Tuesday, 24 November 2009

(10.00 am)

Chairman's Opening Statement

THE CHAIRMAN: Good morning ladies and gentlemen and welcome to the Iraq Inquiry's first day of public hearings. For those of you who don't know me, I'm Sir John Chilcot, Chairman of the Inquiry, and I'm joined by my colleagues, Sir Lawrence Freedman on my right, Sir Martin Gilbert at the end there, and Sir Roderic Lyne at the end on my right, and Baroness Usha Prashar.

Next to me is Margaret Aldred, who is the Secretary to the Inquiry. I propose that we should sit in silence for a few moments out of respect for all those from the United Kingdom, and its allies, and people in Iraq, who lost their lives in this period.

Thank you. The Iraq Inquiry was set up to identify the lessons that should be learned from the UK's involvement in Iraq to help future governments who may face similar situations. To do this, we need to establish what happened. We are piecing this together from the evidence we are collecting from documents, or from those who have first-hand experience. We will then need to evaluate what went well and what didn't and, crucially, why.

My colleagues and I come to this task with open minds. We are apolitical, we are independent of any political party, and we want to examine and rely on the evidence. We will approach our task in a way that is thorough, rigorous, fair and frank.

We are committed to openness and we are determined to conduct as much of our proceedings as possible in public, and I welcome those members of the public who join us here today. Thank you for taking the time and making the effort to travel here this morning, and I also welcome the media presence here in the centre.

For those not physically able to be here, I'm pleased that the Inquiry proceedings are available for broadcast and are being streamed on the Internet. These public hearings are the activity which will attract the most publicity. They do form only one part of our work and it is important to emphasise that.

Over the past months, we have requested and received mountains of written material from government departments involved in Iraq during 2001 and 2009. We have spent many hours already combing through these official records and will continue to do this in the months ahead. We are confident that we will have, and do have, access to all the material we need, but we don't want to and are not just hearing from official

representatives. We value hearing a broad spectrum of views from a wide range of people and organisations. We want to know what people across Britain think are the important questions. We want to get a range of challenging perspectives on the issues we are considering and we have already made a start on this by holding five meetings, so far, with the families of those who were killed or are missing in Iraq, and we are all very grateful to those who came to talk with us.

We have held preliminary meetings with Iraq veterans and there will be more. We have held, so far, two seminars with a range of experts, and hope to have further seminars early next year. We have also asked anyone who has information, or who wants to make points relevant to our terms of reference, to contact us, and we thank all those who have already been in touch, a considerable number.

But the next phase begins today. We have called as witnesses those with first-hand experience of the development and implementation of the United Kingdom Government policy in Iraq. Our first round of public hearings begins today and runs until early February 2010. We will then take a break from public hearings, returning to our analysis of the written material and the witness testimony we will have

received by then. We will hold some private hearings in that period, take evidence on matters, which, if disclosed in public, will cause genuine harm to the public interest, or where there are other genuine reasons why a witness would have difficulty in being frank in public.

Circumstances in which we will hold private hearings are set out in the protocols which are published on the Inquiry's website. Then, in the middle of 2010, there will be a further round of public hearings. We expect to invite back some previous witnesses and, where relevant, call new ones.

What I would like to stress now is that people shouldn't jump to conclusions if they don't hear everything or everyone they expect in the first round of hearings, there will, in fact, be more to follow.

Once we have collected all the evidence we need, we will be in a position to draw conclusions and make our recommendations and we plan to report by the end of 2010.

It is not in our, or, I judge, in the country's interest to delay the process. Our objective, however, is to produce a thorough analysis that makes a genuine contribution to improving public governance and decision-taking. If that takes a bit longer than the

beginning of 2011, I hope that people will bear with us.

That's for next year. For now, it might be useful to set out what we aim to cover in this initial phase of public hearings and how we plan to conduct our business.

We want to establish a clear understanding of the various core elements of the United Kingdom's involvement in Iraq and how things developed over time. We will start by hearing from senior officials and military officers who had a key role in developing advice for Ministers and/or implementing government policy. We want them to take us through the main decisions and tasks. That will help to give us a clear understanding of the various strands of British policy development and implementation since 2001. We need to learn the reasons why particular policies and courses of action were adopted and what consideration was given to alternative approaches.

Once we have heard that initial evidence, we will begin to take evidence from Ministers and other officials about issues which run throughout the period we have been asked to consider; 2001 to 2009. In some cases, we will be able, on the basis of the evidence we have heard from officials earlier in the session, to get into considerable detail. In other cases, we may need to return to a number of issues at later stages, and it

will be during those hearings in the New Year, and not before, that we will begin to hear about the legal basis for military action.

In all our questions we will be drawing on the vast number of documents we have already seen and read, and that will give us a good sense of the main events of the hearing and the issues and preoccupations. Witness evidence will build on our previous knowledge. It will help to develop our lines of inquiry and these, I must stress, are still developing.

We remain, as we have been from the outset, open-minded, but what we are committed to, and what I believe the British general public should expect from us, is a guarantee to be thorough, to be impartial, to be objective and fair.

So perhaps this is an appropriate moment to set out our expectations of how these proceedings will run from now.

The Iraq Inquiry Committee members will ask questions, witnesses will respond for themselves. We expect them always to give evidence that is truthful, fair and accurate. We do not intend to ask questions today that will involve evidence that might harm national security or other important public interests, as described in the protocols we have published, if they

were to be made public. In the extremely unlikely event that evidence moved towards such matters sensitive to national security, I would intervene to halt the proceedings. Such matters can, and, where necessary, will, be pursued in private hearings at another time.

As I have said before, we are not a court of law, nor are we an inquest, or, indeed, a statutory inquiry and our processes reflect that. No one is on trial here. We cannot determine guilt or innocence, only a court can do that.

But I make a commitment here that, once we get to our final report, we will not shy away from making criticisms either of institutions or processes or individuals where they are truly warranted.

Finally, as I said earlier, all of us are pleased these are public sessions. We welcome those of you who join us today and will do so over the coming months. There are, however, serious matters that we have to examine. We want to get to the heart of what happened and don't wish to be distracted in that task by any disturbance. So we have set out on our website, and to all here today, the kind of restraint and behaviour we expect from those present in this room. They are no different from those expected of the public when they attend Parliament, for example, before Select Committee

hearings.

