that no weapons of mass destruction or other proscribed items have been found as confirmation” that there were none in Iraq; but the matter was “not ... that simple”. Prompt access was “an indispensable element of transparency” as part of a process of peaceful disarmament, but it was:

“... by no means sufficient to give confidence that nothing is hidden in a large country with an earlier record of avoiding disclosures. Iraq is very familiar with the fact that only declarations supported by evidence, will give confidence about the elimination of weapons. In this respect we have not so far made progress.”

481. Commenting on the “issues on which doubts exist as to whether all proscribed items or activities had been eliminated”, identified by UNSCOM and the Amorim report in 1999 (see Section 1.1), Dr Blix added that UNMOVIC was “not bound by every conclusion in these reports”. But they did give Iraq a “clear idea of questions, which need to be answered and of doubts, which must be dispelled by very active efforts”. His “overall impression” remained that Iraq’s declaration was “rich in volume but poor in new information” and “practically devoid of new evidence on such issues”.

482. Dr Blix said that “to create confidence that it has no more weapons of mass destruction or proscribed activities relating to such weapons, Iraq must present credible evidence”. That could be “of the most varied kind”, including “interviews by knowledgeable persons who are not subjected to intimidation”. He had “not asserted ... that proscribed items or activities” existed; but if they did “Iraq should present them

¹⁶³ Public hearing, 25 January 2011, page 15.

¹⁶⁴ UNMOVIC, *Briefing the Security Council, 9 January 2003: Inspections in Iraq and a further assessment of Iraq’s weapons declaration*.

in our presence”. There was “still time” for that. There was “no way the inspectors” could “close a file by simply invoking the precept that Iraq cannot prove the negative”. In “such cases”, the inspectors “must conclude, as they have done in the past, that the absence of the particular item is not assured”.

483. Dr Blix listed a series of inconsistencies between the declaration and earlier Iraqi declarations which had been described as full, final and complete, in addition to the issues he had highlighted on 19 December, including in relation to special munitions, imports of missile engines and solid missile fuel and VX. He also stated that UNMOVIC did not feel that Iraq had “made a serious effort” to provide lists of personnel engaged in proscribed programmes.

484. Dr ElBaradei reported that good progress had been made in re-establishing knowledge of Iraq’s capabilities and that “no evidence of ongoing prohibited nuclear-related activities” had been detected and the IAEA’s verification activities were “an important deterrent to the resumption of such activities”.¹⁶⁵

485. Further work would be necessary before the IAEA could draw definitive conclusions, including in relation to reports of Iraqi attempts to import uranium after 1991, the relocation and consumption of dual-use materials, and the attempted purchase of prohibited aluminium tubes, which appeared to be “consistent with the reverse engineering of rockets” and “not directly suitable” for the manufacture of centrifuges. Dr ElBaradei emphasised the importance of active co-operation from Iraq.

486. A press statement issued by the President of the Security Council stated that the members had “listened with the utmost attention and interest”; and that they had “reiterated their full support for the work and action of Dr Blix and Dr ElBaradei and to the continuation of inspection activities”.¹⁶⁶

487. Sir Jeremy Greenstock reported that the discussion had been “relatively low key”. Dr Blix and Dr ElBaradei had made “clear that the Iraqi declaration is inadequate and that Iraq needs to co-operate more pro-actively”.¹⁶⁷ There had been more than 250 inspections at more than 200 sites. Sir Jeremy had noted that Iraqi co-operation in giving access was “satisfactory”, but “more passive than active”. Iraq had to be pro-active to prove it had no WMD. He had “hoped the pace could accelerate”.

488. Sir Jeremy also reported that Ambassador John Negroponte, US Permanent Representative to the UN, had again described the Iraqi declaration as a material breach and stated that a continued failure to co-operate actively would constitute a further one.

¹⁶⁵ IAEA Newscenter, 9 January 2003, *Status of the Agency’s Verification Activities in Iraq as of 8 January 2003*.

¹⁶⁶ UN Press Statement, 9 January 2003, *Press Statement on Iraq by Security Council President (SC/7628)*.

¹⁶⁷ Telegram 35 UKMIS New York to FCO London, 10 January 2003, ‘Iraq: 9 January Council Discussion’.

489. In a subsequent conversation with representatives of EU Missions in New York, Sir Jeremy had stated that it was “clear that Council members wanted a steady, intensifying process which would give the inspectors time to provide either positive or negative proofs”; and that “if the inspections proceeded normally, with increasing intensity, there would be no need to rush to an early military judgement (although the US response ... was unpredictable)”. The timetable set out in resolution 1284 (1999) was “still obligatory”; and that the UK believed Iraq was concealing evidence.¹⁶⁸

Growing pressure to find evidence of Saddam Hussein’s non-compliance

490. With indications of concerns in Washington about becoming trapped in the UN and tensions between the UN timetable and the military build-up, the UK focus on the need to find convincing evidence that Saddam Hussein was not complying with the obligations set out in resolution 1441 and preceding resolutions intensified.

491. Mr Blair had a meeting with Sir Richard Dearlove on the afternoon of 9 January.¹⁶⁹ There is no No.10 record of the meeting.

492. Sir Richard Dearlove’s Private Secretary recorded Sir Richard’s view that it had been a good meeting at which Mr Blair had emphasised the importance of being able to demonstrate that the Iraqis were in material breach of resolution 1441.

493. In response to a question from Mr Blair about the likelihood of being able to find a “silver bullet” that would demonstrate a material breach, Sir Richard was reported to have said that “he felt the odds were 50/50”. That was “higher than the US estimates but he simply could not guarantee a successful outcome”.

494. Sir Richard had also reported that Mr Blair’s parting words were: “Richard, my fate is in your hands.”

495. Mr Campbell wrote in his diaries that:

- C told Mr Blair that Dr Blix “knew he was being ‘cat and moused’ but he was not on a mission. He was sure that Saddam was lying but he had to establish that for himself. C felt that we had a better chance of finding the breaches than the US.”
- Mr Blair had said, “half in jest”, “My future is in your hands.”
- “The nightmare scenario, or one of them, was a discovery that was sufficient for the US but not for us.”

¹⁶⁸ Teleletter [unnumbered] UKMIS New York to FCO London, 10 January 2003, ‘Iraq: EU HOMS Discussion’.

¹⁶⁹ SIS record, 9 January 2003, ‘PM Meeting on Iraq’.

- “C said the other risk was that we found the evidence of the breach before the US was ready to go to war ... if the inspectors had another month with genuine access, the picture would be pretty clear. We were now pushing the line that they needed time and space to do the job.”¹⁷⁰

496. Asked about the comment that Mr Blair’s future was in his hands, Sir Richard Dearlove told the Inquiry that he thought Mr Blair “was beginning to understand that he was in a tough position vis-a-vis the inspection issue”.¹⁷¹

497. In response to a further question, Sir Richard stated:

“No, I think when the Prime Minister says something like that – the one thing if you are head of SIS is you have to be quite robust, and not be sort of put off by such comments.

“I think the problem for the Prime Minister at that point in time is it’s much more important to him domestically that UNMOVIC has a success than it is to the US Administration.”

498. A report of a discussion between Adm Boyce and General Richard Myers, Chairman of the US Joint Chiefs of Staff, stated that the US could stay poised for military operations for 3-4 months.¹⁷²

499. Sir David Manning wrote to Mr Powell that this was a “much better timeline as far as inspections are concerned. Whether Bush will buy it is another matter.”¹⁷³

500. When Mr Straw and Secretary Powell spoke on 11 January, they discussed reporting in both the UK and US, including a *Washington Post* article criticising Secretary Powell for trapping the US Government in the UN route and Mr Blair’s comments that 27 January was not a deadline which would be widely noted in Washington.¹⁷⁴ There was a need to synchronise the military planning and politics. It was improbable that the inspectors’ reports to the Security Council on 27 January would provide sufficient evidence for a second resolution, and the negotiation of such a resolution would take weeks.

501. Mr Blair sent a note to No.10 officials on 12 January.¹⁷⁵

¹⁷⁰ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹⁷¹ Private hearing, 16 June 2010, pages 76-77.

¹⁷² Minute Zambellas to PS/Secretary of State [MOD], 10 January 2003, ‘CDS Telephone call to CJCS: 9 Jan 03’.

¹⁷³ Manuscript note Manning to Powell, on Minute Zambellas to PS/SofS [MOD], 10 January 2003, ‘CDS telephone call to CJCS: 9 Jan 03’.

¹⁷⁴ Letter Straw to Manning, 13 January 2003, ‘Iraq: Conversation with Colin Powell, 11 January’.

¹⁷⁵ [Note Blair \[to No.10 officials\], 12 January 2003, \[extract ‘Iraq’\]](#).

502. On Iraq, he wrote:

“We need to go back to the basic principle: the UN has made a decision; that decision must be upheld. The inspectors inspect; if they find a breach, then the UN should pass a new resolution. If it does, how can anyone dispute the case for war? If the UN doesn’t, despite a breach, then we are in the same positions as we were at the time of Kosovo. But the integrity of the UN process has to be upheld.

“We have two immediate weaknesses in our case:

- people think we will go to war even if no breach is found. That is not correct.
- people don’t really believe WMD or Saddam are real threats.”

503. Mr Ricketts was in Washington on 13 January.¹⁷⁶ He reported to Mr Straw’s Private Secretary that his overriding impression was that:

“... there is still a good deal of uncertainty and confusion, but that all accept we are entering a critical four weeks, in which the tensions between the political/UN track and the military build-up will come to a head ... the President is getting impatient and wants a basis for moving against Iraq sooner rather than later.

“There are conflicting pressures in all directions ... the press are full of the drum-beat of military build-up. With the sense that war is close, people want to rally round the President. On the other hand there is still a lot of uneasiness ... White House letters are running nine to one against the war.

“... there will be big pressure on President Bush to say something powerful in the State of the Union message on 28 January. I was assured ... this would not be a declaration of war. But equally no-one thinks that he will want the present uncertainty to drag on ... there is no work in hand on how to sustain the present strategy over a period of months.

“Blix will be the fulcrum in the coming weeks ... All I talked to were determined not to allow Saddam to put us back in the position where the onus was on the inspectors to find something ...”

504. Mr Ricketts reported that the US was considering a presentation setting out “the evidence of Saddam’s bad faith” soon after 27 January to “challenge the Security Council to go for a second resolution”. Views amongst US officials on the wisdom of that were mixed.

505. Mr Ricketts’ minute was copied to Sir David Manning and others.

506. In the context of a “flurry of comment ... in the UK media” and Mr Blair’s press conference later that day, Sir David told Dr Rice on 13 January that Mr Blair would point

¹⁷⁶ Minute Ricketts to Private Secretary [FCO], 14 January 2003, ‘Iraq: The Mood in Washington’.

out that Saddam Hussein was “wasting the UN opportunity with every day that he failed to comply”.¹⁷⁷

507. Discussing the difficulty of finding a smoking gun, Sir David told Dr Rice:

“... we should not give up on looking for hard evidence. The discovery of the rocket motors¹⁷⁸ might not be a breach of 1441, but it was important evidence that Saddam was determined to thwart international controls. It told us much about his approach and vindicated our claims that he was a liar.”

508. Sir David reported that he had:

“... rehearsed again our need for a second resolution before moving to military action. There would be support here for action against Iraq if sanctioned by the UN. But it would be very hard, and probably impossible, for us without another resolution. The domestic politics were too difficult.”

509. Sir David asked Dr Rice if the US would be content to let the inspections run until the end of February; he “understood the military pressures” but it “would be important to UK and wider European opinion to see the strongest possible case”. The UK “would want ... time to build this”. Sir David added that “the stronger the case, the easier the President would find it to secure international support and a second resolution”.

510. Sir David concluded that “at present it seems unlikely that there will be enough evidence” by 27 January, “to persuade the Security Council to start work on the second resolution”.

MR BLAIR’S PRESS CONFERENCE, 13 JANUARY 2003

511. In public, Mr Blair emphasised that the inspectors had only just started work and there was no point in imposing an “arbitrary timescale”.

512. Mr Blair’s press conference on 13 January was dominated by questions on Iraq.¹⁷⁹

513. In his opening remarks, Mr Blair stated that, while the threat seemed to some people to be remote, he passionately believed Iraq must be disarmed of its weapons of mass destruction; the authority of the United Nations must be upheld; and rogue states and terrorist organisations shown that “when we say we intend to deal with the issue of weapons of mass destruction, we mean it”. The UN had “given Saddam [Hussein] a chance”; he should take the peaceful route and disarm.

¹⁷⁷ Letter Manning to McDonald, 13 January 2003, ‘Iraq: Conversation with Condi Rice’.

¹⁷⁸ Illegally imported Volga engines.

¹⁷⁹ The National Archives, 13 January 2003, *PM Press Conference*.

514. In response to questions, Mr Blair stated:

- Inspections were the right process, but the inspectors had only just started their work and reached their full complement the previous week. There was no point in putting an “arbitrary timescale” on their task. Saddam Hussein had a duty to co-operate. In Mr Blair’s view, Iraq’s declaration of 8 December was false and it was the inspectors’ job to find out the truth and report their findings.
- If there was a breach, there would be a further discussion at the UN and the UK expected the UN to honour its undertakings and for its authority to be upheld.
- The trade in chemical, biological and nuclear weapons posed a direct threat to Britain’s security. Without a stand, it was simply a matter of time before terrorism and weapons of mass destruction came together. Iraq was important because it was known that Saddam Hussein had the weapons and had used them before. It had been “chosen” by the UN and the UN “had to be a way of resolving this and sending a signal to the whole of the world that this trade will not be tolerated, that people who have these weapons in breach of UN resolutions, will be forced to disarm”.
- The “discussion” on Iraq had “begun against the background of sanctions eroding, of us being unable to be sure that we were really preventing Saddam acquiring these weapons and of intelligence to the British Security Services ... I don’t think they would be advising me this if they weren’t doing this honestly and properly. There is no doubt at all in our mind that Saddam has been trying to rebuild that arsenal of chemical, biological and potentially nuclear capability ...”
- Indicting Saddam Hussein was “kept under consideration” and “reasonable arguments” had been made by Ms Ann Clwyd, Vice-Chair of the Parliamentary Labour Party and Chair of INDICT (see Box later in this Section), and others. It would be a decision for the Attorney General “but we have to weigh up a number of different considerations as to whether it is worth such a prosecution. But I don’t think that should divert us from the main issue ... which is ... whether it is necessary to change the regime in Iraq in order to disarm them of weapons of mass destruction.”
- There was “no point in speculating” about what might happen if the US wanted to take action before a smoking gun had been found; whatever happened, Saddam would be disarmed.
- The way to avoid military action would be for Saddam “to agree to make an honest declaration of what he has and have it destroyed”.

LORD GOLDSMITH'S DRAFT ADVICE, 14 JANUARY 2003

515. As agreed with Mr Powell on 19 December 2002, Lord Goldsmith handed his draft advice on resolution 1441 to Mr Blair on 14 January.

516. The draft advice stated that a further decision by the Security Council would be required to revive the authorisation to use force contained in resolution 678 (1990) although that decision did not need be in the form of a further resolution.

517. Lord Goldsmith also wrote that there would be no authorisation for military action in the event of a veto by one of the P5.

518. Lord Goldsmith's draft advice¹⁸⁰ and No.10's response, including Mr Blair's statements that military action would not be ruled out if a further resolution in response to an Iraqi breach was vetoed, are addressed in Section 5.

Mr Annan's comments, 14 January 2003

At a press conference on 14 January, Mr Annan stated:

"We are all aware ... of Council resolution 1441 (2002) and the legislative climate surrounding the passage of that resolution. We will have to assume ... that the members of the Council acted in good faith; that the issue is disarmament and that they will do whatever it takes to disarm; and that if the disarmament were to succeed and we were to agree that Iraq has been stripped of its weapons of mass destruction, then that should be the end of the story. If, on the other hand, it were to come out that Iraq continues to defy, and that disarmament has not happened ... the Council will have to face up to its responsibilities and take the necessary action. But, of course, this is the understanding and the spirit of the resolution, which I hope we will all respect."¹⁸¹

PRIME MINISTER'S QUESTIONS, 15 JANUARY 2003

519. During PMQs on 15 January Mr Blair answered a number of questions on Iraq.¹⁸²

520. Mr Alan Beith (Liberal Democrat) asked what would happen if the inspectors reported on 27 January that they needed more time to complete their work, and whether a statement made by Mr Blair's official spokesman that the inspectors would be given the time and space they needed reflected President Bush's view. Mr Blair initially referred to remarks made in his press conference on 13 January, including that he was not going to speculate on "arbitrary timetables", and to remarks made by Mr Annan on 14 January that, if Iraq continued to defy the UN and disarmament hadn't happened, the Security Council would have to "face up to its responsibilities and take the necessary action".

¹⁸⁰ [Minute \[Draft\] \[Goldsmith to Prime Minister\], 14 January 2003, 'Iraq: Interpretation of Resolution 1441'](#).

¹⁸¹ *UN News Centre*, 14 January 2003, *Secretary-General's press conference*.

¹⁸² House of Commons, *Official Report*, 15 January 2003, columns 673-682.

521. Pressed by Mr Beith to answer the question in the light of the very serious consequences of military action before the case for it had been made, Mr Blair replied that before the adoption of resolution 1441, many people had insisted that the US would “not bother with” the UN and “would not give the process a chance to work”. “That had not been the case”. Mr Blair added that “the single most dangerous thing we could do at the moment”, which would in his view “increase the likelihood of conflict, would be to send out a signal of any weakness in our determination to see the mandate laid out by the UN carried through”.

522. Asked by Mr Iain Duncan Smith whether the Government’s position was that a second resolution was preferable or, as Ms Short had said, essential, Mr Blair replied:

“... we want a UN resolution. I have set out continually, not least in the House on 18 December [2002], that in circumstances where there was a breach we went back to the UN and the spirit of the UN resolution was broken because an unreasonable veto was put down, we would not rule out action. That is the same position that everybody has expressed, and I think it is the right position. However ... it is not merely preferable to have a second resolution. I believe that we will get one.”

523. In response to further questions from Mr Duncan Smith about differences within the Cabinet, Mr Blair emphasised that the UN route had been chosen “very deliberately” because it was “important” that Saddam Hussein was “disarmed with the support of the international community”. He hoped that the House would unite around the position that, if the UN resolution was breached, “action must follow, because the UN mandate has to be upheld”.

524. The Government’s position was that a “second UN resolution” was “preferable”, but it had:

“... also said that here are circumstances in which a UN resolution is not necessary, because it is necessary to be able to say in circumstances where an unreasonable veto is put down that we would still act.”

525. Mr Mohammad Sarwar (Labour) asked whether any breach of resolution 1441 should be a matter for the weapons inspectors and the Security Council, not President Bush and the US Administration; and whether unilateral US action would be defying the United Nations. Mr Blair replied that the UN inspectors “should be allowed to do their job”, but they had only been able to return to Iraq because of the “firm stand” that had been taken. It was “important” to “continue to send that signal of strength”. If Saddam Hussein believed “for a single instance that the will of the international community has abated ... the consequences of either conflict or prolonged conflict” would be “increased”.

526. Asked by Mr Elfyn Llwyd (Plaid Cymru) how it could possibly be right to risk the lives of British service men and women “on a venture in Iraq that does not have the

backing of international law, or the support of the majority of the British people”, Mr Blair replied:

“... let us wait and see what happens in the coming weeks in relation to the United Nations ... [I]t is right that we are prepared to take action if necessary ... because weapons of mass destruction – the proliferation of ... weapons and ballistic missile technology ... are a real threat to the security of the world and this country [W]e have to deal with North Korea, but that is not a reason for failing to deal with Iraq.

“The truth is that this issue of weapons of mass destruction is a real threat to the world. I believe ... that it is only a matter of time before it is linked with international terrorism. Does anyone believe that, if we do not take a stand ... now in respect of weapons of mass destruction, some terrorist group is not in future going to get hold of that material and use it.

...

“This is a difficult time. I understand the concerns that some people have, but sometimes the job of a Prime Minister is to say the things that others do not want them to say but we believe are necessary to say because the threat is real and if we do not deal with it the consequences of weakness will haunt future generations.”

527. Other points made by Mr Blair included that, if Saddam Hussein wanted to avoid conflict, he could “comply with the UN resolution, co-operate with the inspectors, tell us where this material is, and have it destroyed as it should be. Conflict would then be avoided ... The choice is now for Saddam.”

Concern that the US might act at the end of January

528. Sir David Manning was assured by Dr Rice on 15 January that the US would not take any further action with the Security Council until after the planned meeting between Mr Blair and President Bush at the end of January.

529. Sir David told Dr Rice that public opinion had to be convinced that the inspections process was serious and had produced serious evidence. The UK needed timelines for decisions no earlier than March or April.

530. Sir David Manning spoke to Dr Rice on 15 January.¹⁸³

531. In the context of a visit to Washington by Dr Blix the previous day, Sir David and Dr Rice discussed the relationship between the timelines for inspections set out in resolutions 1284 (1999) and the requirements of resolution 1441. Sir David thought that the issue could be “finessed”; and suggested that, when they met on 17 January, Mr Blair might encourage Dr Blix to report to the Security Council “at regular intervals” about Saddam Hussein’s compliance. Although that “was not stipulated in the

¹⁸³ Letter Manning to McDonald, 15 January 2003, ‘Iraq: Conversation with Condi Rice’.

resolution”, it would be “hard for anyone to object” if Dr Blix agreed. The provisions of resolution 1284 could “run in parallel”. Sir David and Dr Rice also discussed whether Dr Blix could be encouraged to call for Saddam Hussein’s full co-operation to resolve the issues in his report to the Security Council.

532. Sir David and Dr Rice also discussed the “immediate tasks” for Dr Blix, including:

- an audit of Iraq’s declaration;
- an energetic programme of site inspections;
- a process of interviews without minders; and
- whether he should destroy proscribed items.

533. They also discussed Iraq’s deceptions and concerns about whether UNMOVIC could ensure that information about future inspections did not reach Iraqi officials.

534. Sir David commented that, “as far as the battle for public opinion was concerned”, the UK:

“... needed hard evidence that Saddam had WMD if we could possibly get it, which meant allowing time for us to acquire and deploy the intelligence. There was a suspicion in the UK that we were rushing our fences. It would be very difficult to persuade people ... that [the Security Council on] 27 January should do more than take note of Dr Blix’s report ... [I]t was too soon to try to use it as the moment when we could demonstrate that the inspection system had failed.”

535. Sir David asked Dr Rice about developments in her thinking about how the US Administration would handle the meeting and immediate follow-up. Dr Rice replied that Secretary Powell would not present the US case on Iraq’s deception until after the meeting between President Bush and Mr Blair on 31 January. President Bush would “not want to give the impression that he was presenting the Prime Minister with a *fait accompli*”.

536. Sir David reported that he had welcomed that assurance, and pointed out that Mr Blair had taken a very robust line at his press conference on 13 January; but “there was nevertheless a great deal of uneasiness and opposition to Government policy ... We had to take account of this ...”

537. Sir David added that he had “repeated that this meant there was a premium on producing hard evidence if we could, and allowing the inspection process more time. This was also necessary if we were to get the support we needed for a second UNSCR.”

538. Responding to Dr Rice’s view that President Bush would want to take advantage of the current military window, Sir David had stated that he “realised this”, but “additional days and weeks mattered in the battle for public opinion ... the UK needed timeline[s] for decisions that were no earlier than March or April, not January or February.”

539. Sir David reported that, in the context of a discussion about France’s arguments for more time and that war should be avoided to prevent a conflagration in the Middle East, Dr Rice had said President Bush “was not prepared to wait for months and months”. Sir David’s view was that:

“If military action proved necessary, it would be better to do it sooner rather than later in terms of managing our relations with the Arab world ... the argument for not rushing our fences applied much more strongly to Western ... countries. We had to convince our public opinions that the inspection process was serious, that it had produced serious evidence, and that this was the basis for a second resolution.”

540. Sir David commented that he was “encouraged” by the response to his arguments about “the political pressures and realities ... and the need for time and evidence”.

541. Mr Straw warned Sir David Manning on 16 January that the momentum in Washington was to do something soon after 27 January, and it was being assumed that Mr Blair would be with President Bush.

