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## CHAPTER 7

### CONCLUSIONS ON BROADER ISSUES

#### 7.1 GENERAL CONCLUSIONS ABOUT INTELLIGENCE AND ITS USE

580. In this Chapter, we set out some general conclusions about the gathering, evaluation and use of intelligence, in the light of our examination of the material in preceding Chapters.

#### OTHER CASES

581. As the Intelligence and Security Committee have observed<sup>1</sup>:

*Most of the hard work that the Agencies do every year will never be made public.*

582. Much that is in Chapter 2 can be told only because the outcomes described there are now publicly known. Nevertheless, the material we have published for the first time in this Report illustrates the contribution of intelligence reports and assessments to the handling of each of these cases over recent years. Intelligence has been validated to an impressive extent by what has been subsequently revealed and has played a crucial part in enabling developing threats to international security and stability to be identified and countered. For obvious reasons, we have not discussed the sources of the intelligence but we have examined them. The cases demonstrate a high degree of co-operation not only between the agencies but also with liaison services, and with the departments who have been enabled to act effectively on the intelligence.

#### INTERNATIONAL CO-OPERATION

583. We believe it to be right, therefore, to start this Chapter with our views on the importance of international co-operation in this field. While there may be differences between countries over policy issues, not least towards the Middle East, there is agreement among the great majority of countries over the need to tackle the risks posed by destabilising nuclear, biological and chemical weapons programmes, to limit proliferation and to prevent terrorists from increasing their arsenal of destruction by the acquisition of vastly more powerful weapons.

584. **We note that much of what was reliably known about Iraq's unconventional weapons programmes in the mid- and late-1990s was obtained through the reports of the UN Special Commission (UNSCOM) and of the International Atomic Energy Agency (IAEA). These international agencies now appear to have been more effective than was realised at the time in dismantling and inhibiting Iraq's prohibited weapons programmes. The value of such international organisations needs to be recognised and built on for the future, supported by the contribution of intelligence from national agencies.**

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<sup>1</sup> Intelligence and Security Committee Annual Report 2003-2004. Cm 6240. June 2004.

## CO-ORDINATION OF COUNTER-PROLIFERATION ACTIVITY

585. It is clear that, in the continuing struggle against proliferation, it will be essential to continue to bring to bear all sources of intelligence in a co-ordinated way. We have noted in our general Conclusions on Chapter 2 that success in the cases we studied came through close collaboration between all involved to piece together the intelligence picture, with teams able to have shared access to all available intelligence. We welcome the arrangements for bringing together all sources of expertise on terrorism into the Joint Terrorism Analysis Centre. We have considered whether to recommend a similar organisation to deal with counter-proliferation. The difference between counter-terrorism and counter-proliferation is that a large part of the former is a problem of analysing and dealing with day-to-day threats while the latter is longer-term. We do not therefore consider that it would be justified or helpful to bring experts out of their parent organisations and to co-locate them. Moreover, we are impressed with the growing co-operation between departments and agencies and the exploitation of technical expertise through cross-postings and secondments. However, **we consider that it would be helpful through day-to-day processes and the use of new information systems to create a 'virtual' network bringing together the various sources of expertise in Government on proliferation and on activity to tackle it, who would be known to each other and could consult each other easily.**

## 7.2 INTELLIGENCE MACHINERY

### THE DEFENCE INTELLIGENCE STAFF

586. Much of the Government's expertise on technical issues relating to nuclear, biological and chemical weapons and ballistic missiles rests in the Defence Intelligence Staff (DIS). This expertise is used to produce all-source analysis which underpins the intelligence community's understanding on weapons programmes. Unlike the agencies, the DIS is not free-standing and, because its focus must be concentrated on the department it serves, it has in the past perhaps been seen as rather separate from the rest of the intelligence community, although it would be wrong to exaggerate this. We have considered whether to recommend that the DIS should be brought out of the Ministry of Defence (MOD) and become a separate agency with a similar relationship to the MOD as the Secret Intelligence Service (SIS) have to the Foreign and Commonwealth Office (FCO).

587. Because the DIS is so crucial to the MOD in everything from strategic planning through equipment acquisition to the conduct of military operations, we do not believe that this would be helpful. But **we consider that further steps are needed to integrate the relevant work of the DIS more closely with the rest of the intelligence community. We welcome the arrangements now being made to give the Joint Intelligence Committee more leverage through the Intelligence Requirements process to ensure that the DIS serves wider national priorities as well as it does defence priorities and has the resources which the rest of the intelligence community needs to support its activities. If that involved increasing the Secret Intelligence Account by a sum to be at**

**the Security and Intelligence Co-ordinator's disposal to commission such resources, we would support that.**

588. The question of whether there should have been better machinery for bringing to the attention of the Joint Intelligence Committee (JIC) dissenting opinions in the DIS arose in relation to the Government's dossier of September 2002. But the same point applies to JIC assessments. The Intelligence and Security Committee have recommended that if individuals in the intelligence community formally record concerns in relation to assessments these concerns should be brought to the attention of the JIC Chairman.
589. The Government has said that it is keeping the situation under review, and that DIS standing instructions exist for the notification to the Chief of Defence Intelligence and his deputy of dissenting views on JIC issues. **We recommend consideration of the provision of proper channels for the expression of dissent within the DIS through the extension of the remit of the Staff Counsellor, who provides a confidential outlet for conscientious objection or dissent within the intelligence agencies, to cover DIS civilian staff and the Assessments Staff.**
590. We have another recommendation in relation to the DIS. During the lead-up to the Iraq war, neither the Chief of Defence Intelligence nor his deputy were intelligence specialists. **We recognise the case for the Chief of Defence Intelligence to be a serving officer so that he is fully meshed into military planning. But we consider that the Deputy should, unless there are good reasons to the contrary at the time when a particular appointment is made, be an intelligence specialist.**