Just as there, though, if anyone, later on, were moved to fail to meet them, they would have to leave.

As to today's proceedings, as I have set out, the first five weeks aim to establish the main features of United Kingdom involvement in Iraq over the period. We have invited to give evidence both senior officials and military personnel, who, by the post they occupied, had a unique perspective on United Kingdom Government decision-making and the implementation of those policies. Today, we start in 2001.

Before us are Sir Peter Ricketts, who, in 2001, was the Director General Political in the Foreign and Commonwealth Office; Sir William Patey, who was head of the Foreign Office's Middle East Department; and Simon Webb, who was Policy Director in the Ministry of Defence.

The objectives for today are these: we start to build a picture and set a context. It is important we understand the recent history in all its complexity, and it is difficult to understand events in the years that follow without understanding this earlier period. Two sessions will cover the state of UK policy on Iraq in 2001 and the evolution of policy in the course of that year.

We will examine Iraq policy reviews, initiated by the United Kingdom and by the US Government in 2001, including a sanctions regime and the No Fly Zones. We will see Sir John Sawers for the Number 10 perspective on these at a later date.

At this morning's session, we are going to examine broad lines of policy with those involved from the Foreign Office, Cabinet Office and the Ministry of Defence. I expect this will last up to about three hours.

In the afternoon, we are going to focus more closely on the No Fly Zones and on sanctions. I estimate each of these sessions may last from between two to three hours at most.

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

The evidence sessions are an important element in informing our thinking and in complementing the documentary evidence. It is important that witnesses are, and feel able to be, open and frank in evidence while respecting national security.

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

What I will start by doing, if I may, is to invite each of our witnesses in turn to describe who they are, and then I will, if I may, turn to Sir Peter Ricketts for a brief introduction for a few minutes to this area of policy at this time.

SIR PETER RICKETTS, SIR WILLIAM PATEY and MR SIMON WEBB

SIR PETER RICKETTS: Thank you very much indeed, Mr Chairman. Maybe, as the first official witness, I can just repeat the undertaking that the Prime Minister gave in the House of Commons when he set up the Inquiry, that the government pledged the fullest cooperation with the Inquiry, and I know all the departments concerned will continue to give you the fullest cooperation throughout the Inquiry.

In 2001, I was Chairman of the Joint Intelligence Committee for the first nine months of the year, and I moved into the Political Director position at the Foreign Office a few days before 9/11 in September 2001 and was then in that position through to July 2003. I'm now the Permanent Secretary in the FCO.

THE CHAIRMAN: Thank you. I wonder, Sir William, as to

whether if you could just describe very briefly your responsibilities at that time, and then I will turn back to Sir Peter to bring us into the subject.

SIR WILLIAM PATEY: Thank you. I'm Sir William Patey. I'm currently ambassador to Saudi Arabia. In 2001, I was the head of the Middle East Department, which is the department responsible for policy towards Iraq, amongst other things, including Iran, Saudi Arabia and the Gulf, and I was probably leading on policy in respect of development of the policy on Iraq during that period. I left the department in March 2002 to go off to be ambassador to Sudan.

THE CHAIRMAN: Thank you very much. Mr Webb.

MR SIMON WEBB: My name is Simon Webb, I'm currently undertaking in the Cabinet Office a study of the lessons of crisis management over the last 15 to 20 years, and I'm also on secondment part-time to the Football Association to help with government support for the World Cup in 2018. "England united, the world invited", but in that era, I was, at the start of 2001, the Director General for Operational Policy in the Ministry of Defence, advising on the political and military dimensions of current operations. That ran through until about September. In July, I was promoted to become Policy Director of the Ministry of Defence,

which deals with the wider issues about the overall balance between the armed forces and the structure and budget and so on.

I probably ought to say that I was promoted during this period -- on the recommendations in a competitive process, of a panel which included two members of the Inquiry, Baroness Prashar and Lawrence Freedman.

I think, for transparency, it is for me to say that rather than anyone else.

THE CHAIRMAN: Coming back to you, Sir Peter, would you like to give us a few minutes to lead us into this time period?

SIR PETER RICKETTS: Certainly, Mr Chairman. Thank you very much.

Let me try to set the scene in terms of policy-making as at the beginning of 2001. That's a point in a continuum, of course, because Iraq had been a major foreign and defence policy issue for the UK throughout the 1990s ever since the Gulf War, but, as 2001 dawned, we had the arrival of a new administration in Washington and Whitehall was busy reviewing policy towards Iraq in preparation for discussions with that new administration.

I think the simple summary of our view at that time was that we had been pursuing a policy of containment,

containment, most important, of Saddam Hussein's ambitions to redevelop weapons of mass destruction but also containment of the threat which Iraq had posed to the region, but, by 2001, that containment policy was failing and the rate of failure was accelerating.

There were three standards, I would say, to the containment policy. One was sanctions, of which perhaps the most effective was an arms embargo, but there were also sanctions on Iraqi oil exports and revenues from them, handled through this complex machinery of the Oil For Food programme the UN ran.

The second strand was an incentive strand. Resolution 1284 of the Security Council passed in 1999, had offered the Iraqis a deal, the incentive of suspension of sanctions 120 days after the Iraqis had accepted to return the weapons inspectors to Iraq.

The third strand was a deterrent strand; it was the No Fly Zones in the north and in the south.

Now, our review at the beginning of 2001 has suggested that each of those strands of policy were in trouble. The sanctions strand was subject to increasing smuggling of oil through a new pipeline in Syria and then leakages of oil round the region, of abuse of the Oil For Food programme providing substantial revenues to Saddam Hussein and the regime, and, as I say, the arms

embargo perhaps the most effective part of it, but also with problems.

The incentive strand had not been implemented because Saddam Hussein had not accepted the return of the weapons inspectors to Iraq, so that was on hold, and the No Fly Zone strand was thought to be risky, for reasons which we will come on to explore, but also very unpopular.

We were very aware, in 2001, that international support for this structure of sanctions and deterrence was eroding, both in the region and in the Security Council.