542. Mr Straw recommended that Mr Blair should speak to President Bush.

543. Sir David Manning agreed, reiterating his advice that more time was required.

544. On 16 January, Mr Straw discussed the UK’s need for more time and “decisions no earlier than March and April rather than January and February”, as Sir David Manning had told Dr Rice the previous day, with Secretary Powell.¹⁸⁴

545. Reporting the conversation to Sir David, Mr Straw warned that the momentum in Washington to do something soon after 27 January was “running very high”. It might be “virtually impossible” for the US to follow the timetable of “no deadlines” set out in resolution 1284.

546. Mr Straw told Secretary Powell that there had been “unanimous support” for Mr Blair’s position “after a good discussion in Cabinet”.

547. Mr Straw also advised that assumptions were being made that Mr Blair would be with President Bush “in any event”. The US could not create a Coalition without the UK; and it would be hard to imagine the US taking military action without the UK.

548. Mr Straw recommended that Mr Blair should talk to President Bush in the middle of the following week “before the draft State of the Union speech is put to bed”.

549. Sir David Manning told Mr Blair that he agreed with Mr Straw’s recommendation, commenting that it would be easier for the UK if there were “major inspection successes”.¹⁸⁵ He also wrote: “Giving ourselves until March/April is a luxury we can

¹⁸⁴ Letter Straw to Manning, 16 January 2003, ‘Iraq: Conversation with Colin Powell, 16 January’.

¹⁸⁵ Manuscript comments Manning to Prime Minister, 16 January 2003, on Letter Straw to Manning, 16 January 2003, ‘Iraq: Conversation with Colin Powell, 16 January’.

afford to get this right – particularly if the US [think] Saddam will rapidly collapse when the blow comes.”

Cabinet, 16 January 2003

550. As promised by Mr Blair on 19 December 2002, Cabinet discussed Iraq on 16 January 2003.

551. Mr Blair told Cabinet that the strategy remained to pursue the United Nations course. The inspectors needed time to achieve results. If Iraq was not complying with the demands of the UN, a second resolution would be agreed.

552. Mr Straw stated that there was a good prospect of achieving a second resolution. While sticking to the UN route, the UK should not rule out the possibility of military action without a second resolution. Mr Blair repeated the latter statement in his concluding remarks.

553. At Cabinet on 16 January, Mr Blair said that:

“... he wanted to make the United Nations route work. The inspectors were doing their job inside Iraq and he was optimistic that they would discover weapons of mass destruction and their associated programmes which had been concealed. They needed time to achieve results, including from better co-ordinated intelligence. If Iraq was not complying with the demands of the United Nations, he believed the ... Security Council would pass a second resolution.”¹⁸⁶

554. Mr Blair told his colleagues that evidence from the inspectors would make a veto of a second resolution, by other Permanent Members of the Security Council, “less likely”:

“Meanwhile, British and American forces were being built up in the Gulf. If it came to conflict, it would be important for success to be achieved quickly. The [military] build up was having an effect on the Iraqi regime, with internal support dwindling for President Saddam Hussein ...”

555. Mr Blair concluded by telling Cabinet that:

“The strategy remained to pursue the United Nations course. He would be meeting President Bush to discuss Iraq at the end of the month, after Dr Blix had reported to the Security Council on 27 January.”

556. Mr Straw said that:

“... he was aware of anxieties about the possibility of having to diverge from the United Nations path. There was a good prospect of achieving a second resolution. Many had been doubtful about achieving the first resolution; in the event, the ... Security Council vote had been unanimous. While sticking with the United Nations

¹⁸⁶ [Cabinet Conclusions, 16 January 2003.](#)

route we should not rule out the possibility of military action without a second resolution. Voting decisions in the Security Council could be driven by domestic politics, not the demands of the international situation.”

557. Mr Straw added that:

“In his recent contacts with the Muslim and Arab world, all could see the benefit of Saddam Hussein’s demise. He had utterly rejected the notion that we were hostile to Islam ... Saddam Hussein had attacked his own people and his neighbours – all of whom were Muslims.”

558. Ms Short told the Cabinet that “keeping to the United Nations route would hold the Government’s support together. She had been reviewing humanitarian scenarios for Iraq and concluded that extra resources would be required, given the other humanitarian priority of Southern Africa.”

559. Ms Short added that the possibility “of chemical and biological weapons being used inside Iraq, and their effect on local civilians”, was a “particularly worrying scenario”. The involvement of the United Nations would be “essential” for the management of the aftermath of military action: it would “provide legitimacy for the political and economic reconstruction of Iraq, including the use of oil revenues. Work on the aftermath should be taken forward urgently.”

560. Points made during the discussion were:

- Communication “needed to be improved, on the basis of a core script”. The message was “complex but should start from first principles; part of the message was that the policy flowed from our own national interest and respect for international law”. A “small proportion of the population would always be opposed to military action, the political battle was for the centre ground which could be won by argument”.
- Although Mr Blair, Mr Straw and Mr Hoon were “best able to speak from an informed position, since they had access to the intelligence, Cabinet members more generally needed to speak up for the Government’s policy on Iraq”.
- The “leadership of the United States was not widely trusted” in the UK “but President Bush’s resolve was weakening the Iraqi regime”.
- “[T]he inspectors had only recently started their work and it was unreasonable for opponents to assert that the absence of evidence so far meant that military action was unjustified; once evidence of weapons of mass destruction was produced, the public mood would change dramatically”.
- Maintaining internal cohesion within the UK “was important, not least in respect of the Islamic community”.
- “[P]ushing the Middle East Peace Process forward remained an important part of our policy, as was stability in the region”.

561. Summing up the discussion, Mr Blair said:

“... the strategy based on the United Nations route was clear, although the uncertainties loomed large and there was a natural reluctance to go to war. It was to be expected that the public would want the inspectors to find the evidence before military action was taken. Pursuing the United Nations route was the right policy, but we should not rule out the possibility of military action without a second resolution. The priorities for the immediate future were:

- improved communications, which would set out the Government’s strategy and be promoted by the whole Cabinet;
- preparatory work on planning the aftermath of any military action and the role of the United Nations in that, which should in turn be conveyed to the Iraqi people so that they had a vision of a better life in prospect; and
- contingency work on the unintended consequences which could arise from the Iraqi use of weapons of mass destruction, environmental catastrophe or internecine strife within Iraq.”

562. Mr Campbell wrote that Cabinet was “fine”. In addition to the points recorded in the minutes, Mr Campbell wrote that Mr Blair had said that:

- Russia was “closer to the Americans” than it said publicly and France did “not particularly want to be left on the outside”: “But it was going to be tough.”
- “In the meantime we build up our troops, and make sure that if it does come to conflict we are able to get it over quickly.”
- “... we had to stay close [to the US] publicly to maximise influence privately.”¹⁸⁷

563. Mr Campbell also wrote:

- Mr Cook had said that “we were in a tremendous position in the UN”, thanks to Mr Blair. The prospect of getting a second resolution was stronger if we did not rule out doing without one.
- Mr John Prescott, the Deputy Prime Minister and Deputy Leader of the Labour Party, had “done a very passionate wind-up”; the “discussion showed that there was no real division ‘so let’s stop pretending there is”. The briefings had to stop. The [Labour] Party didn’t “like the idea of intervention but sometimes we have to make difficult judgements”.

564. The discussion at Cabinet on 16 January took place at a key point in the development of the UK’s position on Iraq and focused primarily on the role of inspections, forthcoming diplomatic activity at the UN, the need for effective communication of the Government’s position, and a high level discussion of some of the possible consequences of military action.

¹⁸⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

565. Mr Blair's decision not to reveal that he had received Lord Goldsmith's draft advice, or that it concluded a further determination by the Security Council that Iraq was in material breach of its obligations would be required to provide the legal basis for military action, is addressed in Section 5.

THE DECISION TO DEPLOY GROUND FORCES

566. Despite the imminence of the formal decision to offer a significant land contribution Cabinet was informed only that forces were building up in the Gulf. There is no evidence of any discussion of the nature and scale of the likely UK contribution of ground forces or their imminent deployment.

567. The formal proposal for the deployment was sent to Mr Blair later that day. The absence of any formal collective discussion of the proposal by senior Ministers before it was approved by Mr Blair is addressed in Sections 6.2 and 6.5.

568. Nor did Cabinet discuss the strategic implications of making such a military contribution, including the risks associated with military action and the potential responsibilities which might be incurred.

569. The need for such a discussion is addressed in Section 7.

570. Although Mr Blair had said on 24 October 2002 that Cabinet would, "in due time" be able to discuss the military options, and he had said on 9 January that the discussion on 16 January would be an "in-depth discussion" of Iraq, Cabinet was not told that the imminent deployment of a large scale ground force to southern Iraq was under serious consideration.

571. The development of thinking in the MOD on the options for deploying a large scale ground force for operations in southern Iraq, including the presentation to Mr Blair on 15 January and his response, and the way in which the decision was then taken to deploy UK forces, is described in detail Sections 6.1 and 6.2.

572. Mr Hoon wrote to Mr Blair on 16 January seeking agreement to the "key role in southern Iraq" proposed by the US for the UK:

"Important questions remain to be resolved ... But the role proposed for the UK is a sensible and significant one, and I recommend that with certain qualifications, we accept it. We need to decide quickly.

"If you agree, I propose to announce the composition and deployment of the force in an oral statement on Monday 20 January."¹⁸⁸

573. Copies of the letter were sent to Mr Brown, Mr Straw and Sir Andrew Turnbull.

¹⁸⁸ [Letter Hoon to Blair, 16 January 2003, 'Iraq: UK Land Contribution'](#).

574. Mr Straw wrote to Mr Blair on 17 January, flagging up three major issues: targeting; the response to any Iraqi use of WMD; and the need for greater clarity on thinking and plans for the aftermath.¹⁸⁹

575. Sir David Manning commented to Mr Blair: “Good questions. But I don’t think they affect your decision in principle.”¹⁹⁰

576. Mr Blair replied: “agreed”.¹⁹¹

577. Late on 17 January, following a telephone conversation, Sir David replied to Mr Watkins that Mr Blair was “content to proceed on the basis of the Defence Secretary’s recommendations” and that he would be grateful “if you and the FCO would now take things forward as proposed”.¹⁹²

578. Mr Hoon announced the deployment of UK ground forces, which would “include the headquarters of 1 (UK) Armoured Division with support from 7 Armoured Brigade, 16 Air Assault Brigade and 102 Logistics Brigade”, in an oral statement in Parliament on 20 January.¹⁹³

579. Asked whether Cabinet on 16 January might have been an opportunity for some of the points from the MOD briefing on military options to be mentioned, Lord Turnbull told the Inquiry that Mr Blair was:

“... very reluctant to discuss the military options ...

“I could see he didn’t want key discussions of where we were going, through the North or the South and who was going to bring what forces to bear where, and there is some sense in that. But the strategic choices that they implied ... didn’t get discussed either. For example, the fact that if you have ground forces you become an Occupying Power. I don’t remember someone saying ‘Wouldn’t it be better if we just halted at Option 2, because then we will not be involved in being an Occupying Power?’ ...”¹⁹⁴

580. Lord Turnbull subsequently added that Cabinet was given “Week by week progress reports on the state of play of the inspections ... That’s the bit they were actually rather well-informed about, much more so than on the military side.”¹⁹⁵

581. The absence of a collective discussion on the implications of the military deployment is addressed in Section 7.

¹⁸⁹ [Minute Straw to Prime Minister, 17 January 2003, ‘Iraq: UK Land Contribution’.](#)

¹⁹⁰ Manuscript comment Manning, 17 January 2002, on [Minute Straw to Prime Minister, 17 January 2003, ‘Iraq: UK Land Contribution’.](#)

¹⁹¹ Manuscript comment Blair, on [Minute Straw to Prime Minister, 17 January 2003, ‘Iraq: UK Land Contribution’.](#)

¹⁹² [Letter Manning to Watkins, 17 January 2003, ‘Iraq: UK Land Contribution’.](#)

¹⁹³ House of Commons, *Official Report*, 20 January 2003, columns 34-46.

¹⁹⁴ Public hearing, 25 January 2011, pages 15-16.

¹⁹⁵ Public hearing, 25 January 2011, page 17.

Mr Blair's meeting with Dr Blix, 17 January 2003

582. In a meeting on 17 January, Mr Blair urged Dr Blix to tell Baghdad that this was their last chance and the US was serious about military action. If Iraq was co-operating, the inspectors would need more time; if it was not, it would be better to make that clear soon.

583. Reporting on the discussion in the Chiefs of Staff meeting on 15 January, Mr Paul Johnston, Head of the FCO Security Policy (Sec Pol) Department, informed Mr Straw that it was UK information which had led to the discovery of SA-2 (Volga) engines, but "It was not yet clear whether they constituted a material breach."¹⁹⁶ The MOD was considering providing additional interviewers to support UNMOVIC, "whose resources were stretched. Evidence from Iraqi scientists might be the most likely basis for an eventual material breach."

584. Mr Johnston also reported that the FCO was addressing "how far and how fast the US might push to bring matters to a head in the Security Council if, after 27 January, the Americans became concerned that 'business as usual' had set in". Mr Blair's visit to the US at the end of January might be too late to influence the immediate US reaction to the Council discussion. Mr Blair might try to call President Bush the following week.

585. In preparation for Mr Blair's meeting with Dr Blix on 17 January, the FCO advised No.10 that:

- Dr Blix had made a "sound start in getting UNMOVIC operational"; the UK had provided "considerable support, which we believe is beginning to show fruit".
- UK intelligence had helped UNMOVIC to discover illegally imported rocket engines.
- The key message was the need for UNMOVIC to intensify its inspections, not to focus exclusively on infrastructure, which was "often easy to conceal or move around", and to focus on interviews, both formal and informal, of Iraqi scientists.
- The UK had doubts about the practicality of interviews outside Iraq but was looking at ways to try to overcome those.
- Expectations were "running high" for the 27 January meeting. The UK was making clear that it was "not a deadline but a status report". After that, while the "strategy outlined in 1284" would give UNMOVIC "60 days to identify key disarmament tasks", the UK wanted to use the next phase to "put maximum pressure on Iraq to co-operate in answering all unresolved questions, eg, including use of mobile laboratories".
- The UK thought Dr Blix should offer to brief the UN Security Council more regularly, perhaps once a fortnight. That would include reporting illegal imports for consideration of further action "even if there is no proven link to illegal programmes".¹⁹⁷

¹⁹⁶ Minute Johnston to Private Secretary [FCO], 15 January 2003, 'Iraq: Chiefs of Staff: 15 January'.

¹⁹⁷ Letter Davies to Rycroft, 15 January 2003, 'Prime Minister's Meeting with Hans Blix, UNMOVIC'.

586. In response to a request from Sir David Manning for advice on interviews by UN inspectors in Iraq, Mr Scarlett provided a brief co-ordinated with the FCO, SIS, DIS and OD Sec.¹⁹⁸

587. Mr Scarlett wrote that Iraq had deployed many subterfuges to interfere with the interview process conducted by UNSCOM in the 1990s. Despite those efforts, UNSCOM had “found interviews an extremely important tool, particularly on the biological warfare programme, where the availability of other types of information was limited”.

588. Mr Scarlett described measures currently being taken by Iraq to ensure that interviews did not “succeed in uncovering prohibited activity”. The UK had provided a database with about 6,000 names although information on individuals involved in WMD activities post 1991 was limited. The UK was in the process of providing a shortlist of “priority” candidates for interview, and had offered advice on interview techniques. So far, only the IAEA had conducted two formal interviews; both had taken place in Iraq and the individuals had asked for Iraqi officials to be present.

589. Mr Scarlett concluded that interviews had the “potential, if conducted effectively, to uncover gaps in Iraq’s cover story”. Iraq was “worried about this prospect”. The UK was concerned that UNMOVIC and the IAEA lacked “the expertise necessary to use this important tool effectively”. Mr Blair should press Dr Blix on the continuing need for effective interviews.

590. In their meeting on 17 January, Mr Blair urged Dr Blix to “give Baghdad a strong message that this was their final chance and that the US were serious about military action”.¹⁹⁹ Mr Blair also underlined “the importance of the inspectors carrying out interviews without minders” and offered UK help in identifying potential interviewees.

591. Following further discussion of recent developments including the finds of shells and documents the previous day, Mr Blair stated that “if Iraq was co-operating then the inspectors would need time to continue their work. But if Iraq was not co-operating it would be better to make that clear soon after 27 January, before the end of February.”

592. Dr Blix said:

“[A]lthough the Iraqis gave prompt access, they did not seem sincere. They did things for the media, eg a 12,000 page declaration that contained no new substance ... The Prime Minister concluded that if there were a major find Blix would report it immediately, and if there were not a major find before 27 January Blix would report then that his overall assessment was a lack of substantive co-operation. Blix agreed. He thought the Iraqis would prefer to deny access to the inspectors than to be caught red-handed; he would of course report either to the Security Council.”

¹⁹⁸ [Minute Scarlett to Manning, 16 January 2003, ‘Inspections in Iraq – The Use of Interviews’.](#)

¹⁹⁹ Letter Rycroft to Sinclair, 17 January 2003, ‘Iraq: Prime Minister’s Meeting with Blix, 17 January’.

Security Council, 20 January 2003

593. Mr Straw warned a meeting of the Security Council on 20 January that patience with Iraq had nearly run out.

594. In a joint statement issued on 20 January, following a meeting in Baghdad to take stock of inspections, UNMOVIC and the IAEA reported some progress on detailed issues, including that “persons asked for interviews in private” would be “encouraged to accept”.²⁰⁰

595. Mr Campbell wrote that, at the No.10 morning meeting on 20 January, Mr Blair was “becoming increasingly worried about Iraq. The whole question was what we did if and when the US went without the UN.”²⁰¹

596. France as President of the Security Council had proposed a special, Ministerial-level meeting of the Council on 20 January, to discuss counter-terrorism.

597. In his speech to the Security Council, Mr Straw stated:

“... we have to expose the connection between the terrorists who respect no rules, and the states which respect no rules. It is the leaders of rogue states who set the example: brutalise their people; celebrate violence; provide a haven for terrorists to operate; and, worse than that, through their chemical and biological weapons ... provide a tempting arsenal for terrorists to use ...

“So ... action to stop rogue states’ proliferation is as urgent as action to stop terrorism ... wherever we can, we should use diplomatic means to get proliferators to comply as we are with North Korea ... But there comes a moment when our patience must run out.

“We are near that point with Iraq ... so the moment of choice for Iraq is close. He [Saddam Hussein] must either resolve this crisis peacefully, by the full and active compliance with his Security Council obligations and full co-operation with inspectors, or face the ‘serious consequences’ – the use of force – which this Council warned would follow when it passed [resolution] 1441.”²⁰²

598. Mr McDonald reported that Mr Joschka Fischer, the German Foreign Minister, had told Mr Straw in the margins of the discussion that Germany would not vote for a second resolution, even if there was clear evidence of a material breach; and that there were no circumstances in which Germany would be involved in military action.²⁰³ Asked if he really meant no circumstances, such as “some flagrant breach, a large find, the murder of an inspector”, Mr Fischer replied that that “was different”, and Germany “might” vote for a second resolution.

²⁰⁰ UNMOVIC, *Joint Statement, Baghdad, 20 January 2003*.

²⁰¹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁰² Speech, Straw to the UN, 20 January 2003, ‘Vindicating the UN’s founding ideal’ [FCO, *Iraq*, Cm 5769, 25 February 2003].

²⁰³ Minute McDonald to Gray, 21 January 2003, ‘UN Security Council Meeting/Iraq’.

599. In remarks to the press, Mr Dominique de Villepin, the French Foreign Minister, condemned unilateral use of military force and stated that, as long as progress was being made through inspections, France saw no reason to choose military intervention.

600. In his press conference after the meeting, Mr de Villepin stated that Iraq could not be separated from other proliferation issues, and what was done on Iraq:

“... must apply to all the other crises. If war is the only way to resolve the problem, we’re immediately forced down a blind alley. The international community must clearly demonstrate initiative and imagination. We must also maintain international unity. Unilateral military intervention must be perceived as a victory for the maxim ‘might is right’, an attack against the primacy of the law and international morality.”²⁰⁴

601. Mr de Villepin stated that the international community had chosen inspections, and Iraq had to understand that it was “high time that she co-operated actively”. Iraq’s weapons of mass destruction programmes had “essentially been halted, even frozen”. In his view, Iraq could be disarmed by peaceful means.

602. In response to questions, Mr de Villepin stated that there was a choice between continuing with co-operation and “military intervention because we are impatient”. France believed that “nothing today justifies envisaging military action”. The inspectors had been working for “fewer than 60 days” and progress was “satisfactory”, although there was more that could be done to seek Iraq’s active co-operation.

603. Mr de Villepin raised questions about the legitimacy and effectiveness of any US unilateral military action, and warned of the potential consequences for a united Iraq and a stable and safe region in the Middle East. France’s view was that it would “take us down a path where we would have no control over the gains and benefits”.

604. Asked if France would use her veto, Mr de Villepin responded that President Chirac had “said from the outset” that France would not “join in military action” that did not have:

“... the support of the international community, UN support. Moreover we believe military intervention would be the worst solution, and that the use of force can only be a last resort, implying that all other avenues have been exhausted. If that point is reached, France, as a Permanent Member of the Security Council, will shoulder her responsibilities, remaining true to her principles ... so long as progress can be made through co-operation with inspectors, there is no reason to choose ... military intervention ...”

605. In his memoir, Mr Straw wrote that Mr de Villepin’s comments about the unilateral use of force “had effectively denounced the US”.²⁰⁵ That had “soured relations especially with Colin [Powell]”.

²⁰⁴ French Embassy, 20 January 2003, *Iraq – Meeting of the UNSC ministerial-level meeting on the fight against terrorism – Press conference given by Mr de Villepin, New York.*

²⁰⁵ Straw J. *Last Man Standing: Memoirs of a Political Survivor.* Macmillan, 2012.

606. Mr Straw also wrote that the special Ministerial meeting of the Security Council, and the three that followed in a seven-week period, were “among the most serious and dramatic meetings in which I have ever been involved”.

The positions of other members of the Security Council

607. President Bush stated on 21 January that it was clear Saddam Hussein was not disarming and time was running out.

608. Sir David Manning was assured by Dr Rice that the US wanted a second resolution.

609. In a press conference following a meeting with leading economists at the White House on 21 January, President Bush was asked if he was frustrated by the French “saying that they would block a UN resolution authorizing force on Iraq”. He replied that Saddam Hussein possessed “some of the world’s deadliest weapons” and posed “a serious threat to America and our friends and allies”. The world, including France, had come together “to say he must disarm”. But he was “not disarming”, he was “delaying ... deceiving ... asking for time”. He was “playing hide-and-seek with the inspectors”. The US “in the name of peace” would “continue to insist” that he did disarm.²⁰⁶

610. Asked when he intended to take a decision about whether the inspection process had any real hope of disarming Saddam, President Bush replied:

“It’s clear to me now that he is not disarming ... Surely we have learned how this man deceives and delays. He’s giving people the run-around ... time is running out ... Make no mistake ... he will be disarmed.”

611. President Bush concluded that Saddam Hussein had:

“... been given ample time to disarm. We have had ample time now to see that ... he’s employing the tricks of the past ...

“He wants to focus the attention of the world on inspectors. This is not about inspectors; this is about a disarmed Iraq ...

“... this looks like a rerun of a bad movie and I’m not interested in watching it.”

612. Mr Campbell wrote in his diaries that President Bush’s remarks were a “clear message that [the US was] losing patience with the UN, and they had pretty much decided it was going to happen and that was that”. Mr Blair “felt there had definitely been a change in mood and it was pretty bad”; President Bush needed to do more to make it an international coalition.²⁰⁷

²⁰⁶ The White House Press Release, 21 January 2003, *President Meets with Leading Economists*.

²⁰⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

613. Secretary Powell wrote in 2012:

“In January 2003, as war with Iraq was approaching, we needed to present our case against Iraq to the public and the international community. By then the President did not think that war could be avoided. He had crossed the line in his own mind, even though the NSC [National Security Council] had never met – and never would meet – to discuss the decision.”²⁰⁸

614. Following the debate at the UN on 20 January, Sir David Manning spoke again to Dr Rice.²⁰⁹ He reported that opinion polls in the UK showed that “over 60 percent” of those questioned would “accept” military action if mandated by a second UN resolution, but the figures “plummeted to near single figures without one”. He reported that he had been assured that the US Administration wanted a second resolution.

