



Government Response to the
Intelligence and Security
Committee Report on
Iraqi Weapons of Mass Destruction
– Intelligence and Assessments
11 September 2003

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

FEBRUARY 2004

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GOVERNMENT RESPONSE TO THE INTELLIGENCE AND SECURITY COMMITTEE REPORT ON IRAQI WEAPONS OF MASS DESTRUCTION – INTELLIGENCE AND ASSESSMENTS 11 SEPTEMBER 2003

1. The Government is grateful to the Intelligence and Security Committee (ISC) for its Report on Iraqi Weapons of Mass Destruction examining whether the available intelligence, which informed the decision to invade Iraq, was adequate and properly assessed and whether it was accurately reflected in Government publications. The Report was laid before Parliament on 11 September 2003. It is a detailed and comprehensive Report and the Government is grateful to the Committee for the considerable work put into compiling it.

2. The Committee occupies a unique position of trust with respect to the security and intelligence Agencies which enables it properly and fully to carry out its task of oversight as defined by Parliament. As the Committee notes, it was given extensive access to a wide range of classified material, much of which was used in compiling the Government's dossier on Iraq's Weapons of Mass Destruction (WMD), published in September 2002. The Committee examined Joint Intelligence Committee (JIC) Assessments dating back over more than thirteen years. The Committee was given extensive briefings and took evidence from a large number of Ministers and officials, including the Prime Minister. It took detailed evidence from the heads of the intelligence Agencies and the Chairman of the JIC. This enabled the Committee to gain insight into a very complex issue requiring an understanding of sensitive intelligence material.

3. The Committee produced some key findings. These include:

- The September dossier was endorsed by the whole JIC (ISC Report, paragraph 106).
- The September dossier was founded on the intelligence assessments then available (paragraph 107).
- The September dossier was not 'sexed up' by Alastair Campbell or anyone else (paragraph 108).
- The JIC was not subjected to political pressures. Its independence and impartiality were not compromised in any way (paragraph 108).

The Government welcomes these findings and draws attention to the complementary conclusions reached by Lord Hutton in his report.

4. The Committee offers a number of conclusions and recommendations. The Government has considered these and, taking into account Lord Hutton's report, its response is set out in the following paragraphs.

The Assessments August 1990 to September 2002

5. The Committee accepts (paragraph 66) that, based on the intelligence and the JIC Assessments it saw, there was convincing intelligence that Iraq had active chemical, biological and nuclear programmes, the capability to produce chemical and biological weapons (CBW) and was continuing to develop ballistic missiles - all activities prohibited under UN Security Council Resolutions (UNSCRs). The Government welcomes the ISC's conclusion and its consistency with its own assessment of Iraq's WMD capabilities.

6. The Committee comments (paragraphs 44 and 45) that the JIC did not know the location and state of readiness of ballistic missiles or what type of chemical and biological agents had been retained (and consequently if the agents would still be effective). The ISC Report notes (paragraph 67) that whilst the 9 September 2002 JIC Assessment was a balanced assessment of scenarios, it did not highlight in the key judgements the uncertainties and gaps in the UK's knowledge about the Iraqi biological and chemical weapons.

7. The Government has looked carefully again at this issue. It believes the JIC did acknowledge the uncertainty of the assessments and the lack of detailed intelligence. The Government understands why the Committee takes the view that it does, but notes that the JIC was guided by the fact that the role assigned to the key judgements section of JIC Assessments is to highlight the judgements to be drawn from the intelligence assessed in a JIC paper. The key judgements section is not intended to be a summary of the main facts in the paper.

8. The Committee notes (paragraph 56) that the reference to the 20–45 minutes in the JIC Assessment added nothing fundamentally new to the UK's assessment of the Iraqi battlefield capability. It also comments (paragraphs 56 and 57) that the JIC Assessment did not precisely reflect the intelligence provided by the Secret Intelligence Service and that the context of the intelligence was not included in the JIC Assessment.

9. The Government notes that the wording of the Assessment was considered by the JIC to be an accurate reflection of the intelligence. Because the source of the intelligence report on which the JIC Assessment drew did not specify the nature of the delivery system to which the 45 minutes applied, there was no reference either to battlefield or strategic systems in the final JIC Assessment on 9 September 2002.