The net effect of that was that Saddam Hussein in Iraq was feeling pretty comfortable. He had substantial illegal revenues from which he could pursue patronage inside Iraq and continue the efforts to procure materials for his weapons of mass destruction programme. He was busy restoring his standing in the Arab world by very visible support for the Palestinian Intifada, which was another major issue that was happening at that time.

There were no inspectors in the country to inspect his weapons programme and the US/UK sanctions policy was pretty unpopular. He was able to put the blame for the suffering of the Iraqi people on the west. So our

review of the policy -- and I will now come to the end of this introduction -- was really designed to try to regain the initiative, to put the effort more effectively on controlling the ambitions for weapons of mass destruction, to lift controls over civilian goods going into Iraq, to tighten up border controls, and to clamp down on smuggling.

Those ideas of a reformed sanctions package were ones that we discussed in the early weeks of new administration with Colin Powell and others coming into power in Washington, and we found that their thinking was very much along the same lines. Colin Powell was also very conscious of the need to rebuild international support for an effective, more focused sanctions regime in Iraq.

One immediate difference that we discovered with the incoming administration was that they were much less keen on getting weapons inspectors into Iraq, but apart from that, we saw considerable similarity of approach. We were conscious that there were other voices in Washington as well, some of whom were talking about regime change, and I certainly remember reading in the summer of 2000 Condi Rice's article in Foreign Affairs on the national interest, which was a Republican Party manifesto before the party came into office, where she

said that "nothing will change until Saddam has gone, so the US must mobilise whatever resources it can, including support from his opposition to remove him."

So that line of thinking about regime change was already there from before the new US administration arrived, but our early exchanges with the new administration suggested our thinking was on very much the same lines.

THE CHAIRMAN: Thank you. Is it fair from that description to say that United Kingdom policy had, for quite a long time, been settled and stable, but the elements of it were breaking down in the judgment of United Kingdom Government?

By contrast, the United States and the new administration coming in was essentially possessing a provisional undeveloped policy towards Iraq, the new administration, and when both the United Kingdom and United States began to review their policy, they did so from different starting points, albeit perhaps with a shared analysis.

SIR PETER RICKETTS: I think our policy had certainly rested on containment throughout the 1990s with different emphasis on different strands of that policy throughout that period, and we had been very much on the same lines as the Clinton administration. We had

certainly read, as I say, suggestions that the Republican Party coming into office would come in with a different approach to Iraq, but, in fact, the early exchanges we had with the administration -- and this was largely with Secretary Powell and the State Department, who were leading on the policy at that time -- suggested that, actually the policy was not that different, that the Americans, too, recognised that containment was the right policy at that point. They were worried that it was not being pursued effectively and they wanted to regain the initiative by focusing more clearly on arms control rather than the elaborate control of civilian goods going into Iraq, and I think we were encouraged by those early exchanges.

THE CHAIRMAN: Thank you. I don't want to go too soon in these sessions into sanctions in detail, but I would be grateful if one of you could say a word about the oil embargo in particular, as to whether, by 2001, it was being seen as having handed Saddam something of a weapon in his own hand to use in terms of corruption, influence over neighbours for trading concessions and the rest of it. Was that particular element a positive for Saddam and a negative for the other?

SIR WILLIAM PATEY: I think that was one of the problems -- one of the reasons why we were coming to the conclusion

that the current policy was failing in the sense that in an attempt to address the humanitarian concerns that the sanctions were hitting ordinary Iraqis. Saddam had been very good at manipulating this and preserving advantage for his own regime, but the Oil For Food had given him money which he was able to use to influence neighbours.

So, yes, there was a sense that that was one element of why the policy was seen to be failing. Saddam was sitting comfortably and the sense that, on the present course, he would eventually escape from the constraints, from the continued policy.

The policy was designed to prevent him from developing his weapons of mass destruction, designed to get rid of whatever weapons of mass destruction he had and prevent him from threatening his neighbours. Those policy aims looked increasingly vulnerable, and I think the money that inevitably came to his regime in our desire to provide the Iraqi Government with the wherewithal to supply their people with the humanitarian needs, it did give him an opportunity to exploit that.

THE CHAIRMAN: I imagine this is more for Mr Webb, but I would be grateful if you could say just something about the arms embargo component of the policy, as it then stood, of containment. There was a naval embargo, as I understand it, but also a wider embargo on arms or

material that could be used for arms development.

MR SIMON WEBB: Yes, the arms embargo had been in place throughout the 1990s and was an essential plank of the policy on Iraq, and the UK played a role along with a multinational force in the maritime dimension of that. We had a frigate or destroyer permanently on station in the Gulf which had powers to intercept inbound ships for arms and also to help policing the oil embargo with outbound ships from Iraq.

The general impression we had, I think, by the start of 2001 was that the arms embargo was, in general, holding up well -- I just keep looking at my notes because I want to try and be accurate about this -- and that the majority of -- almost all members of the United Nations were abiding by it, which was preventing the Iraqis from acquiring major new weapons systems, surface-to-air missiles and that kind of thing, but there was some leakage still of parts and components which allowed them to be a bit more effective.

For example, they appeared to be flying their aircraft a bit more regularly than we had previously expected, and that kind of thing. And, of course -- I expect you want to get on separately to the question of weapons of mass destruction, but that, of course, was also a part of the arms picture.

THE CHAIRMAN: Thank you very much.

So we have a situation where both governments, the United Kingdom and the United States, are reviewing their policy against a background of -- in the Washington case of a change of administration, but in both cases a growing lack of confidence in the components of the containment policy.

Were the assessments of the threat posed by the regime pretty much the same in Washington and London at the beginning of 2001?

SIR PETER RICKETTS: I think they were, Mr Chairman.

THE CHAIRMAN: So the objectives that each government had in initiating the review did stem pretty much from that common assessment as well as the background.

How widely was that assessment shared outside of the London and Washington axis, in other European capitals, for example, in the wider world?

SIR PETER RICKETTS: I think it is fair to say that there had been a declining recognition of the threat from Saddam Hussein, both in the region and more widely in the Security Council, and that's why the No Fly Zones for example, were not popular, indeed increasingly unpopular. The French had been part of the No Fly Zones until the mid-1990s, but by then, by 2001, were publicly critical of them and were not supporting them.