615. Sir Jeremy Greenstock advised that the “vast majority” of the Security Council believed that the inspectors should be given more time, although many were also sceptical of Iraqi co-operation.

616. Sir Jeremy Greenstock chaired an informal discussion of Security Council members on 21 January, which he described as to report on the discussion between Dr Blix and Mr Blair on 17 January. Sir Jeremy had stated that the UK continued to feed the inspectors with information on a “one way basis” and there was a “good chance” that, as the inspectors got closer to Iraq’s proscribed activities, more information would come out of the system:

“Iraq was therefore taking an amazing risk by trying to conceal its WMD. The Iraqis had to realise that there was only one way to avoid complete disarmament through military action – much more pro-active co-operation. If they did not provide that co-operation they would themselves be choosing to realise the threat of military action.”²¹⁰

617. Sir Jeremy reported that Ambassador Negroponte had stated that the situation could not be allowed to drag on; and that he was talking about days, not weeks or months. It was for Iraq to prove to the Council it was complying, not the other way round. The French Deputy Permanent Representative had argued that simply saying that co-operation was insufficient was not enough; demonstrable, precise evidence was needed to justify war, not become a prisoner of the military build-up. That could be hours, but it could also be months or years.

618. Sir Jeremy stated that the “vast majority” of Security Council members believed that “inspections should be given more time, although many are also sceptical of Iraqi co-operation”.

²⁰⁸ Powell C with Koltz T. *It Worked for Me: In Life and Leadership*. Harper Perennial, 2012.

²⁰⁹ Letter Manning to McDonald, 22 January 2003, ‘Iraq: Conversation with Condi Rice’.

²¹⁰ Telegram 121 UKMIS New York to FCO London, 22 January 2003, ‘Iraq: Informal Meeting of Security Council Members’.

619. In a separate telegram, Sir Jeremy Greenstock warned that “the terms of the Iraq debate are not moving in our favour ... most Council members are focused on giving more time to inspections not on the Iraqi failure to disarm”.²¹¹ He highlighted key areas for discussion at the Security Council meetings on 27 and 29 January, and wrote: “If UNMOVIC can produce the evidence of Iraqi biological or chemical weapons in particular ... we have a very good chance of turning Council opinion back towards a second resolution.”

620. Sir John Holmes, British Ambassador to France, advised that the gap between the UK and French positions was “unbridgeable”. President Chirac was strongly opposed to war and thought it would have disastrous consequences. France also questioned the level of threat posed by Iraq.

621. On 21 January, Sir John Holmes wrote to Sir David Manning setting out his perspective on the French position.²¹² Sir John Holmes acknowledged that France would try “to avoid having to veto” and noted that “opportunities to push Chirac in our direction may arise as circumstances change”.

622. Sir John reported that President Chirac strongly opposed war and that for him preventing it was more important than disarming Saddam Hussein. It would be very difficult to persuade President Chirac to:

“... support a second resolution and participate in war short of a new and evident *casus belli*. He may well accept the pain of exclusion from the action than change this position, though he has yet to face up to this choice and hopes to avoid it. The driving force of Chirac’s policy is to avoid a war at almost any cost. He does not believe it is necessary/proportionate to the real threat. He fears disastrous consequences in the region for the MEPP, for the US-Western image more widely, and for further fuelling of terrorism ...”

623. Sir John reported that terrorism was perceived as the most urgent threat which the French thought was in danger of being neglected. President Chirac was also “seriously concerned” about the effect on the world economy and the impact of that on France’s economic recovery. Beyond those concerns, Sir John described President Chirac as wanting to demonstrate a different, multilateralist world view and preserve French influence through keeping the main decisions in the Security Council. President Chirac did not really believe Saddam Hussein was a threat although WMD more widely were.

624. Sir John Holmes described French tactics as to “encourage international pressure against the war, to argue for more time, to help the inspectors do their work, and to put more pressure on Saddam to co-operate”. Sir John advised that President Chirac did not believe there was anything seriously incriminating to find; a view which

²¹¹ Telegram 122 UKMIS New York to FCO London, 22 January 2003, ‘Iraq: The Run-Up to 27 and 29 January’.

²¹² [Letter Holmes to Manning, 21 January 2003, ‘Iraq: French Thinking’](#).

Sir John reported was “widely shared here”. Secondly, President Chirac thought Iraq’s concealment techniques would be “too good for the inspectors”. Thirdly, if inspectors did find something, the French were bound to argue, at least in the first place, that it showed the inspections were doing their job, making war unnecessary.

625. Sir John predicted that:

“If Saddam manifestly blocks the inspectors, with or without a major find, but more obviously with, the French will probably concede that he has had his chance and blown it, vote for a second resolution ... and take part [in military action].

“If the inspectors find something big, the French will first argue for the continuation of inspections; but if it is a plausible smoking gun, and it is clear the US (and we) are committed to military action, again they will probably commit to a second resolution and to take part. But they will try everything to find alternatives ...

“If there is no major obstruction and no smoking gun, France will oppose a second resolution (while trying to avoid having to veto) and stay out of military action, though they would probably at the end of day try to sound neutral ... Continuing Iraqi deception and only passive co-operation ... will almost certainly not be enough to persuade them to change this in the short term ...”

626. Sir John wrote:

“As things stand, there is a relatively narrow window of circumstances in which the French would take part fully in military action: a clear *casus belli* and a second resolution. This looks to me possible in the next few weeks but not probable. Short of that, they will not go with the Americans, though they could stop short of outright opposition and be ready to do something to help eg backfilling.”

627. Sir John added that “The consequences for France of not being there if the US go are painful for them to contemplate”, including being on the wrong side of the argument if the action is an obvious rapid success. But:

“There would be consolations if the Americans had no or few allies ... And if it all went wrong, they would be on the right side of the argument.”

628. Addressing the implications for UK policy, Sir John wrote that “the gap between the Prime Minister’s convictions and Chirac’s is, for the present, unbridgeable”. He saw “no alternative to massaging our differences ... and staying within shouting distance of each other”.

629. Sir John concluded that, if the UK and the French (and Germans) diverged over military action, the consequences would depend:

“... on the circumstances and the success of the war. But the implications for the successful pursuit of our European policy ... could be severe ... So if any chance emerges in the next few weeks of bringing our positions together, we should grab it with both hands.”

630. In advance of the Security Council meeting on 27 January, Mr Straw and the FCO were concerned to identify a strategy which would allow more time for the strategy of coercion to work.

631. Mr Straw visited Washington and repeated the political arguments for trying to get a second resolution on 23 January.²¹³

632. Mr Straw and Secretary Powell discussed the inspectors' reports to the Security Council on 27 January, the need to "shift the burden of proof to Iraq" and the need to ensure there were no differences between the US and UK.²¹⁴

633. Mr Straw made the case for a second resolution in his subsequent meeting with Mr Dick Cheney, US Vice President, telling him that "the key question was how to navigate the shoals between where we were today and a possible decision to take military action".²¹⁵ The UK would be "fine" if there was a second resolution; and that it would be "ok if we tried and failed (a la Kosovo). But we would need bullet-proof jackets if we did not even try". In response to Vice President Cheney's question whether it would be better to try and fail than not to try at all, Mr Straw said the former.

634. In the subsequent discussion, Mr Straw stated that:

- The composition of the Security Council since 1 January "made matters more difficult".
- If there were "a half decent statement" from Dr Blix and Dr ElBaradei (to the Security Council on 27 January), "which enumerated Iraqi shortcomings, we would have the beginnings of a further material breach as defined by OP4 of [resolution] 1441. We could then use a period of time – weeks not months – to negotiate a second resolution." The text of such a resolution would "write itself".
- The effort of getting a second resolution "would help the UK and – he thought – the US to nail the canard that the US was operating outside the international community. It would also help with the 'day-after'."
- Mr Blair "felt strongly that diplomatic effort could make the military effort easier. If the international community was united, then the Arabs could go to Saddam with a strong message that he had either to go or his regime would face destruction. Arab leaders were desperate to get rid of Saddam. A second resolution would embolden them." If the international community was split, that would "embolden Saddam Hussein".
- People in the UK had a "sense of the UN as a legitimator of action". Vice President Cheney said the same was true in the US.

²¹³ [Telegram 93 Washington to FCO London, 23 January 2003, 'Foreign Secretary's Meeting with Vice President of the United States, 23 January'](#).

²¹⁴ Telegram 91 Washington to FCO London, 23 January 2003, 'Iraq: Foreign Secretary's Lunch with US Secretary of State, 23 January 2003'.

²¹⁵ [Telegram 93 Washington to FCO London, 23 January 2003, 'Foreign Secretary's Meeting with Vice President of the United States, 23 January'](#).

635. Vice President Cheney made a number of points, including:

- A French veto “wouldn’t hurt one bit in the States”.
- Secretary Powell had felt “bushwhacked” at the meeting of the Security Council on 20 January, and the position of Germany was “increasingly fragile”.
- The US Administration “had not yet figured out next steps”, which would “to some extent” depend on what happened on 27 January.
- It “would clearly be preferable to get a second resolution”. There was a “sense in the US that a process was unfolding”, “But there was no prospect of the inspectors working properly unless the party inspected was willing. The burden of proof was on the Iraqis and they were not delivering.”
- There was “a timing problem. The idea that we could let it drift through months of discussion was not on. Troops were already in place. The weather was a factor ... If we backed off now, or sat there for months, the Saudis and others would back off. It would be one more example of bold talk and no action. We would never get them gingered up for action again.”
- President Bush “could not let a charade continue at the UN”; and he “could not let France and Germany dictate policy”. He would have thought France had “a vested interest ... in preserving the status of the Security Council”, but “Instead, they were allowing the Council to be a place not of action but of restraining legitimate US action.”
- Once military operations started, “the Iraqi regime was likely to fall apart quickly”: “Iraqis would reveal all the WMD now hidden away.”
- The US Administration “had not yet resolved” whether it wanted a second vote or not.

636. At the end of the meeting, Mr Straw:

“... discussed the Kosovo model and its limitations. The tactics of tabling a text in the knowledge of a likely veto were very delicate. But we might also face the situation where France or Germany tabled a resolution to give the inspectors more time. We would have to veto but that would put us on the back foot. Last autumn, the knowledge that the US and UK had a text in play had deterred others from tabling an alternative [...] ...”

637. Mr Straw’s comments on proceeding with military action if the UK tried and failed to obtain a second resolution prompted Mr Wood to write to Mr Straw.²¹⁶ That correspondence and Lord Goldsmith’s subsequent correspondence with Mr Straw are addressed in Section 5.

²¹⁶ [Minute Wood to PS \[FCO\], 24 January 2003, ‘Iraq: Legal Position’.](#)

638. On a flight from Washington on 23 January, Mr Ricketts, gave Mr Straw an outline of a strategy which Mr Blair could put to President Bush.²¹⁷

639. The key messages were that the strategy was working, but it needed more time. That would have three strategic advantages:

- The military build-up was “already producing signs of fracturing in the regime ... We might be able to achieve our objectives without firing a shot”;
- Inspections “were beginning to produce results”.
- The UK was working with “moderate Arabs” to “get Saddam out using the leverage of a second resolution”.

640. Mr Ricketts stated that:

- In the present circumstances, it was clear that there would not be the nine votes in the Security Council needed for a second resolution.
- Without a “dramatic new fact”, Mr Ricketts did not see how a second resolution could be achieved “in the next few weeks”.
- “UK politics [made] it essential to have a second resolution”.

641. In Mr Ricketts’ view, the US and UK had to “contrive the circumstances” in which they could “carry a broad coalition and domestic opinion with us. Going without the UN carried the big price of resentment in the Muslim world, including increased terrorism/ risk of being stuck for years with the burden of rebuilding post-Saddam Iraq.” Working with the UN would allow Iraq to be “rebuilt with international support” which would allow the UK “to exit”, and would be a “powerful message for other would-be proliferators. That prize is worth taking time over.”

Mr Blair’s conversation with President Bush, 24 January 2003

642. Mr Blair decided on 23 January to ask President Bush for a few weeks’ delay to maximise the chances of finding a “smoking gun” as the basis for a second resolution.

643. Mr Campbell wrote that on 22 January he and Baroness Morgan, Mr Blair’s Director of Political and Government Relations, had “banged on” about the need for the US to be on a “broader international route” and that Mr Blair:

“... sensed the inspectors would not necessarily come out with what was needed for absolute clarity, so we would have to face the prospect of going in without a UNSCR. Chirac was making it clearer than ever that he would be against war come what may, even with a smoking gun.”²¹⁸

²¹⁷ [Minute Ricketts to Private Secretary \[FCO\], 23 January 2003, ‘Iraq: Discussion with the Prime Minister’ attaching Paper, ‘Iraq: Planned Presentation for President Bush’.](#)

²¹⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

644. Mr Campbell also wrote:

- He had also discussed the problems for the UK caused by the US focus on their domestic audience with the US.
- Baroness Morgan had warned Mr Blair that the PLP needed UN support, and they had to see real evidence.
- Mr Blair had been “pretty clear that we couldn’t peel off from the US without very good reason”.

645. In a meeting with Sir Jeremy Greenstock and No.10 officials to discuss the handling of Iraq in the UN Security Council in the coming weeks, at 9.30am on 23 January, Mr Blair set out an approach which included:

- There was a need “if we could possibly get it” for “hard proof” that Saddam Hussein was “lying over his WMD, to bring public opinion to accept the need for military action”; and that inspections would need to be given time.
- In their planned meeting (on 31 January), Mr Blair would seek to convince President Bush to delay a decision to start military action for a few weeks.
- Confirmation was needed that the assumption that the Arabs, and in particular the Saudis, would only favour military action on the basis of a second resolution, was correct.
- The “extra time should be used to maximise the chances of the inspectors finding a smoking gun or of being seriously obstructed (the inspectors should be encouraged to inspect sites which we knew the Iraqis would want to block)”.
- The “less optimal outcome would be no smoking gun and no serious obstruction but a series of regular Blix reports that he was not satisfied with the level of Iraqi co-operation”.
- The “extra time would also give the Arabs the opportunity to press Saddam to go into exile”.
- The argument needed to be made that “the inspectors were not supposed to be a detective agency ... South Africa was a model of how it could be done.”²¹⁹

CABINET, 23 JANUARY 2003

646. Mr Blair told Cabinet that a “big debate was developing over the value of the inspections route” and that he would “report back” after his meeting with President Bush at the end of January.

647. Mr Blair told Cabinet on 23 January that his meeting with Dr Blix on 17 January had confirmed that Iraq was not co-operating fully with the UN.²²⁰ The Security Council meeting on 27 January would not be a “trigger date”; the “inspectors had to continue their work”. The military build-up was under way and Saddam Hussein was “under increasing pressure”.

²¹⁹ [Minute Rycroft to Manning, 23 January 2003, ‘Iraq: Prime Minister’s Meeting with Jeremy Greenstock’.](#)

²²⁰ Cabinet Conclusions, 23 January 2003.

648. Mr Blair also said that “A big debate was developing over the value of the inspections route.” He would “report back to colleagues on the outcome” of his meeting with President Bush.

649. Sir Richard Dearlove advised on 23 January that the US had “in effect” taken the decision to use force against Iraq.

650. In response to a request from Mr Blair for briefing on US planning, Sir Richard Dearlove’s Private Secretary sent Sir David Manning an update, advising that a decision had “in effect” been taken to use force against Iraq.²²¹ The US military would be ready in mid-February.

MR BLAIR’S NOTE TO PRESIDENT BUSH, 24 JANUARY 2003

651. In a Note to President Bush on 24 January, Mr Blair told President Bush that the need for a second resolution was overwhelming, and that inspectors should be given until the end of March or early April to carry out their task.

652. Mr Blair suggested that, in the absence of a “smoking gun”, Dr Blix would be able to harden up his findings on the basis of a pattern of non-co-operation from Iraq and that would be sufficient for support for military action in the Security Council.

653. In addition, Mr Blair framed his argument in the context that extra time would be crucial to make a better case and work up coherent plans for the “aftermath” of a conflict and to secure international support.

654. Mr Blair sent a Note to President Bush on 24 January, setting out the dilemma, as he saw it, in the absence of a “smoking gun”.²²²

655. Addressing the question “What’s the problem?”, Mr Blair wrote:

“If we delay, we risk Saddam messing us about, sucking us back into a game of hide and seek with the Inspectors where, unless they find ‘the smoking gun’, the thing drags on for ever until we give up or get distracted.

“On the other hand, at present there is not support for a second UN resolution; and Blix is not yet in a clear and unambiguous position on Iraqi non-co-operation.”

656. Mr Blair wrote that the arguments for proceeding with the second resolution, “or at the very least a clear statement” from Dr Blix which allowed the US and UK to argue that a failure to pass a second resolution was in breach of the spirit of 1441, remained in his view, overwhelming. He cited six reasons:

- It would be “the best protection” in the event of “a military hitch” or a protracted campaign.

²²¹ Letter PS/C to Manning, 23 January 2003, [untitled].

²²² Letter Manning to Rice, 24 January 2003, [untitled], attaching Note [Blair to Bush], [undated], ‘Note’.

- Given the risk of casualties, military and civilian, “doing this in the context of international opposition would be very tough”.
- Arab opinion wanted “it done”, and wanted “it done quickly”, but they were assuming a second resolution: “Without one they will be in a real bind, especially if parts of Europe, Russia, China, etc were all vociferous in their opposition.”
- Saddam Hussein would be “emboldened by a lack of international support for us and weakened by its existence”. If he believed international opinion was against the US and UK, he might hunker down in Baghdad.
- Internecine fighting in Iraq when a military strike destabilised the regime would be the “biggest risk”: “They are perfectly capable, on previous form, of killing each other in large numbers.” The US and UK “would need the backing of the international community and preferably the UN to handle it”; without that the US and UK would “get the blame for any fighting”.
- If they forfeited the UN route, the US and UK would lose the high ground. They had “invested huge capital” in that and it had given everyone “a big comfort blanket”. If that were taken away, it would be “about US power, naked and in your face”. There were “big majorities against action without UN backing everywhere, even in the UK” and “even in the UK Cabinet”. That would be “so in spades” if the UN inspectors appeared to be asking for more time and the US and UK were refusing.

657. Addressing the “way through”, Mr Blair wrote:

“In truth, the world is in contradiction. No one is really prepared for war, except us. But equally no one believes Saddam is telling the truth. In part we are victims of our own success. Your strength ... has forced Saddam to let inspectors back in; has made him seem weak and back in his box. So, everyone asks: why bother?”

“But they also know, deep down, WMD is an issue and that given half a chance Saddam would be at it again. And they don’t want, ideally to fall out with the US. But to avoid falling out, they need some cover.”

658. Mr Blair described the position of France and Germany as being that the inspectors were in Iraq “to play hide and seek”, and “they should stay as long as it takes for them to find anything without any obligation on Saddam other than not to hinder them”.

659. The “true view”, however, was that resolution 1441 gave Iraq a “duty” to “co-operate fully: not just in access, but in being open, honest and transparent about where WMD was and actively helping the inspectors to seize and destroy it”. Dr Blix accepted that view:

“... if things carry on as they are, then he will say that there is not full co-operation though there is not either the absence of any co-operation; but as he continues to demand Iraq fully co-operates and they continue to refuse, this pattern of non-co-operation – even in the absence of any ‘smoking gun’ is sufficient for him to harden up his findings; and I think it will be sufficient for us.”

660. Mr Blair added:

“ie in the US/UK view, the failure ... fully to co-operate is enough now and technically we are right. 27 January should be crunch time. But we won't carry other people ... However, if Blix carries on reporting non-co-operation, makes increasing demands, and hardens his findings with each stage, I think we will carry people – even without the ‘smoking gun’ – shortly.”

661. Mr Blair stated that military action starting at the end of March/early April would not be “a big military problem”: “But the extra time could be crucial in carrying international opinion” with the US and the UK, provided they had defined clearly the true role of the inspections and Dr Blix was behind the proposal.

662. Mr Blair's proposal was for:

- a report on 27 January stating that Dr Blix was not satisfied and identifying specific questions for Iraq to address;
- the US and UK to set out “the true role” of the inspectors and get Dr Blix's support, saying that they believed “Iraq is in breach but even so, out of deference to allies, we are prepared to give the inspectors some time”;
- Dr Blix to agree to report every two weeks;
- the US and UK to make it clear that, if by the time of the late March report there was not a definitive change of Iraqi attitude, the US and UK would take the issue back to the UN and expect action; and
- regular reports from Dr Blix in February and March to build “a clear pattern of deceit”.

663. Mr Blair argued that the disadvantages of that strategy would be military delay but “only, effectively, for a month”. The advantages would be “huge”, including:

- The US and UK could “build a case based on the Inspectors not just our own judgement”.
- Dr Blix might find “the smoking gun”.
- Saddam “might crack”.
- There would be “a far better chance of a second resolution” which would give them “a clear run with public support”.
- The Saudis and other Arabs could “build support for their strategy to push Saddam out”.
- It would provide time, which Mr Blair believed was needed, “to work up more coherent post-Saddam and ‘aftermath’ plans”.
- It would also provide time “to make a bigger case on WMD and the link with terrorism”.

664. Mr Blair concluded: “In parallel we should of course maintain our rhetoric and step up military preparations.”

665. Mr Campbell wrote that the Note was “a very well made, carefully constructed argument that made sense”, and that President Bush had read it before the telephone call with Mr Blair.²²³

666. Sir David Manning spoke to Dr Rice about the Note.²²⁴ He reported that it was clear that the White House had a different perspective about the advantages of moving to military action as soon as possible and the importance of a second resolution, including for securing support from Arab governments.

667. In his subsequent conversation with President Bush, Mr Blair pursued the proposals in his Note and explained his political difficulties.

668. When Mr Blair spoke to President Bush later that day, he set out the strategy in his Note and his view on the dilemma they faced.²²⁵ The international community was “not yet ready” for a second resolution, but an operation without one would be “much tougher”.

669. Mr Blair said that it was possible that the inspectors would find a smoking gun, but he was “not relying on that”. In his view, even if there were no smoking gun and the Iraqis were giving the inspectors access, Dr Blix:

“... would say that they were not co-operating sufficiently. Saddam had to co-operate actively with identifying and destroying all his WMD ... So in our view Saddam was already in breach of 1441. But the international community was in denial. Our case would strengthen if there were a series of Blix reports that Iraq was not co-operating. We needed to give the inspectors more time to firm up the case.”

670. Mr Blair proposed setting a clear deadline. Unless there were full co-operation by then, we would seek a second resolution: “If this were not achievable, military action would follow anyway.” Military preparations and diplomatic work to build international support should continue.

671. Later Mr Blair argued that “we needed to look reasonable” and that the deadline for the start of military action should be delayed to the end of March.

672. Mr Campbell wrote that Mr Blair had been clear that there was no international political support “without Blix finding a smoking gun and we needed more time”. The inspectors should be given another month. Mr Blair was “sure that in time we could turn opinion”. President Bush was “pretty clear there would have to be war, because

²²³ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²²⁴ Minute Manning to Prime Minister, 24 January 2003, ‘Iraq: Your Conversation with Bush’.

²²⁵ Letter Rycroft to McDonald, 27 January 2003, ‘Iraq: Prime Minister’s Conversation with President Bush, 24 January’.

he did not believe Saddam would ever comply, or that the inspectors would be allowed to do their job”.²²⁶

673. The record of the discussion confirms Mr Campbell’s account.²²⁷

674. In response to a question from Mr Campbell about whether he thought President Bush “had basically decided there was going to be a war,” Mr Blair had said “if that call was anything to go by, pretty much”, Mr Blair hoped that “he could keep things on a multilateral track but it was not going to be easy. He was facing a very tough call indeed, about as tough as they get.”²²⁸

675. Mr Campbell wrote that Mr Blair “was confident that we could get Bush to the position where he stayed [action] long enough for a second UNSCR”; and that there was also “a real danger that the Attorney General would resign if he thought the plan was disproportionate force”.

676. Mr Campbell reported that Mr Blair had told a political Cabinet on 24 January that “it was important to stay with the Americans”. He had emphasised “closeness as a way of influencing the debate there” and said “he wanted to do a big ... diplomacy round” before his meeting with President Bush. Mr Blair had also:

“... set out what he saw as the political and other realities. He felt that Bush deserved praise for showing strength in forcing Saddam to the position of getting the inspectors in, but ... we didn’t have enough international support and we needed time to build it.”