## THE JOINT INTELLIGENCE COMMITTEE

591. A good deal of our attention has inevitably been focussed on the JIC and its operations. Its role in co-ordinating the intelligence community and producing objective intelligence assessments is widely admired, including by all members of our Committee. We conclude that it is vital to maintain and reinforce its independence.
592. As regards the JIC itself, two questions we have asked ourselves are whether, as a result of the additions to its membership described in Chapter 1, it has become too big, and whether its objectivity is in danger of being compromised by the presence of more policy heavy-weights than in the past.
593. On the first question, the changed nature of the security challenges faced by the UK in the 21st century has inevitably led to intelligence having a wider application in policy-making. That in turn has resulted in more departments with only an occasional interest in the JIC's work being added to its membership. If all those members were to attend on each occasion, JIC meetings would certainly become unwieldy. But we understand that they do not. Provided that this is the case, it seems desirable that those departments which may have an interest in, and use for, intelligence should attend as necessary when items affecting their business are discussed.

594. The policy presence on the JIC has been increased in recent years. The posts of Director General (Defence and Intelligence) in the FCO and Policy Director in the MOD are members and it is desirable that they should remain so that the JIC can be well-informed about the policy interests of those departments.
595. The Intelligence Co-ordinator, the Prime Minister's Foreign Affairs Adviser and the head of the Cabinet Office Defence and Overseas Secretariat have also been members, and in fact all have chaired the JIC at various times. The posts of Prime Minister's Foreign Affairs Adviser and Head of the Defence and Overseas Secretariat have now been combined into a single post which is held at Permanent Secretary level. So, now, is the post of Security and Intelligence Co-ordinator.
596. These are two of the leading policy advisers in the field covered by the JIC. Nevertheless, since we have been assured by all witnesses that the tradition of the JIC has prevented policy imperatives from dominating objective assessment in the JIC's deliberations, **we recommend no change in the JIC's membership** on this account.
597. That brings us to the Chairmanship. We welcome the fact that the Chairmanship is now a single, independent post, not combined with other posts as sometimes in the past. Nevertheless, without any implied criticism of the present or past Chairmen, it seems wrong in principle that the Chairman of the JIC should be outranked not only by the heads of the agencies but also by two other heavyweight Permanent Secretaries on his Committee. Lord Franks stressed the need for the Chairman to be both full-time and independent. **We see a strong case for the post of Chairman of the JIC being held by someone with experience of dealing with Ministers in a very senior role, and who is demonstrably beyond influence, and thus probably in his last post.**

## THE ASSESSMENTS STAFF

598. We have noted in Chapters 2, 3 and 5 the skill and objectivity of the Assessments Staff. But we are conscious that the resources of the Assessments Staff are very slight in relation to those of the collecting agencies. Moreover, for the most part the Assessments Staff is made up of officials from departments on short-term secondments. When the Assessments Staff were set up in 1968, it was envisaged that they would have a permanent staff but the shortage of opportunities for advancement has made that impracticable.
599. The Assessments Staff do a remarkable job, given their limited role, in pulling together objective assessments. But they have limited scope for employing formal techniques of challenge. These would clearly not be appropriate in every case but might well be desirable for major issues when the 'prevailing wisdom' risks becoming too conventional. Their limited role also means that much of the task of assessing the influence of informants' circumstances on the nature and quality of their reporting falls to the intelligence agencies, and is vulnerable to agencies championing their own sources.
600. The cost of the Assessments Staff is minimal in relation to the amounts the nation spends on the collection of intelligence. It is a false economy to skimp on the machinery through

which expensively-collected intelligence passes to decision-makers. **We recommend that the Security and Intelligence Co-ordinator reviews the size of the Assessments Staff, and in particular considers whether they have available the volume and range of resources to ask the questions which need to be asked in fully assessing intelligence reports and in thinking radically. We recommend also that this review should include considering whether there should be a specialism of analysis with a career structure and room for advancement, allowing the Assessments Staff to include some career members. We understand that the Intelligence and Security Committee are planning to look at this issue.**

601. In that connection, we note that the Cabinet Office used to have high-powered, though part-time, scientific advice available, for example through Lord Cherwell, Lord Zuckerman and Dr Frank Panton. Several witnesses told us that, in their view, this is no longer necessary because there are arrangements for close co-operation with the Government's Chief Scientific Adviser. We welcome this but note that the advantage of the former arrangement was that the individuals were on the spot and could, when necessary, challenge conventional wisdom. We conclude that **it may be worth considering the appointment of a distinguished scientist to undertake a part-time role as adviser to the Cabinet Office.**