Regional countries were increasingly coming to see Iraq, I think, subject to Sir William, as a commercial opportunity through oil exports and trade, and less and less concerned about Iraq as a threat to the region. So I think the sense of the threat that Iraq posed was probably sharpest in London and Washington, and less so elsewhere.

SIR WILLIAM PATEY: That is certainly true, and part of the narrative through 2001 is an attempt to get P5 unity back on to Iraq and increasingly other countries not sharing -- not sharing the threat. I think the passage of 1284, Security Council Resolution 1284, was the high point of P5 unity. Everything since then was an effort to regain that, which we never achieved.

THE CHAIRMAN: So it is fair to say, is it, that one of the objectives of having a policy review, at least from the London perspective, was to rebuild more of a consensus, both in the P5, the Security Council and more widely as well as, as it were, to deal with the inherent breakdown of elements of the containment policy.

SIR PETER RICKETTS: Yes, absolutely, it was explicitly so, and to focus international attention back on what we continued to see as the primary concern, which was Saddam Hussein's continuing efforts to acquire material and expertise in his weapons of mass destruction

programme.

We felt that that was much more likely to be a place where we could find consensus, for example, in the P5, than the wider sanctions, which was too easy to portray as somehow the west denying civilian goods to the suffering Iraqi people.

MR SIMON WEBB: Can I just put a point about homogeneity of view really, in the sense that I think -- well, I wouldn't want to leave you with the impression that there wasn't a variety of opinions in some areas. For example, in Kuwait they were still very exercised about the risk from Iraq, and I remember, when the Defence Select Committee went and visited them, this came through in their report.

Similarly, Washington, having spent quite a lot of time in the embassy there, at the start of any administration, you will find a variety of different views, and one of the issues about handling Washington in any period is that you are going to find people were debating issues out in the early months. That's quite normal and natural, so to say there is a universal Washington view on day one is probably not quite how it was.

SIR WILLIAM PATEY: In the region, if I may add there, the message we were getting from the region was, "We need P5

unity". That was a message from the Kuwaitis and the Saudis and others, that their willingness to do things and support things was increased if we could achieve unity in the P5.

THE CHAIRMAN: Thank you.

I would like to ask one question about process with the British policy review. It clearly had a number of objectives. Was there a clear sense, right from the beginning of the review process, what these objectives were to deal with the breakdown of the existing containment policy, or elements of it, to promote greater international support not least in the P5 itself, and also to reassure regional neighbours of Iraq of, at any rate, British policy towards their interests?

Was this a shared set of assumptions and objectives?

SIR PETER RICKETTS: Yes, I think so. The review was coordinated by the Cabinet Office and it was Whitehall in its classic consensus building mode, where the departments came with different perspectives and different interests, but the papers that were going through the Cabinet Office, for example, for the Prime Minister's first visit to the new administration in late February 2001, I think, reflected an interdepartmental view.

It continued the lines of policy objectives which

had run through British policy since the Gulf War, of containment on the basis of WMD and avoiding it being a threat to the region. That I think was settled policy across Whitehall departments.

THE CHAIRMAN: Given the coherence of the British review process and given the facts of life that the new administration was taking office in Washington, in a sense forming its policy from a different set of starting points in a way, was it possible coherently to link the two processes as they went along?

I think it is not contestable that the power in a new American administration will tend to shift around until it settles down. If it does, your interlocutors from the Foreign and Commonwealth Office, but clearly with the State Department, there were other interests, DOD, and others. How did that interaction work in the process of this review?

SIR PETER RICKETTS: My experience of Washington is there tends to be one dominant force on policy at any particular time, and for Iraq, through to 9/11, the dominant player was the State Department.

Colin Powell was leading policy, and that was very apparent when the Prime Minister went to Camp David in late February and, indeed, Powell left that Camp David meeting for a trip to the region which began to set out

this smarter sanctions policy that the Americans were developing in parallel with us.

At that time, I think it is fair to say that the Pentagon and others may not have been fully aligned with that, but Powell was in the lead, and Powell had the President's authority.

I think we can talk later about what happened after 9/11, but I think you can see there the change and the change of dominant force in Washington was very clear at that point, up until then we felt that, dealing with the State Department, we were dealing with the people who were leading the policy-forming in Washington.

SIR WILLIAM PATEY: I went to Washington during this period, and we certainly had the sense that the State Department were being given a chance to see if they could make this policy work. That was how I looked back at it; that they were being given a chance to see if they could make containment work. Could they do what we had set out to do, was contain Saddam by narrowing and deepening the sanctions, and that for at least until 9/11, Colin Powell was the main player on that and the State Department were intent on trying to make that work.

THE CHAIRMAN: I would like just to introduce the term "regime change", really to know how early that began to

loom in American, or, indeed, for that matter, joint thinking as a possible objective or a possible outturn for the process of review. It wasn't of itself an objective of containment, as I understand that policy.

SIR PETER RICKETTS: No, and I have quoted, Mr Chairman, Condoleezza Rice in her pre-administration article in foreign affairs, which I think was in the minds of many of us. It was in a section of her article entitled "Rogue States", and so the concept of rogue states and of regime change was there in the public rhetoric of the incoming Republican administration, and we were conscious of that, but I don't think any of us felt that there was an operational consequence of that in the early days.

I think, as William puts it well, the State Department was given the chance to show whether containment would work. We did hear voices around Washington talking about possibly looking at arming Iraqi opposition groups and so on, but it didn't feel, to us, operational at that point; we were conscious it was a strand in their thinking, but was not being played through into policy.

SIR WILLIAM PATEY: I made a note that, in fact, on 22 February 2001, there was a policy board which our policy should be to keep a long way from the regime end

of the spectrum. So in February 2001, we were aware of these drum beats from Washington and internally we discussed it. Our policy was to stay away from that end of the spectrum, but in the course of the year, we were obviously aware of the dichotomy and I think, later on, you may want to talk about the Contract with the Iraqi People, which was our way in the Foreign Office of trying to signal that we didn't think Saddam was a good thing and it would be great if he went, but we didn't have an explicit policy for trying get rid of him.

MR SIMON WEBB: Perhaps I should fill in the defence part of this. I haven't mentioned this so far because we are going to spend some time this afternoon on the no-fly zones, but that was a current military operation which had been in place for a number of years to patrol over northern Iraq and southern Iraq in a coalition with the United States.