677. Describing the political Cabinet on 24 January, Mr Campbell wrote that Mr Prescott had said more Cabinet Committee discussion on policy was needed.

678. In a conversation with Mr de Villepin on 24 January, Mr Straw said that it was “important for everyone to keep to the process” set out in resolution 1441.²²⁹ That was “the guide against which we could test whether the inspectors had been able to do their job or not”. He restated the UK’s preference for a second resolution.

679. Mr Straw said that “how France played its hand had major consequences”. It was vital to take the UN route. Citing the League of Nations in the 1930s, he said that “failure by the UN would lead to questions about its legitimacy”. After complaining about the US approach, Mr de Villepin stated that if in the end it was decided force was needed, “France would join in”.

²²⁶ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²²⁷ Letter Rycroft to McDonald, 27 January 2003, ‘Iraq: Prime Minister’s Conversation with President Bush, 24 January’.

²²⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²²⁹ Telegram 16 FCO London to Paris, ‘Iraq: Foreign Secretary’s Conversation with French Foreign Minister, 24 January’.

INDICT

INDICT was established in 1996.²³⁰ Although it was UK based, the non-governmental organisation (NGO) operated with funding from the US Congress granted under the auspices of the Iraq Liberation Act 1998. INDICT advocated the establishment of an ad hoc International Criminal Tribunal to try Saddam Hussein and leading members of his regime on charges of genocide and torture, war crimes and other crimes against humanity. Founder members included a number of notable Iraqi exiles including Dr Ahmed Chalabi and Mr Hamid Al Bagali (who was later appointed Iraqi Ambassador to the UN), and Ms Clwyd.

INDICT focused its attention on Saddam Hussein and a dozen senior members of the Iraqi regime including Mr Tariq Aziz, the Deputy Prime Minister.²³¹

Ms Clwyd wrote to Lord Williams of Mostyn, the Attorney General, in September 2000, enclosing a copy of Leading Counsel's opinion which advised that there was "a powerful body of evidence that Saddam Hussein and Tariq Aziz were party to, and criminally responsible for ... detentions" and that there was "direct evidence that implicates Saddam Hussein and Tariq Aziz in issuing threats to detain the hostages".²³²

Counsel advised that, subject to the consent of the Attorney General being obtained, both Saddam Hussein and Tariq Aziz could be charged in the UK with the offence of Hostage Taking, contrary to section 1 of the Taking of Hostages Act 1982. That was an offence prosecutable in the UK whether committed "in the United Kingdom or elsewhere" regardless of the nationality of the offender.

Lord Williams wrote to Ms Clwyd on 22 March 2001 notifying her of his refusal to grant his consent to the prosecution.²³³ He explained the basis of his decision as:

"I have concluded in respect of Saddam Hussein that there is at present no realistic prospect of a conviction. There are two elements to my assessment. I have concluded that Saddam Hussein, as Head of State of Iraq, would presently be entitled to assert immunity from criminal prosecution. Moreover, I am not satisfied in any event that the evidence as submitted to me is sufficient to provide a realistic prospect of a conviction.

"Whether the court would uphold any claim of immunity that may be asserted by Tariq Aziz is in my judgement less clear. However, leaving that issue aside, I am not satisfied that the evidence at present submitted by INDICT provides a realistic prospect of conviction for the offences which appear to me to fall to be considered."

In October 2002, INDICT submitted further advice from Leading Counsel to Lord Goldsmith, the Attorney General, again seeking consent to the prosecution of Saddam Hussein, Tariq Aziz and on this occasion two others, Mr Ali Hassan Al-Majid (who was said to have been appointed the Governor of Kuwait) and Mr Taha Ramadan,

²³⁰ Public hearing Clwyd, 3 February 2010, pages 11-12.

²³¹ Public hearing Clwyd, 3 February 2010, page 13.

²³² Letter Clwyd to Williams, 26 September 2000, [untitled], attaching Note Montgomery, 11 July 2000, 'In the Matter of Iraqi Crimes Against Humanity'.

²³³ Letter Williams to Clwyd, 22 March 2001, 'Request for a Fiat'.

the Vice President of Iraq, (characterised by INDICT as the “second most powerful man in Iraq”).²³⁴ All were alleged to have committed offences of hostage-taking in 1990.

Lord Goldsmith wrote to Ms Clwyd on 24 January 2003.²³⁵ He stated that he was not prepared to consent to a prosecution on the “theoretical possibility” that Saddam Hussein’s “current immunity could at some point lapse” particularly, in the light of the Yerodia²³⁶ decision which implied that the formal grant of his consent might itself contravene the basis of his immunity. Lord Goldsmith was not satisfied, moreover, that the evidence submitted by INDICT provided a realistic prospect of conviction.

Lord Goldsmith did not express a view as to whether Tariq Aziz might continue to enjoy immunity. In his case, and with regard to Ali Hassan Al-Majid and Taha Ramadan, he did not consider the evidence to be sufficiently cogent or persuasive for there to be a realistic prospect of a conviction and Lord Goldsmith refused consent in each case.

Lord Goldsmith closed his letter with the following paragraph:

“My conclusions on the material provided, focus only on the question of exercising criminal jurisdiction against individuals in the domestic courts. They have nothing to do, of course, with the quite separate question of whether the international community may in due course consider it worthwhile to establish an international tribunal, depending on how the international situation develops. An international tribunal can be set up on a basis that overrides Sovereign immunity. But this is not a matter for me and it would not be right for me to speculate as to how the situation will develop over the next few weeks or months.”

Mr Blair’s interview on *BBC’s Breakfast with Frost*, 26 January 2003

680. Mr Blair decided to use an interview on *Breakfast with Frost* on 26 January to set out the position that the inspections should be given sufficient time to determine whether or not Saddam Hussein was co-operating fully. If he was not, that would be a sufficient reason for military action. A find of WMD was not required.

681. In an extended interview on the *BBC’s Breakfast with Frost* programme on 26 January, Mr Blair set out in detail his position on Iraq.²³⁷

682. Asked whether Dr Blix should be given more time, Mr Blair stated that the inspectors had “to be given the time to do the job”, but there was “confusion” about what that job was. The time they needed was to certify whether Saddam Hussein was “fully co-operating or not”. Saddam had to provide information on “exactly what weapons material” he had, “allowing the inspectors to inspect it, monitor it and shut it down”. If they were not able to do that job, Saddam would have to be disarmed by force. That should not take months, but Saddam was not co-operating.

²³⁴ Note Montgomery, 25 September 2002, ‘In the Matter of Iraqi Crimes Against Humanity’.

²³⁵ [Letter Goldsmith to Clwyd, 24 January 2003, ‘Saddam Hussein, Tariq Aziz, Ali Hassan and Taha Ramadan’.](#)

²³⁶ Democratic Republic of Congo v Belgium ICJ, 14 February 2002.

²³⁷ *BBC*, 26 January 2003, *Breakfast with Frost*.

683. Pressed as to whether non-compliance rather than evidence of weapons of mass destruction justified “a war”, Mr Blair replied that he “profoundly” disagreed with the idea that a refusal to co-operate was of a “lesser order”. He added:

“... what we know is that he has this material ... we know there is something like 350 tonnes of chemical warfare agent. We know there is something like 30,000 special munitions for the delivery of chemical and biological weapons.

“He hasn’t even told us where those old leftovers from 1998 are ... we know ... that there is an elaborate process ... of concealment ...

“... the people that the inspectors want to interview ... are being told, by the Iraqi authorities, they can only come for interviews with an Iraqi ... minder, and only be interviewed in certain places.

“And we know also from intelligence that these people’s families are being told that if they co-operate and give any information at all they will be executed.

“... if he fails to co-operate in being honest and he is pursuing a programme of concealment, that is every bit as much a breach as finding, for example, a missile or chemical agent.”

684. Asked whether there would be “another dossier” setting out what UK intelligence had discovered, Mr Blair stated:

“... we have the intelligence that says that Saddam has continued to develop these weapons of mass destruction; that what he’s doing is using a whole lot of dual-use facilities in order to manufacture chemical and biological weapons; and ... that there is an elaborate programme of concealment ... forcing the inspectors to play a game of hide and seek.”

685. Asked if he had sufficient evidence to back action, Mr Blair replied:

“... I’ve got no doubt at all that he’s developing these weapons and that he poses a threat but we made a choice to go down the UN route ...

“... our judgement, the American judgement ... is that Saddam has these weapons, but the purpose of the inspectors ... is ... to report back to the UN and say whether he is fully co-operating or he’s not.”

686. Asked whether a second resolution was needed, required or preferred, Mr Blair replied:

“Of course we want a second resolution and there is only one set of circumstances in which I’ve said that we would move without one ... all this stuff that ... we’re indifferent ... is nonsense. We’re very focused on getting a UN resolution ...

“... you damage the UN if the UN inspectors say he is not co-operating, he’s in breach, and the world does nothing about it. But I don’t believe that will happen ...”

687. Mr Blair reiterated his arguments that the world had to take a stand to disarm Iraq so as to send a message to other countries that were potentially developing weapons of mass destruction that they had to take the international community seriously. Delay would make it more difficult to deal with the issue: in his view it was “only a matter of time before international terrorism and these types of weapons come together”.

688. Asked what was the most important item on the agenda for his meeting with President Bush, Mr Blair replied:

“To agree the right strategy for the future and to ... explain ... yet again why it is important to deal with this issue.”

689. Mr Blair concluded in relation to Iraq that:

“... when America is taking on these tough and difficult questions our job is to be there. Not be there at any price, not be there without saying how we think the thing should be dealt with, but being there in the difficult and tricky times, not simply ... as fair weather friends.”

690. Mr Scarlett and SIS1 provided material for use during the interview. This is addressed in Section 4.3.

691. Mr Campbell wrote in his diaries that the UK problem was that President Bush “seemed hell-bent on war and we looked like we were doing things from a US not UK perspective”.²³⁸

692. Mr Campbell added on 27 January: “Despite yesterday people were still applying the yardstick that the inspectors would have to find WMD rather than simply that Saddam had to co-operate.”²³⁹

693. Mr Vladimir Putin, the Russian President, told Mr Blair on 27 January that inspections needed more time.

694. President Putin contacted Mr Blair on 27 January to discuss the differences in the international community’s approach to North Korea and Iraq.²⁴⁰ On the former, the strategy was to pursue a negotiation, including contacts between the US and North Korea. Mr Blair agreed to discuss that with President Bush, and that:

“We need to bind the North Koreans into an agreement that preserved their dignity while ensuring that they could not develop their weapons.”

²³⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²³⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁴⁰ Letter Rycroft to McDonald, 27 January 2003, ‘North Korea and Iraq: Prime Minister’s Phone Call with Putin, 27 January’.

695. On Iraq, President Putin's view was that the purpose of the military build up was to put pressure on Iraq, not a preparation for war. Russia was doing the same through diplomatic means and had managed to ensure that the Iraqis gave permission for scientists to go abroad to be interviewed and searches of private homes. UNMOVIC and the IAEA had some questions, but they were procedural, there were no complaints that Iraq was interfering with the inspections. The inspectors should be allowed to continue their work. He trusted the inspectors and they should be given more time.

696. Mr Blair agreed that the inspectors should have time to do their job, but it was "crucial" that it "did not become a game of hide and seek". Iraq had to help the inspectors; Saddam Hussein was obliged to give them positive co-operation, not just access. He would discuss the issues with President Bush and then speak to President Putin again.

697. President Putin emphasised that it was a very important conversation and concluded that Saddam Hussein should comply with all his obligations and the inspectors' requests; he must accommodate our demands. Moscow was not interested in covering for Iraq if it had weapons or was seeking to acquire them. If Iraq had any weapons, they must destroy them and comply with the inspectors.

698. Mr Campbell wrote that the call was "encouraging"; President Putin was "really losing patience with Saddam".²⁴¹

699. In an interview before the reports to the Security Council on 27 January, Mr Igor Ivanov, the Russian Foreign Minister, told Al Jazeera that he strongly doubted that the Council would authorise military action against Iraq: "the chances ... are practically nil".²⁴²

Security Council, 27 January 2003

700. Dr Blix reported to the Security Council on 27 January that Iraq appeared to have decided in principle to co-operate on process, but an Iraqi decision to co-operate on substance would be "indispensable" for the inspectors to complete their tasks.

701. Iraq's declaration of 7 December did not provide new evidence which would eliminate or reduce the unresolved issues identified in 1999.

²⁴¹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁴² Telegram 28 Moscow to FCO London, 28 January 2003, 'Russia/Iraq: Russian Response to UNSC Reports'.

702. In his report to the Security Council on 27 January, Dr Blix rehearsed the disarmament process since 1991 and identified three “important questions” for the Security Council:

- “[H]ow much [prohibited material and activity] might remain undeclared and intact from before 1991”?
- “[W]hat, if anything, was illegally produced or procured after 1998, when the inspectors left”?
- How to prevent “any weapons of mass destruction be[ing] produced or procured in the future”?²⁴³

703. Dr Blix reported on UNMOVIC’s activities and gave an assessment of the extent of Iraq’s co-operation with those activities, including its declaration of 7 December 2002.

704. Dr Blix stated that UNMOVIC shared “the sense of urgency felt by the [Security] Council to use inspection as a path to attain, within a reasonable time verifiable disarmament of Iraq”. UNMOVIC’s capability was “growing”. It had 260 staff members of whom 100 were inspectors. It had conducted about 300 inspections at more than 230 sites, of which 20 were sites which had not been inspected before. A training programme in Vienna would create a pool of 350 qualified experts from which inspectors could be drawn.

705. Dr Blix reported: “It would appear from our experience so far that Iraq has decided in principle to provide co-operation on process, namely access.” Iraq had “on the whole co-operated rather well so far ... access has been provided to all sites that we wanted to inspect and with one exception it has been prompt”. There had, however, been “some problems” in two areas: Iraq’s refusal to guarantee the safety of U2 flights to provide aerial imagery and for surveillance during inspections; and helicopter operations, although that had been “solved”. There had also been “some recent disturbing incidents and harassment”.

706. Dr Blix stated that an Iraqi decision to provide co-operation on substance was “indispensable” to bring “the disarmament task to completion”. OP9 of resolution 1441 required Iraqi co-operation to be “active”. It was “not enough to open doors”. Inspection was “not a game of ‘catch as catch can’”. Rather ... it is a process of verification for the purpose of creating confidence.”

707. Dr Blix reported: “In the fields of missiles and biotechnology, Iraq’s declaration contains a good deal of new material and information covering the period from 1998 and onward. This is welcome.”

²⁴³ UN Press Release, 27 January 2003, *Security Council briefed by Chief UN Weapons Experts on First 60 days of Inspections in Iraq (SC/7644)*.

708. But Dr Blix stated:

“One might have expected ... that Iraq might have tried to respond to, clarify and submit supporting evidence regarding the many open disarmament issues, which the Iraqi side should be familiar with from the UNSCOM document S/1999/94 of January 1999 and the so-called Amorim Report of March 1999 ... These are the questions which UNMOVIC, governments and independent commentators have often cited.”

709. UNMOVIC had found “the issues listed in those two documents as unresolved, professionally justified”. The reports pointed to:

“... lack of evidence and inconsistencies ... which must be straightened out, if weapons dossiers are to be closed ... They deserve to be taken seriously by Iraq rather than being brushed aside as evil machinations of UNSCOM. Regrettably, the ... declaration, most of which is a reprint of earlier documents, does not seem to contain any new evidence that would eliminate the questions or reduce their number.”

710. Dr Blix set out examples of questions and issues that needed to be addressed in some detail, including:

- UNMOVIC had information indicating that Iraq had worked on purifying and stabilising the nerve agent VX, and had achieved more than it had declared. This conflicted with the Iraqi account that the agent had only been produced on a pilot scale, had been destroyed in 1991, and was never weaponised. There were also questions to be answered about the fate of VX precursor chemicals.
- Iraq had provided a copy of the “Air Force” document it had withheld in 1998. It indicated that 13,000 chemical bombs were dropped by the Iraqi Air Force between 1983 and 1988. Iraq had claimed that 19,500 bombs were consumed during that period. In the absence of evidence to the contrary, UNMOVIC “must assume these quantities are now unaccounted for”.
- The discovery of “a number of 122mm chemical rocket warheads in a bunker at a storage depot southwest of Baghdad”. The bunker was relatively new, which meant “the rockets must have been moved there in the past few years, at a time when Iraq should not have had such munitions”. Iraq had stated that they were “overlooked from 1991 from a batch of 2,000 that were stored there during the Gulf War. That could be the case. They could also be the tip of a submerged iceberg. The discovery of a few rockets does not resolve, but rather points to, the issue of several thousands of chemical rockets that are unaccounted for.” Iraq had subsequently found four more chemical rockets at a storage depot in al-Taji. The warheads were “empty”.
- Inspectors had found “a laboratory quantity of thiodiglycol, a mustard gas precursor”.

- There were “strong indications that Iraq produced more anthrax than it declared, and that at least some of this was retained after the declared destruction date. It might still exist.”
- Iraq had not declared “a significant quantity of bacterial growth media” which had been included in Iraq’s submission to the Amorim panel. This omission appeared “to be deliberate as the pages of the resubmitted document were renumbered”. The quantity of growth media involved would “suffice to produce ... about 5,000 litres of concentrated anthrax”.
- The Al Samoud 2 and Al Fatah missiles “might well represent *prima facie* cases of proscribed systems” but further technical consideration would be necessary before reaching a conclusion on the issue.
- Iraq had refurbished its missile production infrastructure, including a number of casting chambers which were capable of producing motors for missiles with ranges greater than the 150km limit.
- Iraq had illegally imported 300 rocket engines which might be for the Al Samoud 2, chemicals used in propellants and other potentially proscribed items.

711. Dr Blix questioned Iraq’s claims that there were no more documents about its activities. After the discovery of documents in the home of a scientist “relating to the laser enrichment of uranium”, UNMOVIC could not “help but think that the case might not be isolated and that such placements of documents is deliberate to make discovery difficult”. He warned that: “Any further sign of the concealment of documents would be serious.”

712. Dr Blix also questioned whether Iraq had provided a complete list of the names of personnel who had worked on proscribed programmes, and pointed out the difficulties of interviewing individuals “in private”. He reported that UNMOVIC had asked 11 individuals for interview in Baghdad and that none of them would speak without the presence of an Iraqi official.

713. Dr ElBaradei reported that the IAEA had found no evidence that Iraq had revived its nuclear weapons programme but it was still investigating a number of issues and Iraq needed to shift from passive to pro-active support.

714. Dr ElBaradei called for a few months to verify Iraq’s nuclear disarmament and to demonstrate that the inspection process worked as a central feature of the international nuclear arms control regime.

715. Dr ElBaradei reported that the IAEA had conducted 139 inspections at some 106 locations, with a “focus on areas of concern identified by other States, facilities identified through satellite imagery as having been modified or constructed since 1998, and other inspection leads identified independently”.²⁴⁴ They had been able to “gain

²⁴⁴ UN Press Release, 27 January 2003, *Security Council briefed by Chief UN Weapons Experts on First 60 days of Inspections in Iraq (SC/7644)*.

ready access and to clarify the nature of the activities” at those facilities. “No prohibited nuclear activities” had been identified.

716. Dr ElBaradei described the Iraqi declaration as “consistent with our understanding of Iraq’s pre-1991 nuclear programme”. Iraq had not provided “any new information relevant to ... questions which had been outstanding since 1998”. While those questions did “not constitute unresolved disarmament issues”, further clarification was needed.

717. The IAEA had been conducting “exhaustive analysis of supporting information”. Dr ElBaradei also reported difficulties in securing private interviews with the three individuals the IAEA had approached.

718. Iraq’s unsuccessful attempts to procure high-strength aluminium tubes which Iraq had indicated were related to a programme to reverse engineer conventional rockets, had been a particular focus. The IAEA had concluded that the tubes “would be consistent with” use in a conventional rocket programme. They “would not be suitable for manufacturing centrifuges” without modification. The IAEA was “still investigating” the issue, but the attempt to acquire such tubes was “prohibited” by resolution 687 (1991).

719. The IAEA was investigating how “dual-use” material had been relocated or used, including the “HMX” high explosive which had been removed from IAEA seals at the end of 1998. Dr ElBaradei stated that it would be difficult to verify how that had been used.

720. The IAEA was investigating reports of Iraqi efforts to import uranium but it did “not have enough information, and ... would appreciate more”.

721. Dr ElBaradei stated that the IAEA had “begun in the last few weeks to receive more actionable information from States”, and he called on those that “had access to such information to provide it ... so that the inspection process can be accelerated and additional assurances generated”.

722. Dr ElBaradei emphasised the need for Iraq to “shift from passive support ... to pro-active support”. He cited as an example the retrieval of documents relating, “in part, to Iraq’s pre-1991 efforts to use laser technology for enriching uranium”. It was “urgent and essential” for Iraq “on its own initiative, to identify and provide any additional evidence that would assist the inspectors in carrying out their mandate”.

723. Dr ElBaradei warned that there was:

“... a window of opportunity that may not remain open for very much longer. Iraq should make every effort to be fully transparent ... The international community will not be satisfied when questions remain open ... the world is asking for a high level of assurance that Iraq is completely free from all such weapons, and is already impatient to receive it.”

724. Dr ElBaradei stated that the presence of international inspectors in Iraq “continues to serve as an effective deterrent to and insurance against resumption of programmes to develop weapons of mass destruction, even as we continue to look for possible past activities”.

725. Dr ElBaradei concluded:

“... we have to date found no evidence that Iraq has revived its nuclear weapons programme since the elimination of the programme in the 1990s ... [O]ur work is steadily progressing and should be allowed to run its natural course ... [W]e should be able within the next few months to provide credible assurance that Iraq has no nuclear weapons programme. These few months ... would be a valuable investment in peace because they could help us avoid a war. We trust that we will continue to have the support of the Council ... to verify Iraq’s nuclear disarmament through peaceful means and to demonstrate that the inspection process can and does work as a central feature of the international nuclear arms control regime.”

726. Sir Jeremy Greenstock reported that, in subsequent informal consultations of the Council, there was general scepticism that Iraq had “co-operated adequately”, but also a desire for more time.²⁴⁵

727. Sir Jeremy reported that Ambassador Negroponte had delivered a pre-prepared statement saying that there was nothing in either Dr Blix or Dr ElBaradei’s reports which gave hope that Iraq ever intended to comply with resolution 1441 and that the time was fast approaching when the Security Council would have to demonstrate it meant what it had said.

728. Sir Jeremy stated that the Council had heard “a catalogue of unresolved questions”. The “onus was on Iraq to prove the zero it had declared” and to provide “substantive evidence”. Iraqi co-operation had been “limited and grudging” and looked like “a carefully considered policy of withholding information and obstruction”. UNMOVIC and the IAEA needed to conduct more intrusive inspections and “carry out more productive interviews to unravel the facts”.

729. At a later meeting, Dr Blix and Dr ElBaradei had provided answers to specific points raised in the informal discussion, including:

- Dr Blix had complained about the number of Iraqi minders for inspections.
- There had been demonstrations during inspections but UNMOVIC had not been intimidated.
- Dr Blix felt that there was a determination at a high level to co-operate on process but “on substance, Iraq simply said the outstanding questions were nonsensical”. Unless that changed, he was “not optimistic of solutions”.

²⁴⁵ [Telegram 152 UKMIS New York to FCO London, 28 January 2003, ‘Iraq: Informal Consultations to Consider Blix and El-Baradei Reports’.](#)

- Dr Blix said that interviews with minders were not “without value”, but “a long pattern of refusals to attend private interviews would be hard to interpret as anything other than intimidation”.
- Denial of access to a private house would be a serious matter.
- Dr ElBaradei said that the documents found at a private home “looked like a scientist’s personal collection of papers over 30 years”. They had “not added to IAEA knowledge and it was impossible to judge whether this was an example of hidden documents”.
- The IAEA had no authority to force people to give interviews.

730. Sir Jeremy commented that the day had been important and a good foundation for “a harder debate on 29 January”. He concluded:

“If we play this carefully, and can win a bit more time, we might be able to construct a bit more of an edifice.”