## 7.3 INTELLIGENCE ASSESSMENTS

### THE LANGUAGE OF JIC ASSESSMENTS

602. A recurring issue – but one which the experience of intelligence on Iraq raises again – is whether JIC assessments are drafted and presented in a way which best helps readers to pick up the range of uncertainty attaching to intelligence assessments.
603. Over the years, various approaches have been taken to this problem. The view currently taken by the witnesses we interviewed is that Ministers and other readers are not helped by assessments which are expressed in language of “on the one hand” and “on the other”, and which thus leave the reader with no conclusion. So the general convention is that the JIC should produce its best assessment in the form of ‘Key Judgements’ drawn up in the light of the evidence. Such assessments often include warnings that the evidence is thin (and the word ‘Judgement’ is itself a signal to the reader that it is not a statement of fact). But it is not the current JIC convention to express degrees of confidence in the judgement or to include alternative or minority hypotheses. The consequence is that the need to reach consensus may result in nuanced language. Subtleties such as “the intelligence indicates” rather than “the intelligence shows” may escape the untutored or busy reader. We also came across instances where Key Judgements unhelpfully omitted qualifications about the limitations of the intelligence which were elsewhere in the text.
604. We would not think it desirable that any convention should be binding, and different treatments may be suitable for different subjects. But we note that the US Government does from time to time attach degrees of confidence and notes of dissent to its National Intelligence Estimates. These may help to prevent readers from attaching more certainty

to judgements than is justified and intended. We conclude that **the JIC has been right not to reach a judgement when the evidence is insubstantial. We believe that the JIC should, where there are significant limitations in the intelligence, state these clearly alongside its Key Judgements. While not arguing for a particular approach to the language of JIC assessments and the way in which alternative or minority hypotheses, or uncertainty, are expressed, we recommend that the intelligence community review their conventions again to see if there would be advantage in refreshing them.**

## JIC ASSESSMENTS

605. There are other aspects of JIC assessments on which our Review causes us to offer observations:
- a. It should continue to be made clear on the face of the circulated document for what purpose an assessment is being produced.
  - b. It is reasonable for assessments requested by the MOD for planning purposes relating to potential military activity to consider worst case scenarios. The burden of proof in such cases may reasonably be lower than in normal circumstances and assessments may reasonably be made on a more precautionary basis. But JIC assessments that take this approach should state that fact explicitly. So should assessments and analysis derived from them, then and subsequently. Care should be taken to ensure that worst case analysis is not carried forward into assessments except those (like assessments of enemy capabilities) which warrant such an approach.
  - c. JIC assessments should make clear what the JIC does not know in areas where gaps and uncertainties are material to the assessment.
  - d. Assessments should not give undue weight to intelligence reports over wider analysis of historical, psychological or geopolitical factors.
  - e. All reasonably sustainable hypotheses should not be dismissed finally until there is sufficient information to do so.
  - f. Challenge should be an accepted and routine part of the assessment process as well as an occasional formal exercise, built into the system.
  - g. Consideration should be given from time to time to occasional external peer review, particularly on technical issues.
  - h. The JIC should continue to conduct regular lessons-learned processes. We have observed in the context of Iraq the truism that under-estimates of a problem tend to get highlighted and over-estimates forgotten on the basis that the latter are less damaging. Attention needs to be paid to misjudgements in both directions.

## 7.4 MACHINERY OF GOVERNMENT

606. We received evidence from two former Cabinet members, one of the present and one of a previous administration, who expressed their concern about the informal nature of much

of the Government's decision-making process, and the relative lack of use of established Cabinet Committee machinery.

607. Two changes which occurred over this period had implications for the application of intelligence to collective ministerial decision-making. One was the splitting of the Cabinet Secretary's responsibilities through the creation of the post of Security and Intelligence Co-ordinator. The latter is able to devote the majority of his time to security and intelligence issues in a way that the Cabinet Secretary, with all the many other calls on his time, could not. It was represented to us that this change was particularly necessary after the terrorist attacks of 11 September 2001. However, the effect is that the Cabinet Secretary is no longer so directly involved in the chain through which intelligence reaches the Prime Minister. It follows that the Cabinet Secretary, who attends the Cabinet and maintains the machinery to support their decision-making, is less directly involved personally in advising the Prime Minister on security and intelligence issues. By the same token, the Security and Intelligence Co-ordinator does not attend Cabinet and is not part of the Cabinet Secretariat supporting Cabinet Ministers in discharging their collective responsibilities in defence and overseas policy matters. We understand that the Intelligence and Security Committee will shortly review how this arrangement has worked.
608. The second change was that two key posts at the top of the Cabinet Secretariat, those of Head of the Defence and Overseas Secretariat and Head of the European Affairs Secretariat, were combined with the posts of the Prime Minister's advisers on Foreign Affairs and on European Affairs respectively. We believe that the effect of the changes has been to weight their responsibility to the Prime Minister more heavily than their responsibility through the Cabinet Secretary to the Cabinet as a whole. It is right to acknowledge that the view of the present post-holders is that the arrangement works well, in particular in connecting the work of the Cabinet Secretariat to that of the Prime Minister's office. We should also record that it was clear from the departmental policy papers we read that there was very close co-operation between officials in the Prime Minister's office and in the FCO in policy-making on Iraq. It is nonetheless a shift which acts to concentrate detailed knowledge and effective decision-making in fewer minds at the top.
609. In the year before the war, the Cabinet discussed policy towards Iraq as a specific agenda item 24 times. It also arose in the course of discussions on other business. Cabinet members were offered and many received briefings on the intelligence picture on Iraq. There was therefore no lack of discussion on Iraq; and we have been informed that it was substantive. The Ministerial Committee on Defence and Overseas Policy did not meet. By contrast, over the period from April 2002 to the start of military action, some 25 meetings attended by the small number of key Ministers, officials and military officers most closely involved provided the framework of discussion and decision-making within Government.
610. One inescapable consequence of this was to limit wider collective discussion and consideration by the Cabinet to the frequent but unscripted occasions when the Prime Minister, Foreign Secretary and Defence Secretary briefed the Cabinet orally. Excellent quality papers were written by officials, but these were not discussed in Cabinet or in Cabinet Committee. Without papers circulated in advance, it remains possible but is obviously much more difficult for members of the Cabinet outside the small circle directly

involved to bring their political judgement and experience to bear on the major decisions for which the Cabinet as a whole must carry responsibility. The absence of papers on the Cabinet agenda so that Ministers could obtain briefings in advance from the Cabinet Office, their own departments or from the intelligence agencies plainly reduced their ability to prepare properly for such discussions, while the changes to key posts at the head of the Cabinet Secretariat lessened the support of the machinery of government for the collective responsibility of the Cabinet in the vital matter of war and peace.