So obviously, while we had a current live military operation and, as I will explain this afternoon, it was getting more difficult in some ways with an increasing risk to patrolling aircraft and new techniques that the Iraqis had developed, we had to have closer links with the Pentagon about it both at an operational level and at a political level.

To answer your question about how did we coordinate,

actually we went on a first visit round Washington in March as I recall, with the Foreign Office in the lead and myself and other people as a team. We went round and talked to the Department of Defence and others about the position, and I then went back on subsequent visits at their request.

The point I would like to make is that those discussions did raise questions about the operation of the No Fly Zone. People would indeed -- you know, sensible strategists would ask questions about why we were doing this patrolling under attack, and the strategic progress we were making was limited. So the zones were only justified by the protection of minorities of the Kurds in the north and the Shias in the south for humanitarian reasons, but there were questions which people would quizzically have asked about all that. So we talked about all that.

I think the important point was to say that -- the question of regime overthrow was, I recall, mentioned but it was quite clear that there was no proposition being put in our direction on that, and, indeed, we got propositions -- and we can talk about the detail of those -- on the No Fly Zones, but we did not get the proposition about regime change.

THE CHAIRMAN: Thank you.

We are still in 2001, 9/11 is still a way ahead. Was there a narrowing of focus of the review, either in London or in Washington, because there seems to be, from reading, a mounting determination to achieve, if at all possible, a new Security Council Resolution and then to focus on a review of the goods lists that were authorised.

What I don't know is how much that displaced review of other aspects, such as those that Mr Webb has just been talking about, the NFZs. Was there a growing concentration?

SIR PETER RICKETTS: I think that went on in parallel and I think the MoD continued intensive discussions with the Pentagon on that NFZ operation, which was an ongoing operation.

We fairly quickly moved our thinking on from generalities about the need to focus the sanctions regime into a specific proposal for a new resolution, which then became the goods review list resolution and which then took us a good year to push through the Security Council to, finally, adoption in May 2002, but that went along with efforts to tighten up the border controls, to talk to Syrians and others about clamping down on the smuggling. So it was part of a package of making the sanctions regime more effective.

THE CHAIRMAN: We are beginning to talk, aren't we, about smart sanctions, the attempt to achieve international agreement on them. Can we go forward at a slightly faster pace just on that?

That effort went through the months of the spring into the early summer, but then ground to a halt. I would really like to hear from you, perhaps all of you, about the consequence of that grinding to a halt, but, first, just how did we get there and what happened in the Security Council? We shall be talking to Sir Jeremy Greenstock later, but I would like to hear it from the London end.

SIR WILLIAM PATEY: I think, by March, we had reached agreement with the Americans on a sort of structure and framework for narrowing and deepening the sanctions, the essence of which was to try to produce a system where everything was allowed that wasn't controlled.

We had got ourselves into a position where everything that could conceivably be of dual use was subject to holds, and we had our own small number of holds, but the Americans adopted quite a liberal policy on hold. I think at one stage we even had eggs on hold because they could be incubated for weapons of mass destruction.

So there was a proposal to get away from this

nonsense and to allow everything that wasn't controlled. So we got to a system where we would define a controlled goods list, which would be based on internationally acceptable lists already of dual-use equipment. We had a discussion of the Wassenaar list. There were already lists available. So that was getting a controlled goods list, but at the same time toughening up on the implementation of the remaining sanctions.

So to try and prevent Saddam from smuggling oil, there was to be a concerted effort to increase border monitoring, perhaps, or to bring illegal pipelines under the UN control system. So there was a sense in which we would narrow the scope of the sanctions but make their implementation more effective. So this was the essence the smarter sanctions and the controlled goods list, which we throughout that year tried to get.

You had certain deadlines, and we decided that it was better to try and deal with this in the Oil For Food rollover resolution, which had to be reviewed every six months, rather than go for a new resolution which would have allowed the Russians in particular, and possibly others, to reopen the essential deal which was in 1284 which remained part of the bedrock of the policy, which was that, in return for Iraq allowing inspectors in and fulfilling its obligations on WMD, we would lift

sanctions.

That was the essential deal in 1284 and that was still there. So this was an attempt to deal with sanctions until Saddam accepted that deal.

So you had that -- so every rollover, we tried to get agreement, and we missed the first -- in June, we weren't able to get the Russians engaged on the controlled goods list, but, later on, we discovered they were never going to agree to it. It became a commercial issue for them, an internal political issue, but we didn't know that at the time, so we engaged realistically on this list. We didn't meet the June rollover, we were -- we thought we would get it done in another month, so we would give ourselves one more rollover. We got a commitment that we would discuss a controlled goods list and we rolled that over until July and then we didn't get it in July.

So we had a five-month rollover into November and in the middle of that we had 9/11, which changed the game a bit.

THE CHAIRMAN: It is of course a counterfactual question, but had we been successful in securing a revised goods list, had that worked, would that have satisfied both our policy objectives in finding a new and workable regime towards Iraq, towards Saddam, and would it have

satisfied the Americans as well, or was it simply a part for -- a medium for a much larger set of objectives?

SIR WILLIAM PATEY: You are asking me to conject, and I will. It certainly satisfied us, because it would have restored Security Council unity. It would have brought this policy of containment. It would have been arguable even against the hawks in Washington. Colin Powell and the State Department people who supported containment would have had a credible argument.

I remember conversations with my French and Russian colleagues saying, "You know if you don't agree to this, where this is going", and each time I remember they always agreed three months too late.

SIR PETER RICKETTS: I think it certainly would have been a major step forward, but it would only have really changed the course of events if it had so increased the pressure on Saddam Hussein that he had been prepared to think again about the 1284 deal, and the 1284 deal, getting the weapons inspectors back into Iraq, would really have changed the game, I think, and if a tighter sanctions regime had put enough pressure on Saddam to bring him to the 1284 table, then I think we would have been getting somewhere.

THE CHAIRMAN: That would have extended, perhaps

indefinitely, for the life of, broadly speaking a containment strategy.