731. In a press statement on 28 January, Mr Straw published “a list of 10 key questions” from Dr Blix’s report.²⁴⁶ Mr Straw also stated:

“The conclusion is now inescapable that Iraq is in material breach of resolution 1441. We want to see the matter resolved ... by peaceful means ... The regime does not have long to change its behaviour fundamentally. We cannot let Saddam Hussein and the Iraqi regime get away with never-ending deceit and delay.”

732. Russia emphasised the need for political efforts through the Security Council to disarm Iraq.

733. In a press conference in New York after the meeting, Mr Sergei Lavrov, Russian Permanent Representative to the UN, stated that Russia believed the inspections were “going well” and a spokesman for the Russian Ministry of Foreign Affairs in Moscow stated: “only inspections can give an answer to the international community’s question about whether Iraq has weapons of mass destruction”.²⁴⁷ Mr Igor Ivanov told US *NBC* that Russian diplomats would try to find a solution which would preserve the Security Council’s unity.

734. Sir Roderic Lyne, British Ambassador to Russia, reported that all Russian officials were playing down the significance of the reports to the Security Council, “emphasising that they were only preliminary findings”. Russia was keeping its options open on future handling of the issue “while calling for the inspections to continue”.

²⁴⁶ The National Archives, 28 January 2002, *Iraq is in Material Breach of Resolution 1441*.

²⁴⁷ Telegram 28 Moscow to FCO London, 28 January 2003, ‘Russia/Iraq: Russian Response to UNSC Reports’.

735. During a visit to Kiev on 28 January, President Putin stated that international security was “a more important issue than Iraq” and that any steps on the Iraqi problem must be taken through the Security Council. Iraq was co-operating so far but:

“... if Iraq begins to create problems for the inspectors, Russia can change its position and reach an agreement with the US on developing different, tougher decisions in the Security Council.”²⁴⁸

736. In a separate statement, Mr Igor Ivanov stressed that inspections must continue, but that Iraq must co-operate actively, giving the inspectors “every possible assistance”. There were “a lot of unclear questions” remaining about chemical and biological weapons. He criticised Iraqi officials who had stated that Iraq might attack Kuwait in the event of a war. That did not promote “the necessary conditions for continuing political efforts to settle the Iraq situation”. Russia was firmly opposed to military action both against Iraq and from its territory. Unilateral action against Iraq would split the anti-terrorist coalition. Russia would direct its efforts to “thinking how to avoid a veto” and finding a solution that would preserve the important unity of the Security Council. If Iraq committed “flagrant violations” of resolution 1441, the Security Council should consider “the possibility of additional steps” to meet the requirements of the resolution.

737. Sir Roderic Lyne commented that the two statements “seemed to mark a shift in Russian rhetoric on Iraq”.

President Bush’s State of the Union address, 28 January 2003

738. In his State of the Union address on 28 January, President Bush set out his view that Iraq’s actions demonstrated it had decided not to take the final chance to disarm. Saddam Hussein had shown “utter contempt” for that offer; he was deceiving the international community, not disarming. The US would not wait to act until the threat from Iraq was imminent.

739. President Bush announced that the US had asked for a meeting of the Security Council on 5 February at which Secretary Powell would present information and intelligence on Iraq’s illegal programmes.

740. In his “State of the Union” address on 28 January, President Bush emphasised the threat of terrorism to the US and others, the potential threat from Iraq in that context, and the need to disarm Iraq.²⁴⁹

741. President Bush’s detailed statements about the threat posed by Iraq are set out in the Box below.

²⁴⁸ Telegram 32 Moscow to FCO London, 29 January 2003, ‘Russia/Iraq: Putin/Ivanov Statements’.

²⁴⁹ The White House Press Release, 28 January 2003, *President Delivers “State of the Union”*.

Extracts from President Bush's State of the Union address, 28 January 2003

President Bush stated:

"Today, the gravest danger in the war on terror, the gravest danger facing America and the world, is outlawed regimes that seek and possess nuclear, chemical and biological weapons. These regimes could use such weapons for blackmail, terror, and mass murder. They could also give or sell those weapons to terrorist allies, who would use them without the least hesitation.

"This threat is new; America's duty is familiar ...

"America is making a broad and determined effort to confront these dangers ...

"Different threats require different strategies ...

"Our nation and the world must learn the lessons of the Korean peninsula and not allow an even greater threat to rise up in Iraq. A brutal dictator with a history of reckless aggression, with ties to terrorism, with great potential wealth, will not be permitted to dominate a vital region and threaten the United States.

"Twelve years ago, Saddam Hussein ... agreed to disarm ... For the next 12 years, he systematically violated that agreement. He pursued chemical, biological and nuclear weapons ... Nothing to date has restrained him from his pursuit of these weapons – not economic sanctions, not isolation from the civilized world, not even cruise missiles strikes on his military facilities.

"... the United Nations Security Council gave Saddam Hussein his final chance to disarm. He has shown instead utter contempt ... The ... UN inspectors ... were not sent to conduct a scavenger hunt for hidden materials ... The job of the inspectors is to verify that Iraq's regime is disarming. It is up to Iraq to show exactly where it is hiding his banned weapons, lay those weapons out for the world to see, and destroy them as directed. Nothing like this has happened.

"The United Nations concluded in 1999 that Saddam Hussein had biological weapons sufficient to produce over 25,000 litres of anthrax – enough doses to kill several million people. He hasn't accounted for that material. He has given no evidence that he has destroyed it.

"The United Nations concluded that Saddam Hussein had material sufficient to produce more than 38,000 litres of botulinum toxin ...

"Our intelligence officials estimate that Saddam Hussein had the materials to produce as much as 500 tonnes of sarin, mustard and VX nerve agent ...

"US intelligence indicates that Saddam Hussein had upwards of 30,000 munitions capable of delivering chemical agents. Inspectors recently turned up 16 of them – despite Iraq's recent declaration denying their existence ...

"From three Iraqi defectors we know that Iraq, in the late 1990s, had several mobile biological weapons labs ...

“The International Atomic Energy Agency confirmed in the 1990s that Saddam Hussein had an advanced nuclear weapons development program ... The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa. Our intelligence sources tell us that he has attempted to purchase high-strength aluminium tubes suitable for nuclear weapons production. Saddam Hussein has not credibly explained these activities. He clearly has much to hide.

“The dictator of Iraq is not disarming. To the contrary; he is deceiving. From intelligence sources we know, for instance, that thousands of Iraqi security personnel are at work hiding documents and materials from the UN inspectors, sanitising inspection sites and monitoring the inspectors themselves. Iraqi officials accompany inspectors in order to intimidate witnesses.

“Iraq is blocking U2 surveillance flights ... Iraqi intelligence officers are posing as the scientists inspectors are supposed to interview. Real scientists have been coached by Iraqi officials on what to say. Intelligence sources indicate that Saddam Hussein has ordered scientists who co-operate with UN inspectors ... will be killed, along with their families.

“Year after year, Saddam has gone to elaborate lengths, spent enormous sums, taken great risks to build and keep weapons of mass destruction ... The only possible explanation, the only possible use ... is to dominate, intimidate or attack.

“With nuclear arms or a full arsenal of chemical and biological weapons, Saddam Hussein could resume his ambitions of conquest in the Middle East and create deadly havoc in that region. And this Congress and the America[n] people must recognise another threat. Evidence from intelligence sources, secret communications, and statements by people now in custody reveal that Saddam Hussein aids and protects terrorists, including members of Al Qaida. Secretly, and without fingerprints, he could provide one of his hidden weapons to terrorists, or help them develop their own.

“Before September the 11th, many in the world believed that Saddam Hussein could be contained. But chemical agents, lethal viruses and shadowy terrorist networks are not easily contained. Imagine those 19 hijackers ... armed by Saddam Hussein ...

“Some have said we must not act until the threat is imminent ... If this threat is permitted to fully and suddenly emerge, all actions or words, or recriminations would come too late. Trusting in the sanity and restraint of Saddam Hussein is not a strategy, and it is not an option.

“The dictator who is assembling the world’s most dangerous weapons has already used them ... International human rights groups have catalogued other methods used in the torture chambers of Iraq ...

“... tonight I have a message for the brave and oppressed people of Iraq: your enemy is not surrounding your country – your enemy is ruling your country. And the day he and his regime are removed from power will be the day of your liberation.

“The world has waited 12 years for Iraq to disarm. America will not accept a serious and mounting threat to our country ...

“We will consult. But let there be no misunderstanding: if Saddam Hussein does not fully disarm, for the safety of our people and for the peace of the world, we will lead a coalition to disarm him.”

742. President Bush also announced that the US would ask the UN Security Council to convene on 5 February to “consider the facts of Iraq’s ongoing defiance”; and that Secretary Powell would “present information and intelligence about Iraq’s ... illegal weapons programs, its attempt to hide those weapons from inspectors, and its links to terrorist groups”.

Security Council, 29 January 2003

743. Sir Jeremy Greenstock continued to advise that there was little support in the Security Council for a second resolution.

744. Sir Jeremy Greenstock advised that only four countries definitely supported a second resolution and that:

“Things will not move in our direction without some fact or development to give countries the grounds on which to change position, or at least give us more time to ... confirm the conclusion that Iraq will not co-operate.”²⁵⁰

745. Sir Jeremy Greenstock told the Security Council on 29 January that Iraq was in material breach of resolution 1441 and the Council could not “simply tread water”. It would have to “take tough decisions soon”.

746. On 29 January, the Security Council met for a second time to discuss the reports delivered by Dr Blix and Dr Elbaradei on 27 January.²⁵¹

747. Sir Jeremy Greenstock reported that the discussion was “a replay of earlier positions”, and that “Almost every delegation” had welcomed Secretary Powell’s intention to “provide evidence” on 5 February. Most delegations saw the presentation as “feeding in to the inspections process”.

748. Sir Jeremy told the Council that, in asking for more time, there was a need to be realistic: “Time would not achieve anything without the co-operation we expected.” Iraq had: not given “access to its illegal WMD programmes”; “allowed omissions in the declaration”; and “failed to co-operate”. “The inescapable conclusion was Iraq was in material breach of [resolution] 1441.”

²⁵⁰ Telegram 161 UKMIS New York to FCO London, 29 January 2003, ‘Iraq: Which Way Will the Votes Stack Up?’

²⁵¹ [Telegram 167 UKMIS New York to FCO London, 30 January 2003, ‘Iraq: 29 January Security Council Discussion’.](#)

749. Sir Jeremy said that he was sure others shared the frustration that Iraq was not taking the final opportunity. It was “still not too late – but Iraq had to co-operate now. If it did not, there was no way the inspectors would be able to fulfil their mandate.”

750. Sir Jeremy asked a series of questions about how, if the difficulties experienced were a reflection of planned Iraqi resistance, more time would resolve the issues. He added that the Council:

“... had to realise that it was up against a serious decision under a tight timescale. More time would not help ... [W]e had to stay together in insisting the non-compliance had to stop or the Council would no longer be in charge of this process through inspections ...”

751. Sir Jeremy reported that he had hammered home that the Council could not “simply tread water” and would have to “take tough decisions soon”.

Mr Blair’s meeting with President Bush, 31 January 2003

The US position

752. Sir David Manning and Sir Richard Dearlove reiterated the UK’s concerns in talks in Washington on 29 January, including a request to delay military action until the end of March.

753. Sir David Manning advised Mr Blair that he thought the US accepted that a second resolution would be needed, but there was no “agreement to wait until the end of March”.

754. Sir Christopher Meyer advised that President Bush would be “pretty implacable” and “impatient”, and that he was convinced that the critics of military action would be routed by an early and easy military victory.

755. Reflecting previous difficulties, Sir David Manning and Sir Christopher Meyer both advised Mr Blair that he would need to spell out his message to President Bush in a way which left no scope for “interpretation” in Washington.

756. Sir David Manning spoke to Dr Rice on 27 January about the UK’s need for Parliamentary support for military action; and that the only way to get that support would be a second resolution.²⁵² That would need a delay until the end of March.

757. Sir David did not get the response he had wished. He advised Mr Blair that he would need to speak to President Bush again before their meeting in the US on 31 January.

²⁵² Minute Manning to Prime Minister, 27 January 2003, ‘Iraq: Conversation with Condi Rice’.

758. Sir David Manning visited Washington on 29 January for talks with Dr Rice.²⁵³ He was accompanied by Sir Richard Dearlove.

759. Sir David Manning reiterated many of the points he had made in previous conversations with Dr Rice.

760. Sir David reported that he had informed Dr Rice that, without a second resolution, Mr Blair would not be able to secure Cabinet and Parliamentary support for military action; and that he could be forced from office if he tried: “The US must not promote regime change in Baghdad at the price of regime change in London.” Mr Blair was not asking for much time: “weeks not months” and action beginning at the end of March.

761. Sir David reported that the UK was significantly less optimistic than the US about the current level of support for a second resolution authorising military action and the prospects for increasing that support. The UK was anxious not to give the impression that inspections were running out of time; that was needed for more reports from Dr Blix which would carry much more weight internationally than the US and UK view. Mr Blair was in a very different position from President Bush, who already had Congressional authority to act.

762. Sir Richard Dearlove had “briefed in detail on our intelligence” which the US Administration “clearly find very impressive”.

763. Sir David had “spelt out the political realities about Iraq extremely bluntly”. He thought that the US had accepted a second resolution would be needed but there was no agreement to wait until the end of March. Mr Blair would need to “stick very strongly to the arguments in your Note” and to “spell them out in a way that leaves no scope for ... ‘interpretation’”. A late March date would mean a pretty intensive timetable. He suggested that one possibility would be to review the position again after Dr Blix’s next report in mid-February.

764. The minute was sent only to addressees inside No.10 with a private and personal copy sent to Mr Straw.

765. Reporting on the mood in Washington for Mr Blair’s visit, Sir Christopher Meyer advised:

“It is politically impossible for Bush to back down from going to war in Iraq this spring, absent Saddam’s surrender or disappearance from the scene. If Bush had any room for manoeuvre beforehand, this was closed off by his State of the Union speech ...

²⁵³ Minute Manning to Prime Minister, 30 January 2003, ‘Talks with Condi Rice in Washington on 29 January’.

“... Bush ... said in effect that destroying Saddam is a crusade against evil to be undertaken by God’s chosen nation: ‘this call of history has come to the right people’.

“The target of Bush’s messianic appeal was ... the anxious and unconvinced in the country at large ... The call to rally to the flag, the President and to the military should, on past precedent, evoke an emotional and positive response ...

“... The novel element was the promise that Powell would produce fresh evidence of collaboration between Saddam and Al Qaida. For the White House, the key to the questions ‘Why Iraq, why now?’ has always been the rogue state/WMD/terrorism nexus: not as a worrying possibility in future years, but as a clear and present danger.

“... if Powell goes off at half-cock, it will only reinforce, as Jeremy Greenstock has underlined already, the view that the US is hell-bent on war and short-circuiting SCR 1441.

“The Prime Minister will find on Friday a pretty implacable Bush: impatient, deeply disillusioned with France and Germany, convinced that his – and Mr Blair’s – critics will be routed by an early and easy military victory. He is very much influenced by ... [the fact] that in the past the US has failed to respond forcibly to multiple provocation and attacks to the detriment of its reputation and standing. This time the US could not back off.

“Unless we have some good ideas for sending Saddam into exile, Mr Blair’s task on Friday will be to ensure that we and the US go to war in the best company possible. That means securing the time to assemble the largest possible coalition both for the war itself and for the aftermath. If the notorious smoking gun can be found, this will make things much easier ...

“Bush does not look to have the patience to let Blix make the case. I said in an earlier report that exhausting the UN route was likely to mean different things in Washington and London. Bush is undecided about a second resolution: whether it will be worth going for and, if it is, what should be put in it. In other words – as of this morning – Bush has not yet bought into the strategy which the Prime Minister put to him last week.”²⁵⁴

766. Reflecting the difficulties which had arisen from ambiguity about the messages Mr Blair had given President Bush during their meeting at Camp David in early September 2002, Sir Christopher concluded:

“There are huge expectations here of Friday’s meeting and the press are watching like vultures for splits. The Prime Minister will obviously want to reach full agreement

²⁵⁴ [Telegram 131 Washington to FCO London, 29 January 2003, ‘Iraq: PM’s Visit’.](#)

with the President on the way ahead in the next few weeks. Unless something changes in the next 48 hours, that will require pressing back very forcefully to secure our interest, on another resolution and timelines. The subsequent agreement will have to be clear beyond doubt in its particulars. After the last Camp David meeting, the hawks immediately started to distort the outcome to their own ends.”

Other views

767. Mr Blair decided to canvass the views of his European colleagues and other allies in advance of the meeting with President Bush on 31 January.

768. A joint statement issued by the UK and seven other European nations on 30 January stated that the international community should remain united in calling for the disarmament of Iraq and that the Security Council should face up to its responsibilities.

769. The leaders of eight European nations – Spain, Portugal, Italy, the UK, the Czech Republic, Hungary, Poland and Denmark – produced a joint article published on 30 January arguing that Europe and the USA must stand united.²⁵⁵

770. The statement set out the importance of the relationship between Europe and America and argued that:

“The transatlantic relationship must not become a casualty of the current Iraqi regime’s persistent attempts to threaten world security ...

“... success in the ... battle against terrorism and the proliferation of weapons of mass destruction demands unwavering determination and firm international cohesion on the part of all countries for whom freedom is precious.

“The Iraqi regime and its weapons of mass destruction represent a clear threat to world security.”

771. The adoption of resolution 1441 had:

“... sent a clear, firm and unequivocal message that we would rid the world of the danger posed by Saddam Hussein’s weapons of mass destruction.

“We must remain united in insisting that his regime is disarmed.

“The solidarity, cohesion and determination of the international community are our best hope of achieving this peacefully. Our strength lies in unity.

“The combination of weapons of mass destruction and terrorism is a threat of incalculable consequences.

²⁵⁵ BBC News, 30 January 2003, *Leaders’ statement on Iraq: Full text*.

“It is one at which all of us should feel concerned. Resolution 1441 is Saddam Hussein’s last chance to disarm using a peaceful means ...

“Sadly this week the UN weapons inspectors have confirmed that his long-established pattern of deception, denial and non-compliance with UN Security Council resolutions is continuing ...

“The United Nations Charter charges the Security Council with the task of preserving international peace and security.

“To do so the Security Council must maintain its credibility by ensuring full compliance with its resolutions.

“We cannot allow a dictator to systematically violate those resolutions. If they are not complied with, the Security Council will lose its credibility and world peace will suffer as a result.

“We are confident that the Security Council will face up to its responsibilities.”

772. Mr Blair decided to speak to a number of his colleagues to establish their views, particularly about the circumstances in which they would support military action, before his meeting with President Bush.²⁵⁶ Mr Blair also planned to speak to them again after the visit.

773. Sir Stephen Wall, the Prime Minister’s Adviser on European Issues, was also asked to speak to a number of his European counterparts.²⁵⁷

774. Mr Blair and Mr John Howard, the Prime Minister of Australia, discussed the position on Iraq on 28 January. Mr Blair said that, militarily, it might “be preferable to proceed quickly”, but it “would be politically easier with a UN resolution”. He:

“... intended to tell President Bush that the UN track was working. Blix had said ... that Saddam was not co-operating. If he repeated this in reports on 14 February, and perhaps in early March there would be a strong pattern on non-co-operation and a good chance of a second resolution.”²⁵⁸

775. Mr Blair and Mr Howard agreed that a second resolution would be “enormously helpful”. It would be better to try and fail than not to try at all for a second resolution but they should “pencil in a deadline beyond which, even without a second resolution, we should take a decision”. Mr Blair said that his instinct was that “in the end, France would come on board, as would Russia and China”.

²⁵⁶ Letter Rycroft to McDonald, 27 January 2003, ‘Iraq: Contacts Before Camp David’.

²⁵⁷ Minute Rycroft to Wall, 28 January 2003, ‘Iraq: A Pitch for the Europeans’.

²⁵⁸ Letter No.10 [junior official] to McDonald, 28 January 2003, ‘Prime Minister’s Telephone Conversation with John Howard’.

776. President Chirac told Mr Blair that he would not support war unless Saddam Hussein did something unacceptable.

777. In a conversation later on 28 January, President Chirac told Mr Blair that the French position had not changed; they were “against war, unless Saddam did something unacceptable”.²⁵⁹ Although Dr Blix had reported that Iraq was not co-operating, Dr ElBaradei had reported good co-operation. War was “always the worst outcome”. Iraq had very little WMD compared with North Korea. The desire to preserve the transatlantic link had to be balanced against the costs of a war.

778. Mr Blair and President Chirac agreed that the inspectors should be given more time. President Chirac thought that the inspectors would find nothing; Mr Blair said it would be “serious if the inspectors continued to report insufficient co-operation, e.g. if the Iraqis refused interviews or denied proper access”. They agreed that, “in that case, a second resolution would come into play”.

779. President Chirac welcomed Mr Blair’s offer to speak again after his meeting with President Bush.

780. Mr Rycroft commented that President Chirac appeared:

“... to be positioning himself to support a second resolution if the inspectors find WMD or are denied access. But his straight ‘non’ to the Prime Minister’s question about continued Iraqi non-co-operation shows the problem we shall have with the French if we are in the scenario of arguing that a pattern of non-co-operation is a material breach of 1441.”

781. A minute from Sir David Manning to Mr Blair records that President Chirac had refused to accept a phone call from Mr Blair for the preceding two weeks.²⁶⁰

782. Mr de Villepin spoke twice to Mr Straw on 29 January.

783. In the first conversation, Mr de Villepin questioned why military action should be used against Iraq when 20-30 other countries had chemical weapons. It was hard to explain the threat posed by Iraq when there was almost no risk from the nuclear programme.²⁶¹

784. Mr Straw’s response focused on the process in resolution 1441 agreed by the UK and France. In his view, there were “two key questions”:

“... was there a material breach and what action should the international community take. Blix’s report had shown that Iraq was in material breach according to the

²⁵⁹ Letter Rycroft to Sinclair, 28 January 2003, ‘Iraq: Prime Minister’s Conversation with Chirac, 28 January’.

²⁶⁰ Minute Manning to Prime Minister, 26 January 2003, ‘UK/France’.

²⁶¹ Telegram 21 FCO London to Paris, 29 January 2003, ‘Iraq: Foreign Secretary’s Conversation with French Foreign Minister, 29 January’.

definition set out in OP4. There had been plenty of material breaches in the past which had not led to military action. But, as UNSCR 1441 set out, if there were a further material breach then Iraq would face serious consequences. This could only mean military action.”

785. Mr de Villepin responded that, as politicians, he and Mr Straw had to show how military action corresponded to the threat. The issue of material breach had to be faced.

786. Mr Straw countered that “just because the international community was not taking action against other states was not an argument for inaction against Iraq”; and taking action against Iraq “would be a deterrent to other countries”. In his view it would be “possible to avoid military action only if the international community remained united in telling Iraq to comply”.

787. In the second conversation, Mr de Villepin expressed surprise about the joint article signed by eight European Prime Ministers which Mr Blair had not mentioned to President Chirac.²⁶²

788. Mr Straw told Mr de Villepin that at the time resolution 1441 was agreed, “everyone knew that a further material breach would trigger a meeting of the Security Council”. Mr de Villepin did not agree with Mr Straw’s view that Iraq “had committed a further material breach”. Mr Straw argued that resolution 1441 had:

“... agreed a 60-day inspection period. Blix had then reported. There would be further discussions in the Security Council. If Iraq changed its behaviour, then good. If not, military action would become inevitable ...”

789. Mr de Villepin had stated that France would never be placed in a position where it would agree to a second resolution simply as window dressing for military action; it wanted time to allow the build-up of pressure to work. The US timeframe was too short.

790. Mr Straw said:

“... the more the inspectors found a pattern of non-compliance, the greater the suspicion surrounding Saddam’s WMD ...

“It would be terrible if, in the case of a clear further material breach, the international community did nothing. It was in no one’s interest to see the US act unilaterally. That would mean the international community losing influence over US actions.”

791. When Mr Straw asked whether France would consider using its veto, Mr de Villepin “ducked the question”.

²⁶² Telegram 23 FCO London to Paris, 29 January 2003, ‘Iraq: Foreign Secretary’s Second Conversation with French Foreign Minister, 29 January’.