611. **We do not suggest that there is or should be an ideal or unchangeable system of collective Government, still less that procedures are in aggregate any less effective now than in earlier times. However, we are concerned that the informality and circumscribed character of the Government's procedures which we saw in the context of policy-making towards Iraq risks reducing the scope for informed collective political judgement. Such risks are particularly significant in a field like the subject of our Review, where hard facts are inherently difficult to come by and the quality of judgement is accordingly all the more important.**

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## CHAPTER 8

### SUMMARY OF CONCLUSIONS

This summary follows the order of the Chapters of our Report. It comprises the passages we have highlighted in each Section and is intended to convey the gist of our Conclusions. However, we emphasise the importance of reading the Sections of the Report in full since the picture of the sources, assessment and use of intelligence is necessarily complicated and our Conclusions need to be read in context in order to be fully understood.

### CHAPTER 2 – COUNTRIES OF CONCERN OTHER THAN IRAQ AND GLOBAL TRADE

1. All four of the case studies we discuss (AQ Khan, Libya, Iran, North Korea) were to a greater or lesser extent success stories. To a degree, that was inevitable – we chose those cases where intelligence about nuclear, biological, chemical and ballistic missile programmes and proliferation activities can be discussed precisely because it has contributed to disclosure of those activities. But that should not detract from what has clearly been an impressive performance by the intelligence community and policy-makers in each case, and overall. (Paragraph 107)
2. A number of common threads have become clear from our examination of each case. The first and most obvious is the powerful effect of exploiting the linkages where they exist between suppliers (AQ Khan; North Korea) and buyers (Iran; Libya; others) for counter-proliferation activity. It is in the nature of proliferation that what can be discovered about a supplier leads to information about the customer, and *vice versa*. The second thread flows from this – the powerful multiplier effect of effective international (in many cases, multinational) collaboration. Third, this is painstaking work, involving the piecing together over extended timescales of often fragmentary information. There are the surprises and 'lucky breaks'. But they often come from the foundation of knowledge developed over several years. It requires close collaboration between all involved, in agencies and departments, to build the jigsaw, with teams able to have access to available intelligence and to make the most of each clue. It also depends on continuity of shared purpose amongst collectors and analysts, and between the intelligence and policy communities, in gathering, assessing and using intelligence in tackling proliferation and nuclear, biological and chemical weapons programmes which are destabilising in security terms. (Paragraphs 108/109)

### CHAPTER 3 – TERRORISM

3. All of the UK intelligence agencies are developing new techniques, and we have seen clear evidence that they are co-operating at all levels. (Paragraph 133)
4. JTAC has now been operating for over a year and has proved a success. (Paragraph 134)
5. International counter-terrorism collaboration has also been significantly enhanced in the past six or seven years. Though we understand that other countries have not yet achieved

the same level of inter-departmental synthesis, considerable developments have taken place. Staff of the UK intelligence and security agencies are today in much wider contact with their opposite numbers throughout the world. We note these initiatives, but remain concerned that the procedures of the international community are still not sufficiently aligned to match the threat. (Paragraph 136)

## **CHAPTER 4 – COUNTER-PROLIFERATION MACHINERY**

6. Intelligence performs an important role in many aspects of the Government's counter-proliferation work. It helps to identify proliferating countries, organisations and individuals through JIC assessments, DIS proliferation studies and operational intelligence. It can help to interdict or disrupt the activities of proliferators either nationally or in co-operation with other countries. It can support diplomatic activity by revealing states' attitudes to counter-proliferation or by informing the assessments of international partners. It can also support inspection, monitoring and verification regimes and on occasions military action. Intelligence can play an important part in enforcing export controls, particularly in relation to 'dual-use' goods and technologies. (Paragraphs 149/150)

## **CHAPTER 5 – IRAQ**

### **THE POLICY CONTEXT**

7. The developing policy context of the previous four years [see paragraphs 210–217] and especially the impact of the events of 11 September 2001, formed the backdrop for changes in policy towards Iraq in early 2002. The Government's conclusion in the spring of 2002 that stronger action (although not necessarily military action) needed to be taken to enforce Iraqi disarmament was not based on any new development in the current intelligence picture on Iraq. (Paragraph 427)
8. When the Government concluded that action going beyond the previous policy of containment needed to be taken, there were many grounds for concern arising from Iraq's past record and behaviour. There was a clear view that, to be successful, any new action to enforce Iraqi compliance with its disarmament obligations would need to be backed with the credible threat of force. But there was no recent intelligence that would itself have given rise to a conclusion that Iraq was of more immediate concern than the activities of some other countries. (Paragraph 427)
9. The Government, as well as being influenced by the concerns of the US Government, saw a need for immediate action on Iraq because of the wider historical and international context, especially Iraq's perceived continuing challenge to the authority of the United Nations. The Government also saw in the United Nations and a decade of Security Council Resolutions a basis for action through the United Nations to enforce Iraqi compliance with its disarmament obligations. (Paragraph 428)
10. The Government considered in March 2002 two options for achieving the goal of Iraqi disarmament - a toughening of the existing containment policy; and regime change by military means. Ministers were advised that, if regime change was the chosen policy, only