The 24 September 2002 Dossier

10. As noted in the introduction to this Response, the ISC reaches some important conclusions on the dossier. The Committee accepts (paragraphs 106 and 107) that the 24 September dossier was endorsed by the whole JIC, and that it was founded on the assessments then available. The Committee says (paragraph 108) it was content that the JIC was not subjected to political pressures, that its independence and impartiality were not compromised in any way and the dossier was not 'sexed up' by Alastair Campbell or anyone else. It also records (paragraph 109) that Alastair Campbell did not chair meetings on intelligence matters.

11. The Government notes that the ISC confirms (paragraphs 79 and 108) that the dossier accurately reflected JIC Assessments at the time and that a wide range of departments and agencies were consulted during the drafting process. One of the Committee's most important conclusions (paragraph 108) is that the JIC was not subject to political pressures and its independence and impartiality were not compromised. The government notes that the Committee's finding on this point is supported by Lord Hutton, who concluded that the JIC Chairman and other members of the JIC were concerned to ensure that the contents of the dossier were consistent with the intelligence available to the JIC.

12. But the Committee also criticises (paragraphs 110 and 111) the way in which some of the detail in the dossier was presented. It believes that the uncertainty over Saddam's chemical and biological capacity should have been highlighted to give a balanced view; that the nature of the threat should have been more clearly spelt out, in particular that Saddam was not considered a current or imminent threat to mainland UK; and that the most likely chemical and biological munitions to be used against Western forces were battlefield weapons (artillery and rockets) rather than strategic weapons. The Committee also notes (paragraph 112) that, as the dossier was for public consumption and not for experienced readers of intelligence material, the context of the intelligence on the 45 minutes claim should have been explained, in particular the fact that it was assessed to refer to battlefield chemical and biological munitions and their movement on the battlefield.

13. The Government believes that the dossier did present a balanced view of Iraq's CBW capability based on the intelligence available. The dossier made clear (paragraph 14, page 16) that the withdrawal of the United Nations Special Commission (UNSCOM) had greatly diminished the ability of the international community to monitor and assess Iraq's continued efforts to reconstitute its programmes. It also noted (paragraph 13, page 16) that UNSCOM was unable to account for significant quantities of agents, precursors and munitions.¹

14. The Government welcomes the Committee's recognition (paragraph 111) that the dossier did not say that Iraq posed a current and imminent threat to the UK mainland. The dossier was not intended to make the case for military action against Iraq; it was intended to share with the public the intelligence being presented to the Government which (along with much open source information) showed that Iraq was in serious breach of several UNSCRs. The dossier did not seek to address military scenarios in which Saddam Hussein might consider the use of CBW. It accurately reflected the intelligence available at the time, which indicated that Iraq could deliver CBW by a variety of means including battlefield munitions, such as artillery, mortars and rockets, as well as by ballistic missiles. It did not seek to address which method of delivery Iraq was most likely to use. The Government also notes the ISC's conclusion (paragraph 113) that the judgement that Iraq was attempting to negotiate the purchase of uranium from Niger was reasonable.

15. The Government understands the reasoning behind the Committee's view (paragraph 112) that the presentation of the 45 minutes issue in the dossier, which was compiled for the public and not for experienced readers of intelligence material, allowed

¹ UNSCOM report to UN Security Council S/1999/94 29 January 1999.

speculation as to its exact meaning. However, the Government notes that the dossier did not say that Iraq could deliver chemical or biological weapons by ballistic missiles within 45 minutes.

16. The Committee, in the context of concerns expressed by two individuals in the Defence Intelligence Staff (DIS), comments (paragraph 101) that it has seen the intelligence and understands the basis on which the Chief of Defence Intelligence (CDI) and the JIC took the view they did.

17. The Government welcomes this comment and the Committee's acceptance (paragraph 99) of the CDI's assurances that the concerns expressed by two individuals in the DIS, out of the considerable number involved, were part of the process of internal debate within the DIS and were taken into account in the formulation of the DIS' position in the JIC.