792. Sir Roderic Lyne advised that Russia would vote in favour of a second resolution in response to a “smoking gun”; but that it might support or abstain on a resolution based on reports of non-co-operation.

793. In a telegram on 30 January, Sir Roderic Lyne advised that Russia was “not nearly as steamed up about Iraq” as France and Germany.²⁶³ President Putin’s attitude was “based on a pragmatic assessment of Russia’s interests – which means avoiding war if possible, but more importantly not falling out with the Americans and avoiding marginalisation at the UN”. Russia was “not talking veto language” and President Putin’s remarks were beginning “to prepare public opinion for a vote in favour [of a second resolution]”.

794. Sir Roderic wrote that Russia was “in the ‘most opposed’ group in the Security Council” but Moscow was “not signalling real determination to make difficulties or hold out to the end – rather the opposite”. The mood was “a mixture of pragmatism and sullen acquiescence in a presumed outcome”.

795. The evidence for those conclusions set out by Sir Roderic included:

- The official Russian line before the reports to the Security Council, about the need for more time and that military action would not be justified, was “ritualistic, carefully moderated and designed not to box Russia in (nor to whip up public emotions)”. President Putin’s remarks in Kiev had “changed the tune sharply”. Mr Igor Ivanov had “swung into line”.
- President Putin had told Mr Blair “two years ago that he would not regret the passing of Saddam Hussein”, and he had not “pressed hard” since resolution 1441.
- “THE FRANCO-RUSSIAN SYMPHONY” wasn’t playing: “Before 1441, Chirac and Villepin were burning up the phone lines to Moscow, and Lavrov and Levitte [Mr Jean-David Levitte, French Permanent Representative to the UN] were (for a while) in bed together in New York. It feels different this time.” That was partly because “the Russians thought the French welshed on them in the 1441 end game”. The larger point was that President Putin knew that Iraq was the “litmus test” for his strategic relationship with President Bush. President Putin’s visit to France and Germany from 9-11 February might “well create the impression of a common front, but under the surface it isn’t so”.
- “Almost no one” in Russia wanted to see a war in Iraq. The “Russian body politic” was “acutely uncomfortable with US hyperpower and Russian impotence” but there was “less heat” about Iraq than “in France, Germany or Western Europe in general”. No one was forecasting that President Putin would “break with the Americans”.

²⁶³ [Telegram 33 Moscow to FCO London, 30 January 2003, ‘Iraq: Which Way Will Russia Jump?’](#)

- “Keeping the oil price high (though not extreme) and avoiding a post-conflict collapse” was a key Russian interest.
- Russia was “not trying any” political initiatives. It seemed to have “put some pressure” on Iraq, but relations were “not warm”.

796. Sir Roderic advised that Russia would:

“... tuck in behind the French and Germans in the Security Council, with the Chinese, but not lead the pack. They’ll support more time for inspections, calls for proof positive, and ploys to get Saddam to concede or step down.

“They will not veto in isolation; probably not veto in Chinese company alone; and in general will do all they can to avoid vetoing. They would rather let through (perhaps on abstention) a distasteful second UNSCR than see the Americans go unilaterally and sideline the Security Council. They would vote in favour of a ‘smoking gun’ resolution and in favour or abstain (depending on the French vote) on a resolution based on reports from Blix of non-co-operation.

“... It would be awkward but not completely impossible for Putin domestically to be more US-friendly in a vote than ... [Germany or France].

“... If the US goes unilateral, the Russians will make a decent show of grumbling ... but they won’t be actively obstructive.”

797. Sir Roderic concluded that the UK approach should be: “More of the same.” The UK “should help the Americans to keep the Russians engaged, including on day after issues”. This meant continuing conversations with Russians, including with President Putin and Mr Igor Ivanov. The “bottom line” was that President Putin would not want:

“... to lose the chips he’s staked on Bush. Iraq versus the USA is a no brainer. (Nor does Putin wish to part company with us, in the run-up to his State Visit.)”

798. Mr Straw told Mr Igor Ivanov that the question of a material breach was for the Security Council or individual members. He accepted that resolution 1441 had not set a timetable for inspections.

799. The record of Mr Igor Ivanov’s telephone call to Mr Straw on the afternoon of 30 January reported that Mr Ivanov had said it was necessary to address the problems identified in Dr Blix’s report, but he saw no problems which could not be resolved by negotiations.²⁶⁴

²⁶⁴ [Telegram 19 FCO London to Moscow, 30 January 2003, ‘Iraq: Foreign Secretary’s Conversation with Russian Foreign Minister, 30 January’.](#)

800. Mr Straw agreed that most problems in Dr Blix's report:

“... could be resolved if Iraq complied. But there could be no doubt that Iraq was in further material breach because of its non-compliance. It was important that Iraq got the message that time had almost run out. It would be stupid of them not to co-operate now.”

801. Questioning Mr Straw's statement, Mr Ivanov said: “it was up to the inspectors to say how much time they needed to complete their mission. If they needed five to six months, who were we to say they should not get it.”

802. Mr Straw “accepted” that there was nothing in resolution 1441 on the timing. That was: “a matter for the Security Council. But Iraq should have complied over the past two months, or even in the 1990s.”

803. Mr Ivanov agreed that:

“... it was for the Security Council to decide on timing ... [T]he previous inspectors had worked for eight years and done a great job. ElBaradei had told ... [him] that he needed two more months. Blix needed more time too. The Security Council could give the inspectors time to finish their job.

“... the Blix report had said nothing about a material breach.”

804. Mr Straw said:

“... material breach was not a matter for the inspectors, but for the Security Council or for individual members. If one looked at OP4 ... it was very hard to see how Iraq was not now in further material breach.”

805. Mr Ivanov agreed that:

“... it was for the Security Council to decide if there were a further material breach. But, looking at the Blix and ElBaradei reports, Russia saw no reason to declare that Iraq was in material breach. But there was a definite need to seek further co-operation from Iraq.”

JIC Assessment, 29 January 2003

806. The JIC assessed on 29 January that retaining WMD was a vital Iraqi interest and that Saddam Hussein was unlikely to agree to relinquish power or go into exile.

807. The JIC predicted that, once military action began, widespread lack of loyalty to the regime would become clear and a hard-fought professional defence of Baghdad was “unlikely”.

808. The JIC sustained its earlier judgements on Iraq’s ability and intent to conduct terrorist operations.

809. At the request of the FCO, the JIC reviewed current developments in Iraq from Saddam Hussein’s perspective and possible Iraqi moves in the coming weeks.²⁶⁵

810. The minutes of the JIC discussion on 29 January record that the draft Assessment had been difficult to write given the fast-moving developments and it was important to ensure it reflected the latest information, especially the UNMOVIC perspective.²⁶⁶ They also recorded that:

“... it was difficult to predict if and when Saddam might launch pre-emptive strikes, but the paper should try and make a judgement on possible timescales. The trigger would probably be set when Saddam concluded that his fate was sealed, rather than any movements by Coalition Forces. Most of the Iraqi military would probably crumble quickly under attack. Saddam would maintain his hold on of power until then, and there were no indications of possible coups beforehand. Whilst the Iraqi public might welcome the end of Saddam’s regime, they were also concerned about the human costs of fighting.”

811. The key elements of the Assessment are set out in the Box below.

**JIC Assessment, 29 January 2003:
‘Iraq: The Emerging View from Baghdad’**

Key Judgements

- “Retaining WMD remains a vital Iraqi interest. Saddam might nevertheless consider a last minute tactical declaration of some of his WMD to avert a war, believing that he can rebuild his WMD capability later.”
- “Saddam does not appear to realise the severity of the military attack he faces. Senior Iraqi officials, although increasingly convinced of the inevitability of a US-led attack, are unlikely to be telling Saddam about their concerns.”
- “Saddam has not lost control or the capacity for rational tactical decisions. He continues to maintain regime cohesion, primarily through intimidation. He is unlikely to agree to relinquish power or to go into exile. He still believes he has a chance of averting military action or, once military action begins, forcing the Coalition to cease hostilities before his regime collapses.”
- “Once military action has begun, widespread lack of loyalty to the regime will become clear. Iraqis may not welcome Coalition military forces, but most will at least acquiesce in Coalition military activity to topple the regime, as long as civilian casualties are limited. A hard-fought professional defence of Baghdad is unlikely, although elite military and security elements closely identified with the regime may fight until their positions become untenable.”

²⁶⁵ [JIC Assessment, 29 January 2003, ‘Iraq: The Emerging View from Baghdad’.](#)

²⁶⁶ Minutes, 29 January 2003, JIC meeting.

- “Saddam probably believes he has some strong political and military cards to play, even in the face of an inevitable attack. These include exploiting international divisions over war with Iraq and rousing the Arab street. He may use human shields, fire CBW against Coalition Forces, launch a pre-emptive attack on the Kurds, Coalition Forces building up in Kuwait or Israel, or sabotage Iraqi oil wells and water supply.”

Inspections

The JIC had “judged in October” that:

“Saddam was confident he could prevent UNMOVIC from finding any evidence before military options started to close off ... and that concealment and dispersal of sensitive items were the basis of Iraq’s strategy. [...] But by mid-January there were signs that Iraq was coming under pressure from UNMOVIC finds that were inconsistent with its December 2002 declaration. [...]

“[...] Intelligence is unclear, but it is possible the UNMOVIC discoveries have increased Iraqi uncertainty. Blix’s tough statement to the Security Council on 27 January surprised Baghdad and may have increased the regime’s concerns about UNMOVIC. Saddam Hussein continues to believe that the possession of WMD is a vital Iraqi interest. [...] Any WMD admission would therefore be tactical rather than indicative of a genuine change of policy.”

Reading the outside world

The JIC assessed that:

- Iraqi officials were “**increasingly convinced of the inevitability of a US-led military attack**”.
- Saddam Hussein continued to “give the impression that military action, though increasingly likely,” was “not imminent”.
- Saddam Hussein’s speeches in early January had been “bellicose, calling for bravery and sacrifice in defending the homeland from invaders”.
- It was “not clear that Saddam and his officials” had “fully grasped the severity of the military attack they face from the US-led Coalition assembling in the Gulf”. [...]
- “Reporting ... indicated” that Iraq believed the West was “squeamish about casualties”.
- Saddam Hussein was “**misreading the international scene**”. Media reporting of debate in the West might “well lead him to overestimate the impact of opposition to military action on US determination to deal decisively with him”.
- Saddam Hussein might “also be unsure whether the aim of the Coalition [was] regime change and disarmament or just disarmament”.
- Iraq “continued to seek support from Russia and China as well as Arab and Muslim states. But such attempts to gather Arab and international support appear overambitious.”

Iraq and terrorism

Addressing Iraq's capability to conduct terrorist attacks and its possible intentions, the Assessment stated:

- The JIC continued to judge that Iraq's capability to conduct terrorist attacks was "limited, especially outside the Gulf region".
- The JIC had "previously judged that terrorism could be attempted against Coalition Forces during a military build-up if Saddam believed an attack was inevitable. There [had] been no indication that Iraq was behind the recent attack on US contractors ... in Kuwait". That had, however, highlighted "the vulnerability of the large numbers of Coalition Forces concentrated in an area as small as Kuwait".
- Iraq might "well seek to use its influence over some smaller militant Palestinian groups to encourage them to strike at US and Coalition interests in the Middle East in the event of a Coalition attack".
- There were "also uncorroborated reports of Iraq assembling teams in various countries to attack UK and US interests in the event of war against Iraq.
- Despite the presence of terrorists in Iraq with links to Al Qaida, there was "no intelligence of current co-operation between Iraq and Al Qaida".

Iraqi military preparations

The Assessment stated:

- There were "continuing military defensive preparations, including deployments and reinforcement of military units in the South, West and along the border of the Kurdish autonomous zone" which appeared to be "directed against both the threat of [an] internal uprising and external attack".
- "Since early January part of the Iraqi 4th Corps has moved southwards, including possibly 1,000 troops on the al-Faw Peninsula, apparently in response to the Coalition build-up in Kuwait."
- But Iraq's options for redeployment in the South were "limited": "Any significant redeployment in the South would risk triggering a Coalition attack by breaching the southern No-Drive Zone."
- The regime did "not trust the Republican Guard enough to deploy them in Baghdad, except possibly as a last resort, leaving them exposed beyond the capital's boundaries".
- Iraqi preparations in and around Baghdad were judged to be "of limited utility".
- There had been "no clear indication of any plan for a pre-emptive military strike against the Kurds, neighbouring countries or Israel".
- Saddam Hussein would have "little incentive to launch such a strike while the Iraqi strategy focuses on convincing UNMOVIC that Iraq does not have WMD holdings", but it might "become an attractive option in the face of imminent Coalition military action".
- There was "unlikely" to be "any advance warning of a pre-emptive attack on the Kurds".
- A "pre-emptive limited artillery strike on Kuwait using CBW could be launched in as little as two hours".

- “Preparations for a possible attack on Israel” were “likely to be more extensive and to stretch Iraqi capabilities to the limit”.
- There were indications of “plans to sabotage oil fields to prevent them falling into Coalition hands”.

Maintaining control within Iraq

The Assessment stated:

- The regime continued to “**maintain regime cohesion primarily through intimidation**”.
- It had “attempted to maintain its hold by claiming” that the return of inspectors had “averted a US attack”; the international community was “intent on disarming Iraq, not on regime change”; the regime was “maintaining ‘business as usual’: anybody thinking of deserting will face serious consequences”.
- Clear signs of dissent or defection might not be seen until the regime was “about to fall”.
- Saddam Hussein had “sought to mitigate the regime’s unpopularity by promising some measures of liberalisation”. Such measures had “little credibility” as the regime had “made them under pressure in the past, then withdrawn them once the crisis has passed”.
- There was “little intelligence on Iraqi popular attitudes towards a Coalition attack”.
- The JIC judged that “most Iraqis will welcome the departure of Saddam. A few reports suggest that some Iraqis may fight to defend their homeland from what they see as external aggression. [...] Overall we judge that **while Iraqis may not welcome military forces, they will at least acquiesce in Coalition military action to topple the regime, as long as civilian casualties are limited.**”
- Morale in much of the regular army was “low” and “many soldiers” were “reluctant to fight”. “But as long as Iraqi security officers remain with military units and able to enforce discipline, fear of execution is likely to keep regular units at their posts.”

Saddam Hussein’s mindset

The Assessment stated:

- The JIC judged that Saddam Hussein was “**still in control**” and was “**unlikely to relinquish power voluntarily**”.
- Saddam Hussein would “fear the humiliation of exile, possible assassination and the threat of trial before an international war crimes tribunal”. Suggesting to him “that he step down to avert a war would be likely to provoke a murderous rage”.
- The prospects for a “Turkish initiative to promote a regional peace plan” did not “look good”. There had been “no indication” that Saddam was “preparing to flee”. There had been “uncorroborated reports of plans for Saddam’s family to seek refuge abroad in the event of a Coalition attack”.
- Saddam Hussein was “under increasing pressure” as the inspections regime intensified, UNMOVIC had made “significant discoveries” and the Coalition military build-up continued.
- The JIC judged that Saddam Hussein had “underestimated UNMOVIC’s capability to expose his deception”. He had “failed to realise that he was facing a situation different from the days of UNSCOM”. UNMOVIC’s “limited success” highlighted

the “risks Saddam took in providing a weak declaration of Iraq’s WMD-holdings”.

- There was “**no sign**” that Saddam Hussein was “**unstable or losing the capacity to make rational tactical decisions**”. He might “**well believe**” that he had “**some strong cards left to play**”.
- Saddam Hussein was “already placing military targets in residential areas to score a propaganda victory in the event of a Coalition air campaign”.
- “In the face of an attack, or even before hostilities if he judged that an attack was imminent,” Saddam Hussein might take a number of actions, including:
 - making a last-minute declaration of his WMD;
 - taking hostages or exploiting “foreign volunteers from countries such as UK and France as human shields”;
 - moving “against the KAZ [Kurdish Autonomous Zone] to provoke a humanitarian crisis and to provide a military distraction”;
 - mounting a pre-emptive attack against Israel to “provoke a wider regional crisis and rouse the Arab street”; and
 - inflicting “high enough casualties on any Coalition ground forces, perhaps in Kuwait, including through use of CBW, to halt a Coalition attack and to swing public opinion in the West against hostilities”.
- “Once hostilities were underway”, Saddam might also:
 - “seek to cause an international outcry over the level of Iraqi or Coalition casualties”; and
 - “pursue a scorched earth policy, including the destruction of oil wells and poisoning the water supply”.

The JIC had judged in December 2002 that Saddam Hussein “would initially seek international pressure to halt Coalition action”. If that failed, he “would seek to inflict serious casualties on Iraq’s neighbours and on Coalition Forces, in order to undermine the Coalition’s will to fight on”.

In its Assessment of 29 January, the JIC judged that Saddam Hussein still believed he had “a chance of averting military action or, once military action begins, forcing the Coalition to cease hostilities before his regime collapses”.

812. Mr Scarlett assured Sir David Manning on 30 January that the intelligence reporting was “consistent and convincing”, and there was no evidence that Saddam Hussein was considering the renunciation of WMD.

813. In addition to the JIC Assessment of 29 January, Mr Scarlett sent Sir David Manning his “personal observations on the overall intelligence picture”.²⁶⁷ Mr Scarlett wrote: “Our intelligence reporting has been consistent and convincing. I have not seen a single reference to Saddam even considering the renunciation of WMD to save his regime (and probably his own life).”

²⁶⁷ [Minute Scarlett to Manning, 30 January 2003, ‘Iraq: JIC Assessment and Personal Observations’.](#)

814. The details in the letter are addressed in Sections 4.3 and 6.2.

Cabinet, 30 January 2003

815. Mr Blair held a meeting with senior Ministers to discuss Iraq before Cabinet on 30 January, but there is no official record of what was discussed or the conclusions reached.

816. Iraq was discussed with Mr Prescott, Mr Straw, Mr Hoon and Adm Boyce in a meeting before Cabinet.

817. Mr Campbell wrote that:

- Mr Straw had told Mr Blair several times that he had to make clear [to President Bush] that the UK could not go ahead without a resolution.
- Mr Straw was also concerned about Lord Goldsmith's reaction to some of the proposed targets for the air campaign, "because he would feel that disproportionate force was being applied".
- Adm Boyce had "warned that he was worried the Americans felt they would be seen as liberators. It just wasn't so. They would be resented."
- Mr Blair was "clear that he wanted" to get President Bush to a second resolution; and he had "got the message that we couldn't do without one".
- Mr Blair felt that "two or three Blix reports, and more time for Arab leaders to push Saddam out" were needed.
- Mr Hoon was "worried"; Mr Donald Rumsfeld, the US Secretary of Defense, was saying "that the problem with the UN route was that it was open-ended, that other countries just used the process so nothing ever happened".²⁶⁸

818. There is no No.10 record of the discussion.

819. Mr Blair told Cabinet on 30 January that he would be discussing the policy on Iraq with President Bush the following day. Saddam Hussein was not co-operating fully and while the inspectors would need time to reach a firm conclusion, that period could not be open-ended.

820. Mr Blair told Cabinet on 30 January that he would be discussing the policy on Iraq with President Bush the following day.²⁶⁹ The United Nations inspectors "needed to be given clear direction following their report" to the Security Council on 27 January. Saddam Hussein was "not co-operating fully but the pressure on him to do so was increasing. It would take time for the inspectors to come to a firm conclusion, but that period could not be open-ended."

²⁶⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁶⁹ Cabinet Conclusions, 30 January 2003.

821. In the subsequent discussion, the points made included:

- Dr Blix’s report could be interpreted as an argument that containment had worked: more explanation was required why we could not continue as before.
- The onus was on Saddam Hussein to explain the discrepancies between the Iraqi declaration and a series of unanswered questions: “about 223 missile motors imported illegally; the production of VX nerve agent; 6,500 missing chemical bombs; 12 newly stored chemical shells; and the refusal to allow [Iraqi] scientists to be interviewed in private” listed by Dr Blix. Resolution 1441 “demanded Iraqi co-operation: it was not for the inspectors to act like detectives to find evidence of Saddam Hussein’s guilt”.
- The British public was “supportive of the UN route, but was averse to being rushed into war by pressure from the US”.
- Military action could precipitate a humanitarian crisis involving internecine strife, the release of Iraqi WMD or the breakdown of the UN Oil-for-Food programme.
- The military build-up continued and there would be announcements on the call-up of Reservists and the Royal Air Force contribution.
- The importance of reviving the MEPP had to be constantly reinforced with the US.

822. Mr Blair concluded that Saddam Hussein “had the choice of either co-operating or being disarmed”. The UN route “should be pursued”. “More time was needed” to allow the inspectors “to do their job properly and to ensure broad international support”. American rhetoric was “weakening the Iraqi regime from within. If military action was required we would need to make clear our commitment to the people of Iraq and to managing the aftermath of hostilities to their benefit. The UN would need to be involved in that process. Military action would be embarked upon only if necessary to enforce the will of the United Nations.”

823. Mr Campbell wrote that Mr Blair had been “clear that his role was to pull the US into the right position” on a UN resolution; and that he had later left Cabinet to take a call from President Bush, “from which he returned looking very worried”.²⁷⁰

Mr Blair’s conversations with President Bush, 29 and 30 January 2003

824. Mr Blair spoke to President Bush on both 29 and 30 January.

825. Mr Blair continued to emphasise that Dr Blix would need time to report a pattern of non-co-operation from Iraq before it would be possible to secure support for a second resolution.

²⁷⁰ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

826. While Mr Blair had proposed on 24 January that inspections, and fortnightly reports to the Security Council should continue until the end of March, the timetable being discussed on 30 January was that a decision on a second resolution could be sought after more reports from Dr Blix.

827. In his diary for 29 January, Mr Campbell wrote:

“For obvious reasons, Iraq was worrying TB more and more. He wasn’t sure Bush got just how difficult it was going to be without a second UNSCR, for the Americans as well as us. Everyone TB was speaking to, including tough guys like [John] Howard, was saying that they need a second resolution or they wouldn’t get support. TB felt that was the reality for him too, that he couldn’t deliver the party without it.”²⁷¹

828. Mr Rycroft advised Mr Blair that he should tell President Bush that:

“Even our closest allies are clear about their own domestic political constraints. They would all much prefer a second resolution if at all possible. You have to have one too ...

“... a pattern of non-co-operation would not suffice for a French vote in favour of a second resolution. Our assessment is that there are only four positive votes ...

“So it follows that a WMD find or an Iraqi obstruction of the inspectors would transform the international context. Short of that, we need a pattern of Blix reports on Iraqi non-co-operation. This all points to a little more time – weeks not months – as you argued in your Note, to improve the chances of securing a second resolution.”²⁷²

829. The conversation on 29 January was brief.²⁷³

830. Mr Blair congratulated President Bush for setting out the case on Iraq in his State of the Union address. He told President Bush that he [Mr Blair] was speaking to several colleagues so that he would have a clear picture of their positions before their meeting. Dr Blix’s January report had been much better than expected and had helped to change some minds.

831. Mr Blair and President Bush agreed to speak the following day on a secure line.

832. In their telephone conversation on 30 January, Mr Blair and President Bush discussed the message that should come out of Mr Blair’s visit.²⁷⁴

²⁷¹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁷² Minute Rycroft to Prime Minister, 29 January 2003, ‘Iraq: Phone Call to Bush’.

²⁷³ Letter Rycroft to Sinclair, 29 January 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 29 January’.

²⁷⁴ Letter Rycroft to McDonald, 30 January 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 30 January’.

833. Repeating many of the points in his Note to President Bush of 24 January, Mr Rycroft reported that Mr Blair said that:

“... having consulted other leaders it was clear that the issue was not time for its own sake but time to secure a second resolution. Leaving aside public opinion, a second resolution would help protect us against any unexpected events during a military campaign. Saddam had no intention of complying with 1441 so Bush was right to ensure that this did not drag on. The Prime Minister thought that we needed two more Blix reports, one every two weeks, to build up a pattern of Iraqi non-co-operation. At that point, all other countries including France could possibly come on side for a second resolution. But they would need a reason to change their position, which Blix’s reports could provide. For instance, it would be difficult for Putin to support a second resolution next week but he might do so in the future. This could make it impossible for France to attract sufficient support. If they vetoed alone, the French would be the unilateral ones.”