SIR PETER RICKETTS: It would have reinvigorated the containment strategy and would have given us inspectors back on the ground in Iraq. It would never have stopped some leakage round the edges of the sanctions policy, nor would it necessarily have stopped some revenues finding their way into Saddam Hussein's pockets -- that is the nature of sanctions regime -- but it would have made it much more effective.

SIR WILLIAM PATEY: I think it would have given more light. I think that ultimately we would still have been left with Saddam Hussein there, whose objectives hadn't really changed much.

THE CHAIRMAN: I would like to move back from conjecture to what actually happened, but, Mr Webb, if you would like to come in first.

MR SIMON WEBB: I would just like to say that the way we looked at the sanctions regime and the controlled goods list issue was, from a defence point of view, we were very keen to see a very effective regime in that arena and, if you like, to see reductions in other parts of the sanctions process in order to get it.

It is worth remembering at this stage that we were starting to get a feel for the problems of wider

proliferation, which you will be, I know, taking up later in the week, but even by that stage -- because, at that stage, there was a very small number of people, as the Butler Report brought out, who knew about it, but we knew by that stage about concerns about Libya, we were getting increasingly concerned about Iran and we knew that the supply chain from AQ Khan and so on was getting around. So that was all starting to come through in 2001 and was greatly increasing the level of anxiety amongst defence people about the risks of nuclear proliferation, particularly across the Middle East.

So you were starting to see Iraq in one sense from our limited knowledge and also the role of United Nations in that broader context. I would just like to say that we were keen on the controlled sanctions regime in these sorts of regions, but there was starting to be a bit of a wider context to it.

THE CHAIRMAN: Thank you.

What happened in reality was it wasn't possible to achieve that degree of acceptance in the United Nations' Security Council. Didn't that have an effect in terms of the United States' objectives? There was a one-month rollover, and if that failed, we were looking to the end of 2001 -- we, the United Kingdom, were -- but it must have had some effect on the dynamics of the

United States administration about where to send their review.

SIR PETER RICKETTS: Yes, I think it probably did. I don't think it helped Colin Powell's position in Washington, frankly, that he had tried for the first six months of the administration and, by July, had not been able to give this containment policy a refresh through the sanctions resolution. I don't think it led to an immediate shift in American policy because I remember,as 9/11 happened, we and the Americans were still working on further pushes with the Russians to see whether we could get a goods review list resolution through in the autumn, but I think it didn't help the cause of the State Department that the flagship of this strengthened containment policy had not succeeded by July.

THE CHAIRMAN: I think at that sort of mid-point in 2001, with the first policy attempt, as it were, having been stalled, I would like to turn to Sir Roderic Lyne.

SIR RODERIC LYNE: Thank you. I wonder if you would just go back a little bit on the question of the extent and the period before September 2001 when the British and American Governments really shared the same view?

Sir Peter, you said that their thinking was very much on the same lines, although the Americans were less keen on weapons inspectors. You have noted that there

were those in Washington, voices in Washington, that were in a favour of regime change.

Was there, in fact, a substantive difference -- I mean, regime change had been part of American policy since the 1990s; a substantive difference between the British and the American Governments over regime change in this period.

SIR PETER RICKETTS: I don't know if there was a substantive difference, because I did not feel that regime change was, in any operational sense, US policy at that point, it was part of the rhetorical backdrop of the incoming Republican administration. What we had, actually, in the operational world, was US and UK working side by side in the Security Council to get the goods review list resolution through to strengthen the containment policy. So I didn't feel it was operational US policy at that point.

SIR RODERIC LYNE: Sir William said that it was an article of faith -- not the word you used -- to keep a long way from regime change within HMG at this time.

Was that the universal view within the British Government or were there elements of our policy or people in the decision-making positions who actually saw regime change as perhaps part of our policy towards

Iraq? Was it completely excluded or not?

SIR WILLIAM PATEY: At that early stage, I didn't come across anyone suggesting regime change within the government. I think, later on, there were people saying we should have entirely excluded it, that there was no legal basis for it.

At that time, as Peter says, we were aware of the voices because they had been -- in the lead-up to the election of President Bush, there were many of the incoming administration who had been very clear on this, but even within the American system there was no plan. Indeed, you had disputes over how you would -- if, on a theoretical basis, you could produce this, how you would do it. There were supporters of Chalabi and people who had discounted Chalabi, so there was no -- through this period, we didn't have discussions, that I was aware of, with the Americans, and the Americans didn't put this as a proposition.

We were aware of the background noise. The first five months of the new administration, it was essentially left to Colin Powell and the State Department to drive this policy.

SIR PETER RICKETTS: I was certainly never aware of anyone in the British Government at that point promoting or supporting active measures to achieve regime change.

What we did have was advice to Ministers, which I think they accepted, that we could set out this Contract for Iraq, which was a declaration of what the world would look like for Iraqi people post-Saddam Hussein. The consequence rather than a policy to achieve it.

That, I think was accepted and, indeed, we drafted contracts, but this was all against the assumption that it would not be our policy that we were seeking the removal of Saddam Hussein.

SIR RODERIC LYNE: By what process was the review of our policy in this period conducted? Were there meetings held at senior ministerial level, meetings of Cabinet Committees, meetings of senior officials at which all of the options were reviewed and thrashed out and we decided that this was the right thing to do?

SIR WILLIAM PATEY: It was essentially driven by the Cabinet Office, so all the departments were represented at the official level. I attended lots of Cabinet Office meetings. The Cabinet Office put up the joint advice to groups of Ministers.

So I don't recall -- I don't recall personally a ministerial group looking at this, but it was certainly interdepartmental with advice, written advice, going to Ministers.

SIR PETER RICKETTS: I remember several rounds of

Cabinet Office process leading up to the papers for the Prime Minister in advance of key events in the course of 2001. I have mentioned one, which was the February visit to Camp David for the first meeting with the new President, and, subsequently, through that period there were several further rounds of that classic Cabinet Office-led process.

MR SIMON WEBB: We had done a review of the No Fly Zones at the turn of the year, as one normally does with a new US administration inbound, and we contributed the results of that into this review from about February onwards and then were part of the collective discussion. So, yes, it was a classic bit of cross-departmental process.

SIR RODERIC LYNE: So it was essentially a common view in Whitehall that the policy of containment that you said at the outset, Sir Peter, was our policy at the time was one that needed strengthening and needed improving because it wasn't working terribly well in all its aspects, but it was a policy that was, in Whitehall's view, sustainable over the long-term and could be enforced?