the use of overriding force in a ground campaign would achieve the removal of Saddam Hussein and Iraq's re-integration with the international community. Officials noted that regime change of itself had no basis in international law; and that any offensive military action against Iraq could only be justified if Iraq were held to be in breach of its disarmament obligations under United Nations Security Council Resolution 687 or some new resolution. Officials also noted that for the five Permanent Members of the Security Council and the majority of the 15 members of the Council to take the view that Iraq was in breach of its obligations under Resolution 687, they would need to be convinced that Iraq was in breach of its obligations; that such proof would need to be incontrovertible and of large-scale activity; but that the intelligence then available was insufficiently robust to meet that criterion. (Paragraph 429)

11. Intelligence on Iraqi nuclear, biological, chemical and ballistic missile programmes was used in support of the execution of this policy to inform planning for a military campaign; to inform domestic and international opinion, in support of the Government's advocacy of its changing policy towards Iraq; and to obtain and provide information to United Nations inspectors. (Paragraph 431)
12. Iraq was not the only issue on which the intelligence agencies, the JIC and the departments concerned were working during this period. Other matters, including terrorism and the activities of other countries of concern, were requiring intensive day-to-day observation and action. (Paragraph 432)

## THE SOURCES OF INTELLIGENCE

13. Between 1991 and 1998, the bulk of information used in assessing the status of Iraq's biological, chemical and ballistic missile programmes was derived from UNSCOM reports. (Paragraph 433)
14. After the departure of the United Nations inspectors in December 1998, information sources were sparse, particularly on Iraq's chemical and biological weapons programmes. (Paragraph 433)
15. The number of primary human intelligence sources remained few. Other intelligence sources provided valuable information on other activity, including overseas procurement activity. They did not generally provide confirmation of the intelligence received from human sources, but did contribute to the picture of the continuing intention of the Iraqi regime to pursue its prohibited weapons programmes. (Paragraphs 434/435)
16. Validation of human intelligence sources after the war has thrown doubt on a high proportion of those sources and of their reports, and hence on the quality of the intelligence assessments received by Ministers and officials in the period from summer 2002 to the outbreak of hostilities. Of the main human intelligence sources:
  - a. One SIS main source reported authoritatively on some issues, but on others was passing on what he had heard within his circle.
  - b. Reporting from a sub-source to a second SIS main source that was important to JIC assessments on Iraqi possession of chemical and biological weapons must be open to doubt.

- c. Reports from a third SIS main source have been withdrawn as unreliable.
  - d. Reports from two further SIS main sources continue to be regarded as reliable, although it is notable that their reports were less worrying than the rest about Iraqi chemical and biological weapons capabilities.
  - e. Reports received from a liaison service on Iraqi production of biological agent were seriously flawed, so that the grounds for JIC assessments drawing on those reports that Iraq had recently-produced stocks of biological agent no longer exist. (Paragraph 436)
17. We do not believe that over-reliance on dissident and emigré sources was a major cause of subsequent weaknesses in the human intelligence relied on by the UK. (Paragraph 438)
  18. One reason for the number of agents whose reports turned out to be unreliable or questionable may be the length of the reporting chains. Another reason may be that agents who were known to be reliable were asked to report on issues going well beyond their usual territory. A third reason may be that, because of the scarcity of sources and the urgent requirement for intelligence, more credence was given to untried agents than would normally be the case. (Paragraphs 440–442)
  19. A major underlying reason for the problems that have arisen was the difficulty of achieving reliable human intelligence on Iraq. However, even taking into account the difficulty of recruiting and running reliable agents on Iraqi issues, we conclude that part of the reason for the serious doubt being cast over a high proportion of human intelligence reports on Iraq arises from weaknesses in the effective application by SIS of its validation procedures and in their proper resourcing. Our Review has shown the vital importance of effective scrutiny and validation of human intelligence sources and of their reporting to the preparation of accurate JIC assessments and high-quality advice to Ministers. We urge the Chief of SIS to ensure that this task is properly resourced and organised to achieve that result, and we think that it would be appropriate if the Intelligence and Security Committee were to monitor this. (Paragraphs 443–445)

## ASSESSMENT

20. In general, we found that the original intelligence material was correctly reported in JIC assessments. An exception was the '45 minute' report. But this sort of example was rare. (Paragraph 449)
21. We should record in particular that we have found no evidence of deliberate distortion or of culpable negligence. (Paragraph 449)
22. We found no evidence of JIC assessments and the judgements inside them being pulled in any particular direction to meet the policy concerns of senior officials on the JIC. (Paragraph 450)
23. We conclude in general that the intelligence community made good use of the technical expertise available to the Government. (Paragraph 451)
24. We accept the need for careful handling of human intelligence reports to sustain the security of sources. We have, however, seen evidence of difficulties that arose from the

unduly strict 'compartmentalisation' of intelligence. It was wrong that a report which was of significance in the drafting of a document of the importance of the dossier was not shown to key experts in the DIS who could have commented on the validity and credibility of the report. We conclude that arrangements should always be sought to ensure that the need for protection of sources should not prevent the exposure of reports on technical matters to the most expert available analysis. (Paragraphs 452)