834. Following a discussion of President Bush’s position, Mr Blair accepted that there would be a need to “maintain a position of strength and exhibit increased confidence in our case. Blix’s role would be important.”

835. Mr Blair and President Bush also discussed the need to push hard for peace in the Middle East and dealing with WMD proliferation by countries beyond Iraq.

Mr Blair’s meeting with Mr Aznar, 30 January 2003

836. Mr Blair suggested to Mr José Maria Aznar, the Spanish Prime Minister, that a second resolution could be sought in late February, but not earlier.

837. Mr Blair met Mr Aznar in Madrid on 30 January on his way to Washington.²⁷⁵ The meeting was followed by a press conference.

838. Mr Blair told Mr Aznar that he had told President Bush that a second resolution was politically necessary for the UK. If the inspectors did not find any WMD, the “next best outcome would be for Blix to establish through a second and third report to the Security Council that Iraq was refusing full co-operation”. The UK should thereafter, in early March, seek a second resolution when, “assuming strong Blix reports”, Mr Blair judged Russia would not object and France would need to choose whether to veto. Mr Blair also suggested allowing time after a second resolution for Arab countries to try to force Saddam Hussein into exile.

839. Mr Blair and Mr Aznar discussed the impact of a veto on the UN and, therefore, the need to avoid one; and whether it would be better to seek a second resolution in mid- rather than late February. Mr Blair argued that the situation could not be allowed to “drag on, but it was important to give it a little longer”. He acknowledged that public

²⁷⁵ Letter Rycroft to Sinclair, 30 January 2003, ‘Iraq: Prime Minister’s Meeting with Aznar, 30 January’.

opinion was moving against military action but suggested it could be brought round. Mr Blair's preference was to wait until the end of February, including to allow further reports from Dr Blix, which would highlight Iraq's non-compliance, and give time to work on Security Council members.

840. Mr Blair thanked Mr Aznar for his role in the joint article and stated that he would propose "a system of communications co-ordination" to President Bush.

841. Asked what would happen if there was no second resolution, Mr Blair responded that "he thought military action would follow anyway, but in far tougher political circumstances"; and "The aftermath would be much easier to handle if the UN had authorised military action and the subsequent rebuilding of Iraq."

Papers produced for Mr Blair's meeting with President Bush

842. Mr Blair was sent a number of papers from across Whitehall before his meeting with President Bush.

843. In preparation for the meeting with President Bush, Mr Rycroft sent Mr Blair a pack of "background papers" on 30 January.²⁷⁶ He added that there would be "plenty of other papers, including JIC papers to give you on the plane".

844. The papers on Iraq were produced by the FCO, the MOD and the Cabinet Office.

845. Mr Jim Drummond, the Assistant Head of OD Sec (Foreign Policy), sent Mr Rycroft a minute setting out a "few OD Sec points, just in case they slip through the briefing" provided by the FCO and MOD.²⁷⁷ Those included:

- the need to agree joint military campaign objectives for publication "shortly before any conflict starts"; the UK should offer a draft;
- an offer of "help on handling Iran";
- the "importance of transparency in the use of oil revenues"; and
- the need for agreement on an "UNMOVIC/IAEA role in finding and destroying WMD post Saddam".

MOD LETTER, 29 JANUARY 2003

846. The MOD drew attention to the implications which any delay in military action beyond the spring would have for its ability to provide a major contribution for military action, and the need for the US and UK to have agreed military objectives.

847. The MOD briefing of 29 January comprised a general update and sections on targeting, "aftermath", and Saddam Hussein's options, including Fortress Baghdad.²⁷⁸

²⁷⁶ Minute Rycroft to Prime Minister, 30 January 2003, 'Camp David'.

²⁷⁷ [Minute Drummond to Rycroft, 28 January 2003, 'Iraq: US visit'](#).

²⁷⁸ [Letter Williams to Rycroft, 29 January 2003, 'Prime Minister's Briefing – Iraq'](#).

848. The MOD “line to take” suggested for Mr Blair was that, if military operations were to be delayed beyond April/May, the UK would “struggle to put together this scale of force again for the autumn, especially if the fire strike continues. So militarily we could bear some delay but not too much.”

849. The background briefing for Mr Blair advised that, if operations were not initiated in the spring, the UK would “face some awkward choices”. Some “key elements of the UK contribution were unique” – including the Commando Brigade, the Air Assault Brigade and a specialist helicopter carrier ship. The MOD suggested:

“If operations were not going to start until the autumn, we would need to consider bringing some forces back to the UK in the meantime. Our ability to provide a major contribution later in the year will also be severely constrained if the fire strike continues beyond the spring.”

850. The MOD also advised Mr Blair that agreement on the objectives for a military campaign would be needed. The development of the UK’s objectives and the discussion of the legal basis for the conduct of military operations are addressed in Section 6.2.

851. In relation to targeting, the “line to take” offered to Mr Blair was that the UK was “working up our strategic objectives for a military campaign. We need to relate this to the legal base we establish.” It was “Very important that UK and US objectives are aligned soon and in advance of commitment to action so that we can come to a clear and common understanding on **targeting issues** and the **information campaign**.” That would need “careful handling domestically”.

852. The background briefing for Mr Blair explained that the current thinking was that the objectives would be published “close to, or at the start of hostilities”. The MOD explained that the military objectives would enable it to “satisfy” itself “that they represent[ed] minimum use of force as required by international law”, and to use the CDS Directive to indicate “what military missions are legitimate, including ... what targets we can legitimately attack from the air; and plan information operations”.

853. A “publicly agreed set of aligned military objectives”, being prepared by the Cabinet Office, would enable the UK to participate in a “joined up **information operations campaign**”.

FCO ADVICE, 30 JANUARY 2003

854. The FCO focused on the need for more time in the hope of disarming Iraq without military action and, if that was not possible, support for a second resolution.

855. The briefing paper for Mr Blair prepared by the FCO Middle East Department on 30 January described the objectives for the meeting as:

“to convince President Bush that:

- our strategy, though working, needs more time;
- the military campaign will be very shocking in many parts of the world, especially in its opening phase (five times the bombing of the [1991] Gulf War);
- a second UN Security Council resolution (i) would greatly strengthen the US’s position, (ii) is politically essential for the UK, and almost certainly legally essential as well;
- we should support Saudi ideas for disarmament and regime change with UN blessing;
- the US needs to pay much more attention, quickly, to planning on ‘day after’ issues; and that the UN needs to be central to it.”²⁷⁹

856. The paper set out a number of key messages for Mr Blair to convey to President Bush reflecting those objectives, including:

- More time would not be “stringing things out: it is patience with a purpose”. The disarmament of Iraqi WMD and the departure of Saddam Hussein could be achieved “with wide international support”, but we were “not there yet”.
- There were three strategic advantages in “letting time work for us”:
 - The military build-up was “already producing some signs of fracturing in the regime. We will lose nothing by letting the pressure build. We might be able to achieve our objectives without firing a shot.”
 - Inspections were “beginning to produce results ... The Iraqis are rattled. They are showing signs of non-co-operation (U2s, interviews). Blix brought this out very clearly in New York ... shifting the terms of the debate against Iraq. More time will increase the evidence of systematic failure by Saddam to comply. Before long likely to produce compelling evidence of Iraqi deceit ...”
 - The mounting pressure was “finally galvanising moderate Arabs to work with us to get Saddam out using the leverage of a second resolution. We need to build up a plan on the basis of Prince Saud’s [Saudi Arabian Foreign Minister] ideas covering who would have to go, and how we would handle a transition to a new group of leaders who would meet Iraq’s obligations under our supervision.”

²⁷⁹ Paper FCO [MED], 30 January 2003, ‘Prime Minister’s Visit to Camp David, 31 January: Iraq’.

- A second UN resolution would be the “Basis for this approach”. It would “transform the politics in the UK, Europe and the wider world” and it “might even produce an implosion in Iraq”.
- It would “take an effort to get the nine positive votes needed”.
- Moderate Arabs might support military action “when the time comes”, but they would need “a second resolution and wider international support for force, as well as being seen to give Saddam Hussein one last chance to climb down”.
- All the trends pointed to “a crunch time around end March”. The FCO did not see how a second resolution could be obtained “in the next few weeks, absent a dramatic new fact”.
- The UK was with the US “100% on the goal; full disarmament by force and regime change if necessary. But we have to contrive circumstances in which we can carry a broad coalition and domestic opinion with us.”
- Working with the UN would “produce a huge prize” in relation to rebuilding Iraq with international support “which allows us to exit”, sending a “powerful message” to other “would be proliferators”, and that domestic opinion would be “more convinced by the legal case”. That was “worth taking time over”.
- There was merit in the Saudis’ idea for Arab League pressure on Saddam to go and the idea of a “UN trusteeship” was “worth close examination”.
- An overall “winning concept” was needed which “should embrace both military action and ‘day-after’ administration in Iraq”. It would be “pointless and damaging to win war and lose peace”.
- It would be “irresponsible to abandon Iraq quickly after toppling Saddam”. The “risk of civil war would be real” and “Iraq’s neighbours would get dragged in, creating instability in the whole region”.
- Coalition Forces would “not be seen as liberators for long, if at all. Our motives are regarded with huge suspicion. The Iraqis ... want us gone quickly. Our occupation and administration of Iraq will become more unpopular and its awfulness more debatable, the longer it continues.”
- The “Blunt fact” was “that in those circumstances any reforms are unlikely to stick. Iraqis will need legitimate international presence holding the ring while they themselves set up new, Iraqi, structures.”
- The period of “government by military coalition” should be kept “as short as possible” and an “international administration with UN blessing” introduced “quickly”.
- Restoring the oil production would be “an immediate challenge”. The oil sector would “need some technology and a lot of capital”. The US and UK should “encourage an open investment regime and a level playing field for foreign companies”.
- The UK media and Parliament had “not yet focused on day-after questions. But it would be very difficult to sustain a UK contribution to day-after if our

occupation of Iraq were opposed, in Iraq and in region.” The UK did not “want a repeat of the 1920s”.

- The UK agreed with the US “objective of a NATO role” but “there is very little chance of getting a formal ... decision at present”.

857. A three-page Background Note and an Annex setting out the views of key governments was also produced.

858. On the legal position, the Background Note stated:

“There are concerns that a second resolution authorising the use of force is needed before force may lawfully be employed against Iraq to enforce the WMD obligations in the UNSCRs. If a draft resolution fails because of a veto (or indeed because it does not receive nine positive votes), the fact that the veto is judged ‘unreasonable’ is immaterial from a legal point of view.”

859. In response to a request from Mr Blair, Mr Edward Chaplin, FCO Director Middle East and North Africa, provided additional briefing on:

- the humanitarian situation – described as “the one area where US Day After planning is reasonably advanced”;
- options for a second resolution – work was “in hand” and details were “in briefing pack”; and
- UN involvement in the aftermath – that was “only likely to make progress if the US side gets a signal from the President to take it seriously”.²⁸⁰

LORD GOLDSMITH'S MINUTE, 30 JANUARY 2003

860. Lord Goldsmith wrote to Mr Blair on 30 January to emphasise that his view remained that resolution 1441 did not authorise the use of military force without a further determination by the Security Council.

861. Lord Goldsmith’s minute to Mr Blair of 30 January,²⁸¹ and the fact that he thought it necessary to send such a letter despite having been told it was not needed for the meeting with President Bush, is addressed in Section 5.

MR BLAIR'S NOTE, 30 JANUARY 2003

862. A Note entitled ‘Countdown’ set out a checklist of issues for Mr Blair’s discussion with President Bush.

863. It reflected Mr Blair’s convictions that Saddam Hussein had no intention of complying with resolution 1441 and the inspectors would report Iraq’s

²⁸⁰ Paper FCO [MED], 30 January 2003, ‘Prime Minister’s Visit to Camp David, 31 January: Iraq’ attached to Letter Sinclair to Rycroft, 30 January 2003, ‘Iraq: Prime Minister’s Visit to Camp David, 31 January: Additional Briefing’.

²⁸¹ [Minute Goldsmith to Prime Minister, 30 January 2003, ‘Iraq’.](#)

non-compliance if they were allowed more time. That would be sufficient to bring round public and international opinion to support military action, even without a “smoking gun”.

864. A document entitled ‘Countdown’ appears in the No.10 files for 30 January 2003.²⁸²

865. The Note set out a potential timetable for action which anticipated two further reports from Dr Blix, on 14 and 28 February and each “harder on non-co-operation”, leading to a UN discussion and a resolution “authorising action; or at least declaring Iraq in material breach” by 5 March. Saudi Arabia might then have “10 days to mobilise Arab opinion to try to force Saddam out” before military action beginning on 15 March. It would be “preferable” if the report on 28 February judged that there was “no sign of Iraq fully co-operating” and that the inspectors could not “disarm unless there is full co-operation”. The timetable could be:

“... shortened if either dramatic find by Blix or 14 February report sufficiently hard; lengthened, but not beyond end March, if resolution takes more time.”

866. The document comprised six sections with very short bullet points in each. Those were:

- “Military Questions”. Whether there were sound plans: in the event that Saddam Hussein used WMD, attacked Israel, or destroyed oil wells; to keep rival groups and tribes apart; and to avoid civilian casualties.
- “Aftermath Questions”. What would happen immediately, “a new Iraqi government or US run”? What type of Iraqi government would be the aim in the medium term?
- “Blix”. Had been given “very good intelligence”. The Note suggested; “Close working”, “Persuasion of doctrine of non-co-operation”; “Tie in with ElBaradei”; and “To be seen by coalition leaders”, including Mr Blair and President Bush before 14 February.
- “Related Issues”. A renewed push on Afghanistan; progress on the MEPP; “HIV/AIDS and Poverty”; “North Korea”; “US/EU relations”; and “Oil”.
- “Diplomacy”. The approaches to be adopted with a number of UN Member States and the Iraqi Opposition, including courting Russia and China and bringing them fully on board and finding a “way down” for France.
- “Strategy”. The need for: a “Proper communications operation”; joint work on planning; and “regular updates between principals, with clear and set agenda”.

867. Mr Campbell wrote in his diaries that Mr Blair had worked on a Note for President Bush on the strategy on the flights to Washington.²⁸³ Mr Blair was extremely concerned

²⁸² [Note \[Blair to Bush\], \[undated\], ‘Countdown’.](#)

²⁸³ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

by the signals of mounting US impatience and was seeking to avoid a US decision to take action outside the UN. He had concluded that he needed to secure more time and President Bush's support for a second resolution. Sir David Manning had reported that the US "was really impatient with the UN" and advised Mr Blair that "we had to fight hard for more time, that we should persuade them [the US] it was in their own interests".

868. Mr Blair was "clear in his own mind about policy and strategy, but worried [President] Bush would not go for it". Mr Blair saw his "challenge" would be:

"... persuading the US that it was in America's interests to stay with the UN ... it would be total madness not to ... but it was not going to be easy. He was aiming to persuade Bush to wait until the middle or end of March and support a second resolution before action."

869. Mr Campbell wrote that Mr Blair had been "worried" after the telephone call with President Bush (on 30 January) because the President had "sounded much more frustrated re the UN, definitely listening more to those saying he had to go for it". Mr Blair wanted to take President Bush to one side to:

"... go through the whole thing. They [the US] may not like it, but Blix was the key ... They couldn't just bully here. Blix had to get the evidence of non-co-operation and we had to get the argument round to non-co-operation being a breach, but we needed two or three Blix reports to get that ..."

870. Mr Campbell added that Mr Blair was:

"... really worried. He just didn't know how [President] Bush would be ... he wanted as much time on his own as we could get, to persuade him [President Bush] that he was more vulnerable than he thought. There was a risk of hubris. He needed world support more than he thought, especially if something went wrong ..."

SIR JEREMY GREENSTOCK'S ADVICE, 31 JANUARY 2003

871. Sir Jeremy Greenstock advised that time would be needed to secure a second resolution. Persuading France to change its position would be the key to influencing others.

872. A clearer understanding of the UK's legal "bottom lines" was urgently needed to inform thinking on a second resolution.

873. A more consultative approach by the US would "work wonders".

874. Sir Jeremy Greenstock advised early on 31 January that Dr Blix's report to the Security Council on 27 January had "moved the debate from Iraq's performance to what we should do about its non-compliance".²⁸⁴ Russia, China, Germany and

²⁸⁴ [Telegram 174 UKMIS New York to FCO London, 31 January 2003, 'Iraq: Where We Go From Here'](#).

France's "contention" that "Iraq's co-operation was pretty good so far" did not "echo in the Council". But, at the same time, "all other Council members want to give the inspections longer".

875. Sir Jeremy recommended that the UK's approach to forthcoming discussions of Iraq in the Security Council should be to:

- Hammer home the message that further time would be "a cop-out". It would give "the Iraqis comfort" and mean that they did not need to "take the necessary steps to comply". Assuring Iraq that the Security Council was "determined and willing to contemplate force" was the only solution to getting the Iraqis to "crack". Persuading France to change its position would be the key to influencing others.
- Continue working as hard as possible to provide a "smoking gun" (or denial of access) through UNMOVIC. That was "indispensable" and the UK should "fight for time" for that. The planned presentation by Secretary Powell, to the Security Council on 5 February, would need to be convincing: "A weak presentation will leave us worse off."
- Develop our thinking on a second resolution: "Most crucially and rapidly we need a clearer understanding of our legal bottom lines." The "most realistic way forward may well be an ultimatum". Further work would be needed "on how best that might be constructed (e.g. making use of the UNMOVIC clusters)".

876. Sir Jeremy stated that he would need discretion on the best moment to float a second resolution, but at that stage he did not envisage the issue coming to a head before the second half of February. Securing a second resolution would, in his view, take time. Secretary Powell's address to the Security Council would be used to encourage discussion.

877. Sir Jeremy concluded:

"Securing a second resolution is going to take time and some coaching of the Security Council. Resolution 1441 took four times as long as we first imagined. Our policy as we go into the meetings ... [with President Bush] is therefore well justified. A more nuanced and consultative approach by the US, even for a few days, would also work wonders – focused more on why we need to deal with Iraqi non-compliance and less on the relentless drive to an inevitable war. Powell's decision to address the Security Council has to be used as discussion time, not just a lecture."

Iraq letter, 31 January 2003

In anticipation of Secretary Powell's presentation of 5 February, Dr Sabri wrote to Mr Annan on 31 January requesting the US Government to "submit immediately its alleged evidence" to enable UNMOVIC and the IAEA to begin investigations and report to the Security Council.²⁸⁵

Dr Sabri also stated that the 518 inspections since 27 November, which included all the sites identified by the US and the UK, had shown that the allegations were "devoid of truth and had been drafted in order to distort the picture of Iraq and create pretexts for aggression against Iraq and against the region as a whole".

878. Sir Jeremy Greenstock went to see Mr Annan on 31 January to bring him up to date with the UK's thinking.²⁸⁶

879. Sir Jeremy reported that he had told Mr Annan that:

- The UK "would be encouraging the US to give the process more time and would also underline the importance of a second resolution".
- The UK wanted to hear Dr Blix's report on 14 February and might want another one after that.
- He did not think there would be military action during February.
- "We were concerned to ensure enough time (even beyond that [late February]) to make it as likely as possible we could secure a second resolution."
- "The only way to resolve this issue without force was for Saddam to crack and preferably to leave (though we realised the latter seemed unlikely at present)."

880. Sir Jeremy also asked whether what he had proposed "offended Annan's bottom line on the need to safeguard the international system". Mr Annan had replied that it did not.

881. Mr Campbell wrote that, "going over the same questions again and again" in Washington on 31 January before the meeting with President Bush, Mr Blair:

"... kept saying we needed a clear intellectual construct, which was that 1441 focus should be on co-operation issues, if the Iraqis didn't co-operate and Blix makes that clear repeatedly, we should say so and then we go for a second resolution and action could follow. We had allowed the goalposts to be moved to the smoking-gun issue, and instead it had to be about the inspectors not getting co-operation."²⁸⁷

²⁸⁵ UN Security Council, 31 January 2003, 'Letter dated 31 January 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General' (S/2003/132).

²⁸⁶ Telegram 183 UKMIS New York to FCO London, 31 January 2003, 'Iraq: Discussion with Kofi Annan'.

²⁸⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

Mr Blair's meeting with President Bush, 31 January 2003

882. When Mr Blair met President Bush on 31 January it was clear that the window of opportunity before the US took military action would be very short. The military campaign could begin “around 10 March”.

883. President Bush agreed to support a second resolution to help Mr Blair. Mr Blair confirmed that he was “solidly with the President and ready to do whatever it took to disarm Saddam” Hussein.

884. The absence of discussion about planning for the post-conflict administration and reconstruction of Iraq is addressed in Section 6.5.

885. Mr Blair and President Bush had a two-hour meeting in Washington on 31 January followed by a press conference and an informal dinner.²⁸⁸

886. The meeting began with a presentation on the threat posed by Abu Musab al-Zarqawi²⁸⁹ and the Al Qaida poisons network by a US official. Sir Richard Dearlove attended that part of the discussion.

887. The remainder of the discussion focused on the issue of a second UN resolution and the timetable of a military campaign.

888. Following a discussion of whether a second resolution would help the UK and the relationship between US planning for military action and the diplomatic strategy, Mr Blair confirmed that he was:

“... solidly with the President and ready do whatever it took to disarm Saddam.”

889. Mr Blair added that he firmly believed that it was essential to tackle the threats posed by WMD and terrorism. He wanted a second resolution if we could possibly get one because it would make it much easier politically to deal with Saddam Hussein. He believed that a second resolution was in reach. A second resolution was an insurance policy against the unexpected.

890. Mr Blair set out his position that the key argument in support of a second resolution must rest on the requirement in 1441 that Saddam Hussein must co-operate with the inspectors. Dr Blix had already said on 27 January that this was not happening; he needed to repeat that message when he reported to the Security Council in mid-February and at the end of February/early March. That would help to build the case for a second resolution.

²⁸⁸ Letter Manning to McDonald, 31 January 2003, ‘Iraq: Prime Minister’s Conversation with President Bush on 31 January’.

²⁸⁹ A prominent member of Al Qaida who was in Baghdad (see [JIC Assessment, 10 October 2002, ‘International Terrorism: The Threat from Iraq’](#)).

891. Mr Blair added that there were various uncertainties:

- Saddam Hussein might claim at the eleventh hour to have had a change of heart.
- We could not be sure that Dr Blix's second and third reports would be as helpful as his first.

892. Mr Blair was, therefore, flexible about the timing of the second resolution. If we could get it quickly, "well and good". But the key was to ensure that we secured it. We had taken the UN route in the expectation that the UN would deal with the Iraq problem, not provide an alibi for avoiding the tough decisions. Resolution 1441 was clear that this was Saddam Hussein's final opportunity. We had been very patient. Now we should be saying that the crisis must be resolved in weeks, not months. The international community had to confront the challenges of WMD and terrorism now.

893. Mr Blair told President Bush that the second resolution:

"... was not code for delay or hesitation. It was a clear statement that Saddam was not co-operating and that the international community was determined to do whatever it took to disarm him. We needed to put the debate in a wider context. The international community had to confront the challenges of WMD and terrorism now, whether in Iraq or North Korea, otherwise the risks would only increase."

894. President Bush and Mr Blair discussed Dr ElBaradei's analysis on the aluminium tubes procured by Iraq. They also discussed the uncertainties and risks arising from Saddam Hussein's potential actions.

895. On military planning, Mr Blair and President Bush discussed the possibility that Iraqi forces would fold quickly. Mr Blair asked about planning for the aftermath. In his view a UN badge would be needed. That would help with the humanitarian problems. Mr Blair and President Bush discussed an initial military occupation, how to manage the dilemma of managing the transition to civil administration and the nature of an Iraqi government.

896. Mr Blair concluded that the US and UK needed to prepare to organise on a "war footing" working very closely together "particularly on our public communications".

897. Sir David Manning recorded that it was clear that the window of opportunity would be only a few weeks. Otherwise the US would take military action. The military campaign could begin "around 10 March", and earlier if Dr Blix's report on 14 February was tough. The timing was "very tight".

898. The UK should do all it could to help the inspectors make a significant find and work hard on the other members of the Security Council to accept the "non-co-operation case" to "secure the minimum nine votes when we need them, probably by the end of February".