18. But the Government notes the concerns (paragraph 104) of the Committee regarding the information it (the Committee) was given initially about the views expressed by members of the DIS and the decisions taken by the MOD about informing the Committee of these. The Secretary of State for Defence told Parliament on 11 September 2003 that he recognised that it would have been helpful to the Committee if he had mentioned specifically that the views of the DIS members had been recorded in writing. The MOD views the provision of evidence to the Committee extremely seriously and regrets that the impression gained by the Committee was that it had behaved otherwise. The Government notes that the Committee does accept (paragraph 102) that it was subsequently given the relevant papers and was briefed by the Secretary of State for Defence. The Government agrees that the Committee should be given information relevant to its inquiries in a timely fashion.

19. Regarding the Committee's recommendation (paragraph 116) on the procedures for recording formal concerns on draft JIC Assessments, the Government understands the importance that the Committee attaches to the issue and is keeping the situation under review. It notes the careful attention that is paid within the intelligence community to procedures for dealing with formal correspondence about JIC Assessments. For example, DIS standing instructions exist for the notification to CDI and his deputy of dissenting views on JIC issues. More widely, prior to every JIC meeting each department/agency represented at JIC undertakes an internal briefing process, during which relevant experts in that department/agency are encouraged to bring to the attention of their JIC representatives any concerns they have about the drafts that are to be considered by the JIC that week. Whatever arrangements are in place, the Government believes that it is important to preserve the line management authority of JIC members in judging what should be brought to the attention of the JIC Chairman from within their departments.

The Assessments October 2002 to March 2003

20. The ISC Report comments (paragraph 123) that the likely inhibiting effect on any production and storage of chemical and biological agents and munitions during the period that the UN inspectors were in Iraq was not fully reflected in the JIC Assessments.

21. The Government accepts that the inhibiting effect of the UN inspections was relevant and takes careful note of the Committee's findings. The JIC Assessments produced in October and December 2002 and again in March 2003 reflected this point. In December 2002 the JIC specifically pointed out that Iraq's ability to use CBW might be constrained by the difficulty of producing more whilst UN inspectors were present. In March 2003 it stated that intelligence on the timing of when Iraq might use CBW was inconsistent and that the intelligence on deployment was sparse. Intelligence indicating that chemical weapons remained disassembled and that Saddam had not yet ordered their assembly was highlighted. The JIC also pointed out that other intelligence suggested that the 750km range Al Hussein ballistic missiles remained disassembled and that it would take several days to assemble them once orders to do so had been issued.

22. The Committee notes (paragraphs 127 and 128) that the JIC assessed that any collapse of the Iraqi regime would increase the risk of chemical and biological warfare technology or agents finding their way into the hands of terrorists, and that the Prime Minister was aware of this. But he believed that there was an alternative risk of leaving a possible nexus between terrorism and WMD and made his judgement accordingly. The Government draws attention to the difficult judgement that had to be made and the factors on both sides of the argument to be taken into account.

The February 2003 Document

23. The Committee also comments on the February 2003 document (paragraphs 134 and 135). As in its Annual Report for 2002–2003, it concludes that it was a mistake not to consult the Agencies before their material was put in the public domain and that the publicity surrounding the February 2003 document was such that it devalued the input of the Agencies.

24. The Government has acknowledged that mistakes were made and has ensured that lessons have been learned. As the ISC notes (paragraph 134), procedures have been put in place to ensure that in future the JIC Chairman will check all intelligence-derived material on behalf of the intelligence community prior to publication. Publication itself will be properly approved by the appropriate Secretary of State and laid before Parliament.

Other Issues

25. The ISC Report records (paragraph 137) that the UN inspectors were content with the support that they received from the UK. The Government welcomes this.

26. The Committee notes (paragraph 142) that it is vital that the credibility and effectiveness of the JIC and the Agencies are not degraded or diminished by the publication of their product in an inappropriate manner. It notifies its intention to examine the Agencies' relationship with the media and the use of intelligence-derived material by the Government to brief the public.

27. The Government fully agrees that it is important to ensure that the ability of the Agencies to do their job is not undermined. It welcomes the Committee's interest and looks forward to its findings in due course.



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