25. We were impressed by the quality of intelligence assessments on Iraq's nuclear capabilities. (Paragraphs 453)
26. Partly because of inherent difficulties in assessing chemical and biological programmes, JIC assessments on Iraq's chemical and biological weapons programmes were less assured. The most significant is the 'dual use' issue – because chemical and biological weapons programmes can draw heavily on 'dual use' materials, it is easier for a proliferating state to keep its programmes covert. (Paragraph 454/455)
27. There were also Iraq-specific factors. The intelligence community will have had in mind that Iraq had not only owned but used its chemical weapons in the past. It will inevitably have been influenced by the way in which the Iraqi regime was engaged in a sustained programme to try to deceive United Nations inspectors. Most of the intelligence reports on which assessments were being made were inferential. The Assessments Staff and JIC were not fully aware of the access and background of key informants, and could not therefore read their material against the background of an understanding of their motivations. The broad conclusions of the UK intelligence community (although not some particular details) were widely-shared by other countries. (Paragraphs 456/457)
28. We detected a tendency for assessments to be coloured by over-reaction to previous errors. As a result, there was a risk of over-cautious or worst case estimates, shorn of their caveats, becoming the 'prevailing wisdom'. The JIC may, in some assessments, also have misread the nature of Iraqi governmental and social structures. (Paragraph 458/459)
29. We emphasise the importance of the Assessments Staff and the JIC having access to a wide range of information, especially in circumstances (e.g. where the UK is likely to become involved in national reconstruction and institution-building) where information on political and social issues will be vital. (Paragraph 459)

## THE USE OF INTELLIGENCE

30. The main vehicle for the Government's use of intelligence in the public presentation of policy was the dossier of September 2002 and accompanying Ministerial statements. The dossier broke new ground in three ways: the JIC had never previously produced a public document; no Government case for any international action had previously been made to the British public through explicitly drawing on a JIC publication; and the authority of the British intelligence community, and the JIC in particular, had never been used in such a public way. (Paragraph 460/461)
31. The dossier was not intended to make the case for a particular course of action in relation to Iraq. It was intended by the Government to inform domestic and international understanding of the need for stronger action (though not necessarily military action) – the

general direction in which Government policy had been moving since the early months of 2002, away from containment to a more proactive approach to enforcing Iraqi disarmament. (Paragraph 462)

32. The Government wanted an unclassified document on which it could draw in its *advocacy* of its policy. The JIC sought to offer a dispassionate *assessment* of intelligence and other material on Iraqi nuclear, biological, chemical and ballistic missile programmes. The JIC, with commendable motives, took responsibility for the dossier, in order that its content should properly reflect the judgements of the intelligence community. They did their utmost to ensure this standard was met. But this will have put a strain on them in seeking to maintain their normal standards of neutral and objective assessment. (Paragraph 463)
33. Strenuous efforts were made to ensure that no individual statements were made in the dossier which went beyond the judgements of the JIC. But, in translating material from JIC assessments into the dossier, warnings were lost about the limited intelligence base on which some aspects of these assessments were being made. Language in the dossier may have left with readers the impression that there was fuller and firmer intelligence behind the judgements than was the case: our view, having reviewed all of the material, is that judgements in the dossier went to (although not beyond) the outer limits of the intelligence available. (Paragraph 464)
34. We conclude that it was a serious weakness that the JIC's warnings on the limitations of the intelligence underlying its judgements were not made sufficiently clear in the dossier. (Paragraph 465)
35. We understand why the Government felt it had to meet the mounting public and Parliamentary demand for information. We also recognise that there is a real dilemma between giving the public an authoritative account of the intelligence picture and protecting the objectivity of the JIC from the pressures imposed by providing information for public debate. It is difficult to resolve these requirements. We conclude, with the benefit of hindsight, that making public that the JIC had authorship of the dossier was a mistaken judgement, though we do not criticise the JIC for taking responsibility for clearance of the intelligence content of the document. However, in the particular circumstances, the publication of such a document in the name and with the authority of the JIC had the result that more weight was placed on the intelligence than it could bear. The consequence also was to put the JIC and its Chairman into an area of public controversy and arrangements must be made for the future which avoid putting the JIC and its Chairman in a similar position. (Paragraph 466)
36. We believe that there are other options that should be examined for the ownership of drafting, for gaining the JIC's endorsement of the intelligence material and assessments that are quoted and for subsequent 'branding'. One is for the government of the day to draft a document, to gain the JIC's endorsement of the intelligence material inside it and then to publish it acknowledging that it draws on intelligence but without ascribing it to the JIC. Or the Government, if it wishes to seek the JIC's credibility and authority, could publish a document with intelligence material and the JIC's endorsement of it shown separately. Or the JIC could prepare and publish itself a self-standing assessment, incorporating all of its normal caveats and warnings, leaving it to others to place that

document within a broader policy context. This may make such documents less persuasive in making a policy case; but that is the price of using a JIC assessment. Our conclusion is that, between these options, the first is greatly preferable. Whichever route is chosen, JIC clearance of the intelligence content of any similar document will be essential. (Paragraph 467)

37. We conclude that, if intelligence is to be used more widely by governments in public debate in future, those doing so must be careful to explain its uses and limitations. It will be essential, too, that clearer and more effective dividing lines between assessment and advocacy are established when doing so. (Paragraph 468)
38. We realise that our conclusions may provoke calls for the current Chairman of the JIC, Mr Scarlett, to withdraw from his appointment as the next Chief of SIS. We greatly hope that he will not do so. We have a high regard for his abilities and his record. (Paragraph 469)
39. The part played by intelligence in determining the legality of the use of force was limited. (Paragraph 470)
40. We have noted that, despite its importance to the determination of whether Iraq was in further material breach of its obligations under Resolution 1441, the JIC made no further assessment of the Iraqi declaration beyond its *'Initial Assessment'* provided on 18 December. We have also recorded our surprise that policy-makers and the intelligence community did not, as the generally negative results of UNMOVIC inspections became increasingly apparent, re-evaluate in early 2003 the quality of the intelligence. (Paragraph 472)