899. The FCO Iraq policy meeting on 3 February was informed that feedback from the 31 January meeting indicated that Mr Blair had “persuaded President Bush to allow time for a serious effort to secure a second resolution”; and that Mr Ricketts would discuss options and tactics with Mr Straw.²⁹⁰

900. Mr Campbell wrote in his diaries that Sir David Manning’s record of the meeting with President Bush:

“... made pretty clear they [the US] had made their minds up and that the campaign was going to start ... For Bush the diplomacy had to be based round the military campaign, not the other way round. We had very short timelines now.”²⁹¹

901. Mr Campbell added that Mr Blair had told him that the meeting with President Bush had been “the best ... they had in terms of substance”. President Bush “had read and digested” Mr Blair’s Notes and “was more on the same page than we thought, said he intended to work hard for a second resolution and work to get a majority for it”.

902. Addressing Mr Blair’s success in getting President Bush to support a second resolution on 31 January, Sir Jeremy Greenstock wrote in his statement for the Inquiry that it had not been easy to get US agreement “because of the spread of views in Washington and because we had already used up much of our ammunition with Washington on the utility of the UN route in securing [resolution] 1441”.²⁹²

903. Sir Jeremy added: “It was noticeable ... that President Bush’s words on this subject in public were rather less warm and specific than those he had used with the Prime Minister in private.”

904. Sir Jeremy told the Inquiry that President Bush had told Mr Blair: “We, ourselves, don’t particularly need a second resolution, but we realise that you do.”²⁹³

905. The record of the meeting between Mr Blair and President Bush on 31 January confirms these elements of Mr Campbell’s and Sir Jeremy Greenstock’s accounts.²⁹⁴

906. Mr Campbell also wrote that Mr Blair was “confident of getting a second resolution”; and he was:

“... adamant that it was the right thing to do to get rid of Saddam and send out the message that we were determined to deal with WMD. But he knew how tough it was going to be. Expressing confidence in a second resolution was the best way of dealing with that.”

²⁹⁰ Minute Tanfield to PS/PUS [FCO], 3 February 2003, ‘Iraq Morning Meeting: Key Points’.

²⁹¹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁹² Statement, November 2009, page 13.

²⁹³ Public hearing, 27 November 2009, page 67.

²⁹⁴ Letter Manning to McDonald, 31 January 2003, ‘Iraq: Prime Minister’s Conversation with President Bush on 31 January’.

907. Mr Blair had “felt things had gone about as well as they could have done, but still felt they [the US] were doing the right thing in the wrong way, and just wished they could improve the way they put their case to the world”.

908. In their press conference President Bush and Mr Blair stated clearly that time was running out for Saddam Hussein to disarm peacefully; but neither stated a commitment to securing a second resolution. That left their position ambiguous.

909. In the press conference following the meeting President Bush expressed his appreciation for Mr Blair’s “vision”, his “willingness to lead” and: “Most importantly ... his understanding that after September 11th, 2001, the world changed: that we face a common enemy.”²⁹⁵ President Bush also stated that he trusted Mr Blair’s judgement and appreciated his wisdom.

910. Mr Blair stated that it was essential to mobilise international support and the international community to deal with the linked threats of international terrorism and weapons of mass destruction. That was “essential for the future peace and security and prosperity of the world”.

911. In the questions that followed, President Bush said twice that the timing of a decision on Iraq would be “weeks, not months” and that was also Mr Blair’s view. He added that the US would resist “any attempt to drag the process on for months”. He had gone to the United Nations asking it to show that it had “the capacity to keep the peace”. If the UN decided to pass a second resolution “it would be welcomed” if it was “yet another signal that we’re intent upon disarming Saddam Hussein”: “But 1441 gives us the authority to move without any second resolution.” Secretary Powell’s presentation to the UN would “make it clear” that Saddam was “fooling the world, or trying to fool the world”. He subsequently added: “Saddam Hussein would like nothing more than to use a terrorist network to attack and kill ...”

912. Mr Blair did not answer a question asking if he had asked President Bush to secure a second resolution. He stated that the judgement had to be that Saddam Hussein was “not co-operating with the inspectors, and therefore is in breach of the UN resolution”. That was why time was “running out”.

913. Asked if there was a link between Saddam Hussein and those who had attacked the US on 11 September 2001, President Bush replied: “I can’t make that claim.”

914. President Bush and Mr Blair both emphasised that Saddam Hussein had played games for 12 years, and that he was still playing games. He had to co-operate with the inspectors and demonstrate he was disarming. If not, he would be disarmed by force.

²⁹⁵ The White House, 31 January 2003, *President Bush Meets with Prime Minister Blair*.

915. Mr Campbell wrote that he had wanted to get President Bush “as close as possible to a second resolution” and to “tone down the rush-to-war talk”.²⁹⁶

916. Mr Campbell added that there had been debate about what to say about a second resolution. The White House Press Secretary had been opposed to the idea that President Bush should say he was “open” to a second resolution because “that would be seen as a shift in US policy”. President Bush had been impatient and the messages had not been “properly prepared”.

917. In Mr Campbell’s view:

“The overall impression was poor. TB didn’t really answer the question about the second resolution. And though Bush said it would be ‘welcome’ he looked uncomfortable and the body language was poor ... Even though the words were kind of OK, the overall impression was not.”

918. Mr Campbell’s decision to give journalists travelling to Washington with Mr Blair a report, ‘Iraq – its Infrastructure of Concealment, Deception and Intimidation’,²⁹⁷ and the content of the report which became the subject of considerable controversy, is addressed in Section 4.3.

919. Accounts published by President Bush and Vice President Cheney demonstrate that there were serious reservations about pursuing a second resolution and whether it was achievable.

920. In his memoir President Bush wrote that Mr Blair had gone to Washington “for a strategy session”. They had “agreed” that Saddam Hussein had “violated” resolution 1441 “by submitting a false declaration”; and that they “had ample justification to enforce the ‘serious consequences’”.²⁹⁸

921. President Bush added that Mr Blair:

“... wanted to go back to the UN for a second resolution clarifying that Iraq had ‘failed to take the final opportunity afforded to it’.

“‘It’s not that we need it’ Tony said. ‘A second resolution gives military and political protection.’”

922. President Bush wrote that he “dreaded the thought of plunging back into the UN” and that Vice President Cheney, Secretary Rumsfeld and Dr Rice “were opposed”. Secretary Powell had told him that “we didn’t need another resolution and probably couldn’t get one”. President Bush added that if Mr Blair “wanted a second resolution,

²⁹⁶ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁹⁷ Report [No.10], January 2003, ‘Iraq – Its Infrastructure of Concealment, Deception and Intimidation’.

²⁹⁸ Bush GW. *Decision Points*. Virgin Books, 2010.

we would try”; and that he had said: “As I see it, the issue of the second resolution is how best to help our friends.”

923. Vice President Cheney wrote that Mr Blair had “returned to Washington at the end of January” to argue that “we needed yet another resolution”; and that he, Secretary Powell, Mr Rumsfeld and Dr Rice:

“... were all in agreement that this was a mistake. We’d managed one resolution, no one believed we needed a second, and it would be very hard to get ...

“I also thought that going to the UN again would make us look hesitant and uncertain, but Blair saw a second resolution as a political necessity for him at home ...

“Britain was our major ally and when the President decided to try for a second resolution, I understood his reasons.”²⁹⁹

924. Mr Blair told the Inquiry that the main objective of his meeting with President Bush on 31 January had been to secure US agreement to a second resolution for political reasons.

925. Mr Blair told the Inquiry that the main objective of the meeting on 31 January was to convince President Bush that it was necessary to get a second resolution.³⁰⁰ That “was obviously going to make life a lot easier politically in every respect”. Mr Blair added: “we took the view that that was not necessary, but, obviously, politically, it would have been far easier”. The American concern was that “they’d get pulled into a UN process, you’d never get to a proper decision and then you’d never get the closure of the issue in the way that you should”.

926. Asked about President Bush’s view of the need for a second resolution, Mr Blair told the Inquiry:

“President Bush’s view, and the view of the entire American system was that, by that time, Saddam had been given the opportunity to comply ...

“... he hadn’t taken it. Indeed, what we now know is that he was continuing to act in breach of the UN resolutions even after the inspectors got back in there.

“So ... the American view throughout had been ... ‘This leopard isn’t going to change his spots. He is always going to be difficult.’ So ... their concern ... that they’d get pulled into a UN process, you’d never get to a proper decision and then you’d never get the closure of the issue in a way that you should.

“The problem ... from our perspective, was that ... we wanted to carry on going down the UN route, but the Americans had taken the view – and in a sense we

²⁹⁹ Cheney D & Cheney L. *In My Time: A Personal and Political Memoir*. Simon & Schuster, 2011.

³⁰⁰ Public hearing, 29 January 2010, pages 95-96.

took the same view of the Iraqi behaviour up to ... the end of January – that they weren't complying."³⁰¹

927. Asked by the Inquiry whether a 2006 report in the *New York Times*, that President Bush had said at the meeting that the Americans would put the work behind the effort but, if it ultimately failed, military action would follow anyway, was correct, Mr Blair responded:

“The President's view was that if you can't get a second resolution because, in essence France and Russia are going to say no, even though ... I don't think they were really disputing that Iraq was in breach of resolution 1441, then we were going to be faced with a choice I never wanted to be faced with: did you go without a second resolution?”³⁰²

928. Asked if his position had been that he would take military action with the US if a second resolution could not be agreed, Mr Blair replied that “all sorts of factors would be in play”, including the legal question and whether there would be political support. But, in the context of an Iraqi breach, Mr Blair was:

“... under absolutely no doubt ... that, if you backed away, when he was playing around with the inspectors in precisely the way he had done before, then you were going to send a very, very bad signal.”³⁰³

929. Asked if his recollection was that the proposed start date for military action discussed at that meeting was 10 March, Mr Blair replied: “It was at that meeting or around about that time, certainly, yes.”³⁰⁴

930. In his memoir Mr Blair wrote that with the New Year there was a sense of being “in the final phase”: “The first Blix report in mid-January was clear: Saddam was not complying.” Resolution 1441:

“... had been silent on the need for a further resolution prior to any military action. There were legal debates as to whether it was necessary, and Peter Goldsmith was again anxious about it. The Russians had become negative, and it was perfectly possible that a second resolution might be vetoed.

“I was still thinking it might be possible to get a second resolution – George [President Bush] was adamant he didn't need one. Jack Straw and others warned me that, without one, I might be unable to survive the expected House of Commons vote.

“I was about as isolated as it is possible to be in politics. On the one hand, the US were chafing at the bit and essentially I agreed with their basic thrust. Saddam was

³⁰¹ Public hearing, 29 January 2010, pages 97-98.

³⁰² Public hearing, 29 January 2010, page 98.

³⁰³ Public hearing, 29 January 2010, page 99.

³⁰⁴ Public hearing, 29 January 2010, page 100.

a threat, he would never co-operate fully with the international community, and the world, not to say Iraq would be better off with him out of power. My instinct was with them. Our alliance was with them. I had made a commitment after September 11 to be 'shoulder-to-shoulder'. I was determined to fulfil it.

"On the other hand, my isolation within Cabinet, let alone the PLP and large parts of the media and public opinion, was colossal. And worrying, not because I might go down ... but because so much was at stake. War and peace. The struggle against terrorism. The future of our treasured alliance. The reputation of the country and its armed forces. Above all, people's lives. Either way people's lives, since 'peace' would not be peace for those in Iraq under the boot of Saddam."³⁰⁵

931. In his statement for the Inquiry, Mr Blair wrote:

"The political debate then crystallised in late 2002/early 2003 around calls for a second resolution.

"We discussed this at various Cabinet meetings, the first of which was from my recollection, that of 16 January 2003. It was then debated again at 30 January, 6 February, 13 February, 27 February and 6 March Cabinet meetings. In addition, of course, it was informally hotly debated everywhere. In this instance there was no disagreement: everyone thought it was politically beneficial."

932. Mr Blair also wrote:

"There was no doubt this was the easiest thing politically, both domestically for the Government and internationally, to build the broader coalition. So in January 2003 we began discreetly to canvass support. When asked, we said we were open to one but did not need one. I also knew that Robin Cook was likely to resign in the absence of one.

"We certainly believed at the outset that if we could push the US to go for it, we had a real chance of getting it, though it would be very difficult. Germany's leader had apparently told President Bush that it would not support but it would not oppose. There were reasonable discussions with France, though by early February, France had hardened again. The US were working hard on the Russians."³⁰⁶

933. Mr Blair added:

"We knew we would not ever get a resolution explicitly authorising force. But we thought it possible that the resolution might state what we all knew to be the case: that Saddam was not fully and unconditionally co-operating. The Blix reports were clear that any co-operation fell short. In particular, Blix lacked the ability to conduct interviews without restrictions, a key issue for the inspections. So a 'final' final ultimatum resolution might be agreed."

³⁰⁵ Blair T. *A Journey*. Hutchinson, 2010.

³⁰⁶ Statement, 14 January 2001, pages 7-8.

934. The Inquiry asked Mr Blair at what point he had concluded that the US “had definitely decided on military action in March 2003”.³⁰⁷

935. In his statement for the Inquiry, Mr Blair wrote:

“It was clear from continuing discussion with the US in late 2002/early 2003 that March was the likely date for military action. That firmed up as it became plain that there was no significant shift in the attitude of Saddam. The December declaration ... was incomplete, as Blix noted ... His first report was to the effect that there was not full compliance, essentially around interviews. There were various possible alternatives to military action surfacing, including proposals for Saddam peacefully to give up power.”³⁰⁸

936. In the context of questions about his decision not to tell President Bush privately that he was at that stage being advised by Lord Goldsmith that a second resolution would be needed to provide the legal basis for UK participation in military action, Mr Blair told the Inquiry that President Bush knew perfectly well that the UK needed a second resolution. He added:

“If I had started raising legal issues at that point with the President, I think it would have started to make him concerned as to whether we were really going to be there or not and what was really going to happen. Now I would have done that because in the end whatever I thought about the legal position, the person whose thoughts mattered most and definitively were Peter [Goldsmith]’s, but I wasn’t going to do that until I was sure about it.”³⁰⁹

937. Lord Goldsmith’s position is addressed in more detail in Section 5.

938. Asked when the question of more time had come up against the US military timetable, Sir David Manning told the Inquiry:

“The issue, I think, of timing becomes acute after 1441 and the declaration. Once Saddam has produced his 12,000 pages and the Americans decide this is not serious, then they just want to get on with it really.”³¹⁰

939. Asked whether the military timetable was so fixed that time was running out, Sir David replied that the build up of troops meant there was “a sort of pressure to move forward”, and:

“There’s also the American political timetable ticking. Bush wants this well out of the way before going into the mid-term election process in – the build-up for elections the following year ...”³¹¹

³⁰⁷ Inquiry request for a witness statement, 13 December 2010, Q8, page 6.

³⁰⁸ Statement, 14 January 2011, page 11.

³⁰⁹ Public hearing, 21 January 2011, pages 69-70.

³¹⁰ Private hearing, 24 June 2010, page 87.

³¹¹ Private hearing, 24 June 2010, pages 87-88.

The views of Mr Blair and Sir Jeremy Greenstock

940. The evidence set out in this Section demonstrates that, by the end of January, Mr Blair had taken a public position that Iraq was failing fully to comply with resolution 1441, and that this was a further material breach.

941. Mr Blair told the Inquiry that Saddam Hussein:

“... was deliberately concealing documentation, and ... he was deliberately not allowing people to be interviewed properly.

“In December 2002 ... we received information, and this information remains valid, that Saddam called together his key people and said that anybody who agreed to an interview outside of Iraq was to be treated as a spy.”³¹²

942. Mr Blair suggested that Saddam Hussein:

“... retained full intent to restart his programme, and, therefore, it was very important for him that interviews did not take place, because the interviews with senior regime members were precisely what would have indicated the concealment and the intent.”³¹³

943. Asked whether there was a risk that, in putting down the second resolution the UK would appear to be trying to curtail the inspection process because of the demands of the military planning, Mr Blair replied:

“It was more ... the other way round, that what we were trying to do was to say: ‘how do you resolve what, on any basis, is a somewhat indistinct picture being painted by Dr Blix?’”³¹⁴

944. In his memoir Mr Blair quoted at length from Dr Blix’s report of 27 January, which he described as providing “essential context to understanding the decisions being taken by me and others”.³¹⁵

945. Mr Blair wrote that the report was:

“... critical to understand the context in which WMD were being debated in the run-up to the outbreak of conflict. We the key allies had no doubt that Saddam had an active WMD programme ...

“There could be no doubt that the only reason for the inspectors being allowed back into Iraq was a threat of military action. The build-up of American forces was likewise the only conceivable reason for what co-operation there was. But the co-operation fell short of what resolution 1441 demanded. And the history of dealing with Saddam did not exactly lead to belief in his fidelity to the UN.”

³¹² Public hearing, 29 January 2010, page 104.

³¹³ Public hearing, 29 January 2010, pages 104-105.

³¹⁴ Public hearing, 29 January 2010, page 116.

³¹⁵ Blair T. *A Journey*. Hutchinson, 2010.

946. Mr Blair wrote that he still “pinned some considerable hope on getting a diplomatic breakthrough”; and that the prospect of a second resolution “was central”. But it was apparent that “the law and politics were inextricably intertwined”. Above all, a second resolution “would reunite the international community”.

947. In his statement to the Inquiry, Mr Blair wrote:

“So I thought inspections necessary but I knew they would only be successful with genuine co-operation. The key to successful inspections was the ability to interview and analyse the work of the technical experts. The JIC reports of 11 October 2002 and then following the December 2002 declaration, of 18 December 2002 gave me no grounds for believing inspections would be properly complied with.”³¹⁶

948. Mr Blair added:

“The Iraqi declaration ... and the Blix reports to the UNSC were as unsatisfactory as we anticipated. It was clear Saddam was not fully complying, i.e. he was in breach of [resolution] 1441, but as the prospect of military action advanced, so he was inclined to co-operate more. This is what JIC papers had said he would do.”

949. Mr Blair also wrote that the declaration was “incomplete” and “That itself was a breach of [resolution] 1441.”³¹⁷

950. Asked if he had concluded quite early after the declaration that there was no prospect of Saddam Hussein complying with the requirements of resolution 1441, Mr Blair replied:

“Yes. It’s basically correct ... The intelligence reports were that he didn’t intend to co-operate, that the declaration wasn’t correct, but there was also a very significant piece of intelligence at that time, which was ... that Saddam had said that anybody who co-operated with overseas interviews would be treated as a spy, in other words executed.”³¹⁸

951. Mr Blair explained that “some in the American system” had “tried to claim” that the declaration was a material breach, but the advice he received and his attitude was that action could not be taken at that stage.³¹⁹

952. Asked whether he had expected in December 2002 and January 2003 that Dr Blix would report that Saddam Hussein was not co-operating with the inspectors, Mr Blair replied that, “given the history”, they had been looking for “very early and significant signs that Saddam had genuinely changed the position of his regime”.³²⁰

³¹⁶ Statement, 14 January 2011, page 7.

³¹⁷ Statement, 14 January 2011, page 11.

³¹⁸ Public hearing, 21 January 2011, page 78.

³¹⁹ Public hearing, 21 January 2011, page 110.

³²⁰ Public hearing, 21 January 2011, page 110.

953. Asked if the US military timetable would leave enough time to see whether UNMOVIC could do its job, Mr Blair replied:

“... the timeline was pressing ... because the Americans took the view it was absurd to think that Saddam was going to change his mind, because he wasn’t ...”³²¹

954. Sir Jeremy Greenstock suggested that the primary reason for the second resolution was as a means to persuade Saddam Hussein to disarm peacefully, although it would also have helped to provide a legal basis for action if required.

955. Asked about the UK’s objectives for the second resolution, Sir Jeremy Greenstock told the Inquiry:

“I think we had two objectives and I have thought quite carefully about this, because those objectives became confused in the heat of battle and in subsequent interpretation with hindsight of what happened.

“... the two fundamental points were, first, that we had to try and create international pressure on Iraq to give up WMD without a fight, and it was only possible to do that, as far as I was concerned, through the United Nations, by having a very firm body of international opinion that was against Iraq and determined to bring to a halt its 12-year contravention of UN resolutions. That was a primary purpose behind what I was trying to design as a further resolution.

“Second, we were also concerned to establish the safest possible legal grounds for the use of force if that should be necessary. We felt that we had legal grounds in 1441, but those grounds were contested. They were a matter of subjective opinion. If one had a further resolution, establishing that there had been a material breach since we had given Iraq the final opportunity, this would be unequivocal, and that would be the safest possible legal grounds for the next steps, whatever they were.”³²²

Conclusions

956. In December 2002, President Bush said that the Iraqi declaration of 7 December 2002 demonstrated Saddam Hussein had had “no change of heart”.

957. By early January 2003, Mr Blair had concluded that the military action was the more likely outcome and, if conflict could not be avoided, that the UK should support the US.

958. The Inquiry has already concluded in Section 3.5 that Mr Blair and Mr Straw envisaged that in the event of a material breach of Iraq’s obligations, a second resolution determining that a breach existed and authorising the use of force was likely to be tabled in the Security Council.

³²¹ Public hearing, 21 January 2011, pages 79-80.

³²² Public hearing, 27 November 2009, pages 64-65.

959. Lord Goldsmith was not invited to provide draft advice on the legal effect of resolution 1441 until mid-January and, at that stage, it was given only to Mr Blair.

960. Lord Goldsmith's position that a further decision by the Security Council would be required to revive the authorisation to use force contained in resolution 678 (1990), although that decision need not be in the form of a further resolution; and that there was no "room for arguing that a condition of reasonableness [could] be implied as a precondition for the exercise of a veto", is addressed in Section 5.

961. That remained Lord Goldsmith's view throughout the events addressed in this Section of the report.

962. Mr Blair and Mr Straw repeatedly stated, however, that military action would be justified if the Security Council failed, in the face of a report of a further material breach, to "face up to its responsibilities".

963. In public statements Mr Blair and Mr Straw continued to declare that reports from the inspectors would be the basis for seeking a second resolution which was regarded as an essential prerequisite for securing both UK domestic and international support for military action.

964. In January 2003, there was a clear divergence between the UK and US Government positions over the timetable for military action.

965. The decisions to deploy military forces to the Gulf and the absence of collective discussion of the implications are addressed in Sections 6 and 7.

966. On 24 January, Mr Blair sent President Bush a proposal suggesting the inspectors should be given until the end of March or early April to carry out their task and asking for fortnightly reports to the Security Council on the extent of Iraqi compliance.

967. Mr Blair considered that, if those reports established a pattern of non-compliance, they would, in the absence of other evidence that Iraq had concealed WMD (a "smoking gun"), be sufficient to secure Security Council support for a second resolution.

968. The US and UK should seek to persuade others, including Dr Blix, that that was the "true view" of resolution 1441.

969. By the end of January, Mr Blair had taken a public position that Iraq was failing fully to comply with resolution 1441, and that that was a further material breach.

970. Mr Blair and Mr Straw saw the meeting with President Bush on 31 January as the best opportunity to gain US support for an approach designed to secure a second resolution.

971. The Inquiry recognises that events were moving fast and that Mr Blair was seeking to influence President Bush's position.

972. President Bush agreed to seek a second resolution to help Mr Blair, but there were major reservations within the US Administration about the wisdom of that approach.

973. Mr Blair confirmed that he was "solidly with the President and ready to do whatever it took" to disarm Saddam Hussein.

974. But President Bush was not prepared to agree a timetable which would preclude US military action in early March.

975. Mr Blair's proposed approach to the discussion with President Bush was discussed in a meeting of Ministers before Cabinet on 30 January and then discussed in general terms in Cabinet itself. But no detailed and in depth analysis of the strategy and its advantages and disadvantages, including the likelihood of success, was prepared or discussed collectively by either senior officials or Ministers. Nor were alternative options, which might have been available to the UK at that stage, identified and considered.

976. A review of the strategy would inevitably have focused on the tension between the military timetable of the United States and the UK view that the inspections needed more time before it would be possible to secure international support and a further UN Security Council resolution.

977. In the event, the approach failed to secure majority support in the Security Council in mid-March for a resolution stating that Iraq had failed to take the final opportunity offered by resolution 1441; that the inspections had run their course; and that military action was necessary as a last resort to disarm Saddam Hussein of his weapons of mass destruction and the means for their delivery. That is addressed in subsequent Sections of the Report.