SIR PETER RICKETTS: It was not sustainable on its present course, but, as strengthened, we thought it was the right policy.

SIR RODERIC LYNE: Did you feel that that view was shared by the dominant force in American policy-making at the time?

SIR PETER RICKETTS: Yes, as I said, Colin Powell explicitly did support the approach of a strengthened, narrowed, focused sanctions regime.

SIR RODERIC LYNE: When Mr Webb went to talk to his opposite numbers in the Pentagon, did you get the same sense that this was American policy?

MR SIMON WEBB: I did. I did. Yes. It was -- I suppose the truthful answer is that, when I went across in March to talk about the No Fly Zones -- for the first time there were No Fly Zones -- the issue of overthrowing came up and I wrote in my notes about "the dog that didn't bark". I said it “grizzled”, but it didn't bark.

So we didn't have a sense of anything going on, and that reflects the fact that -- whatever discussions might have been going on in Washington, this is a serious, disciplined administration. We were talking -- these were senior people in the administration and they don't, as it were, you know -- they -- they stick to, when talking on official business, to their coalition partners, they give you a straight reading of what the position of the administration is at the time, never mind what they

might have said themselves or discussed in the past. So you do have that sense of them having concluded that they were not going to put this issue on the agenda first.

SIR WILLIAM PATEY: I did get a sense in the months that it was more difficult to persuade them. There was a heightened degree of scepticism, the intellectual case for containment and sustainability as a policy. It got tougher and tougher to argue with bits of the American -- even the State Department, that it was viable. So I did notice an increased scepticism, but it hadn't tipped over into anything more direct at that stage.

SIR RODERIC LYNE: So you and the Americans at this time wanted to make containment work, but then you have paragraphs which Sir Peter, I think, referred to, which was that the regional countries, the countries most vulnerable to threat from Iraq, were becoming less and less concerned about the threat from Iraq; the threat was felt most sharply in London and Washington rather than countries next door and directly beside Iraq.

Why was that? Why did they feel less threatened than we?

SIR WILLIAM PATEY: I think you can't take all the regional countries as one. As I think Simon rightly said, the

concern was greater in Kuwait and Saudi Arabia than it was in Syria and Turkey, and Jordan had a rather special relationship with Iraq, a dependency relationship, it was very worried about its economy and being cut off. So there were a complex set of relationships.

I think I would describe the region as, if they had had faith in the policy, they would have supported it more, but if it was going to fail, they didn't want to be on the wrong side of Saddam. So you know, I would -- I would say they were hedging their bets, it is not that they were unaware of the threat. Indeed, when we talked about southern No Fly Zones, it was quite clear for the Kuwaitis and the Saudis, that was an important aspect of their security. So it was a mixed picture. They were unhappy within the Arab world.

I think, as Sir Peter said, it was against the backdrop of a Palestinian Intifada, of daily photographs of hospitals, Iraqi children, you know, Saddam would have very good propaganda efforts. So they were feeling uncomfortable. So I think -- I wouldn't sort of characterise it as they were perfectly comfortable with Saddam re-emerging as the strong man in the region; they had a complex set of attributes depending on the efficacy of the policy.

SIR RODERIC LYNE: But they were not so worried about him

that they were really enthusiastic to make containment work. They were actually helping it to break down.

SIR PETER RICKETTS: One of the strands of this complex was, of course, they had commercial interests, many of the regional countries, in an eroding and porous sanctions regime. They were getting oil, they were getting trade, there were commercial interests in play as well as one of the elements of this mix. So it was not a straightforward picture. I think the way it has been described is right.

SIR RODERIC LYNE: If they felt there was an imminent threat, presumably that would have overridden their commercial interests?

SIR PETER RICKETTS: If they thought there was a threat of him re-invading a neighbouring country, absolutely, and that's why, for Kuwait -- and Simon is quite right to say that Kuwait's position in this is perhaps rather different from most other neighbours -- the continuation of the southern No Fly Zone and the deterrent effect that that created, and it was very important to those closest to them.

SIR RODERIC LYNE: Just taking the story forward, in the first half of the year, building up to July, we tried to develop this policy of improved containment, of smart sanctions, and let us remember what Mr Webb said, which

was that the arms embargo part of the policy was working, you thought, quite well, that there wasn't major leakage on that. The leakage was much more on the area of sanctions and there was vulnerability about No Fly Zones.

Why, then, were we not able to get the so-called smart sanctions resolution through the Security Council in July 2001? What was the cause of that?

SIR WILLIAM PATEY: I think the Russians took a very cold, commercial view of this. They were doing okay on smuggling and sanctions and developing their relationship with Iraq. So I think they were quite explicit with us at one point. I think the Russian foreign minister had run out of arguments and said, "Yes, I accept all of that, but actually we have got a lot of commercial interests at stake and it is very difficult domestically". The Russians had $8 billion of debt owed to them by the Iraqis, which they were hopeful of getting repaid, and they were doing quite well on -- contracts were being given, even for non-military grounds, because they were being given on political grounds, so the Russians were being given lots of contracts. So the system at the time quite suited them. It took a long time to flush that out.

In the end, it was -- with retrospect, it was

virtually impossible to change the Russian view, and I imagine you were involved in it at the time, trying to change the view. I'd imagine you probably know more about the Russian view than I do at the time.

SIR RODERIC LYNE: I should just note as a footnote that I was ambassador in Moscow at the time.

Do you think that, after the initial failure to get this through the Security Council, there would have been a chance of changing the Russian view further down the road? As Sir Peter said, 9/11 changed this, but after we had failed to get it through the first time, did we think that we needed a new policy or did we think that we should bang on with trying to get the Russians to change their mind. You had already persuaded the French, I think, to change their view and most of the Chinese.

SIR WILLIAM PATEY: I think we persisted because the policy containment was the least worst option, we thought at the time. We persisted and we began to look at ways of bringing the Russians on board by removing some of the objections that had come from the neighbours of Iraq, who didn't like the prospects for border controls, didn't like the tightening aspects of it, and I think in November we looked at the possibility of removing those aspects from the resolution to get broader

consensus in favour of it.