## VALIDATION OF THE INTELLIGENCE

41. Even now it would be premature to reach conclusions about Iraq's prohibited weapons. Much potential evidence may have been destroyed in the looting and disorder that followed the cessation of hostilities. Other material may be hidden in the sand, including stocks of agent or weapons. We believe that it would be a rash person who asserted at this stage that evidence of Iraqi possession of stocks of biological or chemical agents, or even of banned missiles, does not exist or will never be found. But as a result of our Review, and taking into account the evidence which has been found by the ISG and debriefing of Iraqi personnel, we have reached the conclusion that prior to the war the Iraqi regime:
  - a. Had the strategic intention of resuming the pursuit of prohibited weapons programmes, including if possible its nuclear weapons programme, when United Nations inspection regimes were relaxed and sanctions were eroded or lifted.
  - b. In support of that goal, was carrying out illicit research and development, and procurement, activities, to seek to sustain its indigenous capabilities.
  - c. Was developing ballistic missiles with a range longer than permitted under relevant United Nations Security Council resolutions; but did not have

significant – if any – stocks of chemical or biological weapons in a state fit for deployment, or developed plans for using them. (Paragraph 474)

## CHAPTER 6 – IRAQ: SPECIFIC ISSUES

### LINKS BETWEEN AL QAIDA AND THE IRAQI REGIME

42. The JIC made it clear that the Al Qaida-linked facilities in the Kurdish Ansar al Islam area were involved in the production of chemical and biological agents, but that they were beyond the control of the Iraqi regime. (Paragraph 479)
43. The JIC made clear that, although there were contacts between the Iraqi regime and Al Qaida, there was no evidence of co-operation. (Paragraph 484)

### OPERATION MASS APPEAL

44. There were two meetings between British Government officials and UNSCOM representatives, including Mr Ritter, in May and June 1998 at which there were discussions about how to make public the discovery of traces of the nerve agent VX on missile warheads after this fact had been reported to the United Nations Security Council. (Iraq had previously denied weaponising VX.) Operation Mass Appeal was set up for this specific purpose and did not exist before May 1998. In the event, before Operation Mass Appeal could proceed, the UNSCOM report was leaked to the press in Washington. Because of this, Operation Mass Appeal was abandoned. (Paragraph 489)

### URANIUM FROM AFRICA

45. From our examination of the intelligence and other material on Iraqi attempts to buy uranium from Africa, we have concluded that:
  - a. It is accepted by all parties that Iraqi officials visited Niger in 1999.
  - b. The British Government had intelligence from several different sources indicating that this visit was for the purpose of acquiring uranium. Since uranium constitutes almost three-quarters of Niger's exports, the intelligence was credible.
  - c. The evidence was not conclusive that Iraq actually purchased, as opposed to having sought, uranium and the British Government did not claim this.
  - d. The forged documents were not available to the British Government at the time its assessment was made, and so the fact of the forgery does not undermine it. (Paragraph 503)

### THE '45 MINUTE' CLAIM

46. The JIC should not have included the '45 minute' report in its assessment and in the Government's dossier without stating what it was believed to refer to. The fact that the

reference in the classified assessment was repeated in the dossier later led to suspicions that it had been included because of its eye-catching character. (Paragraph 511)

## **MOBILE BIOLOGICAL WEAPONS LABORATORIES**

47. We consider that it was reasonable for the JIC to include in its assessments of March and September 2002 a reference to intelligence reports on Iraq's seeking mobile biological agent production facilities. But it has emerged that the intelligence from the source, if it had been correctly reported, would not have been consistent with a judgement that Iraq had, on the basis of recent production, stocks of biological agent. If SIS had had direct access to the source from 2000 onwards, and hence correct intelligence reporting, the main evidence for JIC judgements on Iraq's stocks of recently-produced biological agent, as opposed to a break-out capacity, would not have existed. (Paragraph 530)

## **ALUMINIUM TUBES**

48. The evidence we received on aluminium tubes was overwhelmingly that they were intended for rockets rather than a centrifuge. We found this convincing. Despite this, we conclude that the JIC was right to consider carefully the possibility that the tubes were evidence of a resumed nuclear programme, and that it properly reflected the doubts about the use of the tubes in the caution of its assessments. But in transferring its judgements to the dossier, the JIC omitted the important information about the need for substantial re-engineering of the aluminium tubes to make them suitable for use as gas centrifuge rotors. This omission had the effect of materially strengthening the impression that they may have been intended for a gas centrifuge and hence for a nuclear programme. (Paragraph 545)

## **PLAGUE AND DUSTY MUSTARD**

49. Plague and 'dusty mustard' were just two of the many biological and chemical threats on which the intelligence community had to keep watch in the period before the first Gulf war, and subsequently. (Paragraph 562)
50. The intelligence on their availability to Iraq in 1990 and 1991 rested on a small number of reports and the evidence derived from examination of a munition. There were grounds for scepticism both about the reports' sources and their quality. Nevertheless, we conclude that the Government was right in 1990 and 1991 to act on a precautionary basis. (Paragraph 563)
51. We find it harder to understand the treatment of the intelligence in the ensuing period. 'Dusty mustard' disappears from JIC assessments from 1993 onwards. By contrast, although little new intelligence was received, and most of that was historical or unconvincing, plague continued to be mentioned in JIC assessments up to March 2003. Those fluctuated in the certainty of judgements about Iraqi possession of plague between "possibly" and "probably". (Paragraph 564)
52. We conclude that, in the case of plague, JIC assessments reflected historic evidence, and intelligence of dubious reliability, reinforced by suspicion of Iraq, rather than up-to-date evidence. (Paragraph 565)

## **DR JONES'S DISSENT**

53. Dr Jones was right to raise concerns about the manner of expression of the '45 minute' report in the dossier given the vagueness of the underlying intelligence. (Paragraph 570)
54. Dr Jones was right to raise concerns about the certainty of language used in the dossier on Iraqi production and possession of chemical agents. (Paragraph 572)
55. We recognise that circumstances arise in which it is right for senior officials to take a broad view that differs from the opinions of those with expertise on points of detail. We do not, however, consider that the report held back from Dr Jones and his staff (which Dr Jones' superiors regarded as justifying the certainty of the language in the dossier) was one to which such considerations should have applied. It was understandable that SIS should have wanted to give greater than normal protection to the human intelligence source on this occasion. But a problem arose because it was kept from the relevant DIS analysts who had a wider perspective. It would have been more appropriate for senior managers in the DIS and SIS to have made arrangements for the intelligence to be shown to DIS experts rather than their making their own judgements on its significance. (Paragraph 576/577)

## **OIL SUPPLIES**

56. We saw no evidence that a motive of the British Government for initiating military action was securing continuing access to oil supplies. (Paragraph 579)

## **CHAPTER 7 – CONCLUSIONS ON BROADER ISSUES**

### **INTERNATIONAL CO-OPERATION**

57. We note that much of what was reliably known about Iraq's unconventional weapons programmes in the mid- and late-1990s was obtained through the reports of the UN Special Commission (UNSCOM) and of the International Atomic Energy Agency (IAEA). These international agencies now appear to have been more effective than was realised at the time in dismantling and inhibiting Iraq's prohibited weapons programmes. The value of such international organisations needs to be recognised and built on for the future, supported by the contribution of intelligence from national agencies. (Paragraph 584)

### **CO-ORDINATION OF COUNTER-PROLIFERATION ACTIVITY**

58. We consider that it would be helpful through day-to-day processes and the use of new information systems to create a 'virtual' network bringing together the various sources of expertise in Government on proliferation and on activity to tackle it, who would be known to each other and could consult each other easily. (Paragraph 585)

### **THE DEFENCE INTELLIGENCE STAFF**

59. We consider that further steps are needed to integrate the relevant work of the DIS more closely with the rest of the intelligence community. We welcome the arrangements now being made to give the Joint Intelligence Committee more leverage through the

Intelligence Requirements process to ensure that the DIS serves wider national priorities as well as it does defence priorities and has the resources which the rest of the intelligence community needs to support its activities. If that involved increasing the Secret Intelligence Account by a sum to be at the Security and Intelligence Co-ordinator's disposal to commission such resources, we would support that. (Paragraph 587)

60. We recommend consideration of the provision of proper channels for the expression of dissent within the DIS through the extension of the remit of the Staff Counsellor, who provides a confidential outlet for conscientious objection or dissent within the intelligence agencies, to cover DIS civilian staff and the Assessments Staff. (Paragraph 589)
61. We recognise the case for the Chief of Defence Intelligence to be a serving officer so that he is fully meshed into military planning. But we consider that the Deputy should, unless there are good reasons to the contrary at the time when a particular appointment is made, be an intelligence specialist. (Paragraph 590)

## THE JOINT INTELLIGENCE COMMITTEE

62. We recommend no change in the JIC's membership. (Paragraph 596)
63. We see a strong case for the post of Chairman of the JIC being held by someone with experience of dealing with Ministers in a very senior role, and who is demonstrably beyond influence, and thus probably in his last post. (Paragraph 597)

## THE ASSESSMENTS STAFF

64. We recommend that the Security and Intelligence Co-ordinator reviews the size of the Assessments Staff, and in particular considers whether they have available the volume and range of resources to ask the questions which need to be asked in fully assessing intelligence reports and in thinking radically. We recommend also that this review should include considering whether there should be a specialism of analysis with a career structure and room for advancement, allowing the Assessments Staff to include some career members. We understand that the Intelligence and Security Committee are planning to look at this issue. (Paragraph 600)
65. It may be worth considering the appointment of a distinguished scientist to undertake a part-time role as adviser to the Cabinet Office. (Paragraph 601)

## THE LANGUAGE OF JIC ASSESSMENTS

66. The JIC has been right not to reach a judgement when the evidence is insubstantial. We believe that the JIC should, where there are significant limitations in the intelligence, state these clearly alongside its Key Judgements. While not arguing for a particular approach to the language of JIC assessments and the way in which alternative or minority hypotheses, or uncertainty, are expressed, we recommend that the intelligence community review their conventions again to see if there would be advantage in refreshing them. (Paragraph 604)

## **MACHINERY OF GOVERNMENT**

67. We do not suggest that there is or should be an ideal or unchangeable system of collective Government, still less that procedures are in aggregate any less effective now than in earlier times. However, we are concerned that the informality and circumscribed character of the Government's procedures which we saw in the context of policy-making towards Iraq risks reducing the scope for informed collective political judgement. Such risks are particularly significant in a field like the subject of our Review, where hard facts are inherently difficult to come by and the quality of judgement is accordingly all the more important. (Paragraph 611)