We looked at the prospect of doing a deal with the Russians on their debt to allow Iraq to pay off their debt to increase. We looked at various ways to sweeten the deal for the Russians.

So we actually -- although 9/11 intervened, we were still pursuing this in November and we did another rollover to May and we were still trying to get Russian agreement on the goods review list, but the Russians wouldn't even agree to the definition of what constituted military equipment, even though in the Wassenaar agreement we had a perfectly good internationally-recognised agreement. So we hadn't given up.

SIR RODERIC LYNE: Did the Americans share that view?

SIR WILLIAM PATEY: I think it became more and more difficult, because the Americans, post-9/11, were less inclined to go along with anything.

SIR RODERIC LYNE: Pre-9/11, after the smart sanctions, had this undermined Colin Powell's position?

SIR WILLIAM PATEY: I think pre-9/11 we were -- the Russian refusal in July?

SIR RODERIC LYNE: Yes.

SIR WILLIAM PATEY: We hadn't been up at that point. In July --

SIR RODERIC LYNE: But the Americans, were they beginning to give up on the policy at that point or not?

SIR WILLIAM PATEY: It is not clear that they had given up. They had certainly said that they would work -- they would have a five-month rollover to November and we would continue to work on the Russians on the goods review list.

SIR RODERIC LYNE: You said this was the least worst option in your view. What were the other options, the worst options?

SIR WILLIAM PATEY: The other options were the sanctions regime would collapse completely. Saddam would re-emerge and be free to develop his weapons of mass destruction or we would be going down a path of military action.

SIR RODERIC LYNE: How far would he have re-emerged just because one plank of containment had failed? I mean, we had troops deployed, the British and the Americans, in some of the neighbouring countries as a deterrent, we had a naval embargo, we had an arms embargo. Would the failure of the sanctions have completely undermined containment?

SIR PETER RICKETTS: It would have provided revenue streams that would have allowed him to go out and increasingly buy material for his weapons of mass destruction

programme, short-circuiting border controls and arms embargos. We will come on to talk about the JIC assessments, but I was chairman of the JIC at that time and I remember our estimates of the revenue that the regime was making through smuggling and abuse of OFF were rising all the time, and by shortly before 9/11, we estimated that they were probably making about $3 billion.

If we had had further erosion which, as I said at the beginning, we felt was an accelerating erosion of the sanctions regime, the revenues the regime would have had their hands on would have grown and grown, and I think, at that point, if you have money, you can usually find ways of getting what you want.

SIR WILLIAM PATEY: That was certainly our assessment. If Saddam had full control of all revenues, as Saddam had full control of the revenues from his oil, he would very rapidly be able to influence the region, build up his capabilities and emerge reasonably quickly to the sort of threat he was prior to 1991.

MR SIMON WEBB: It is perhaps worth saying there weren't actually that many ground force groups in the region at this time. What we were doing was to use the no-fly zones in a way to do -- it had a side benefit of risk reduction. Because we were flying over southern Iraq

most of the time, we knew what the military situation was on the ground, and that gave us some time, if there had started to be a build-up of another repeated attack on Kuwait, which had indeed -- they had moved towards that at least once during 1990 already -- it would have given us the opportunity to interdict any ground force movements which were the start of an attack on Kuwait and some time to reinforce, but those two things together actually allowed us to be in the rather comfortable position of having a not very expensive military operation -- 30 million a year I think was the figure used at the time on the air side. It allowed us to manage without big ground force deployments, which, for all sorts of reasons, not least the pressure on the armed forces busy in the Balkans and so on, and costs and, of course, the regional countries not being very comfortable about large deployments of our troops all the time.

So to that extent, there were, as William was suggesting, quite substantial stakes here. If we had had breakdown, we would have to think about reinforcing, I think our assessment was that the troops we had on the ground couldn't hold a renewed Iraqi attack.

SIR RODERIC LYNE: We will come back this afternoon in more detail to the question of No Fly Zones. It is obviously

important for the reasons you give. But while we are in this very beginning stage of our hearings, trying to set the whole of the scene to describe the problem, if you like, that the British Government believed it was facing in 2001, I would like to go back a bit to the question of the assessment of the threat, and in particular, Sir Peter, you were Chairman of the JIC until September, when you moved to become Political Director in the Foreign Office.

I'm obviously not going to ask you in open session to go into any details of sensitive intelligence, but can you tell us in broad terms, first of all, where Iraq and the question of Iraq's weapons of mass destruction stood in the priorities of the JIC in 2001? Perhaps if we pause on that one.

SIR PETER RICKETTS: In both 2000 and 2001, Iraq was a major feature of the JIC agenda, but by no means the dominant one. In 2000, it was probably the Balkans that we spent most time on. By 2001, we were spending a great deal of time on Sierra Leone, where there had also been military operations, as well as the Balkans continuing, as well as Afghanistan and other places, but in each year it was a significant part of JIC's time, essentially.

SIR RODERIC LYNE: So it was important that it wasn't seen as the sort of biggest problem that we had to think

about at the time.

SIR PETER RICKETTS: Yes, it was important, but it was by no means the only major issue the JIC was focusing on.

SIR RODERIC LYNE: How did the JIC see the threat that was posed by Iraq? The Iraqi military machine had obviously degraded in the course of the 1990s, containment had been followed for a number of years. Was this a high threat, a medium threat or a low threat to international peace and security?

SIR PETER RICKETTS: We certainly continued to see Iraq's pursuit of weapons of mass destruction as a continuing threat, for some of the reasons that Simon referred to, and the JIC's work on this has been extensively reviewed in the Butler Inquiry and so is on public record, but a reader of JIC papers during my time as Chairman, I think would have come away with a clear impression that Iraq retained the intention to acquire a WMD capability, that they were still trying to go around procuring equipment and material for it, and that they were at work to ensure that they had at least a breakout capability of manufacturing CW and BW. That absolutely was a cause for concern and something which it monitored pretty closely.

Of course, their missiles as well, just to add the fourth component of that, that we saw continuing work on

missiles which went beyond the permitted 150-kilometre range for Iraq missiles. So it was among the threats of ballistic missile and WMD development that the JIC monitor around the world.

MR SIMON WEBB: I've just done the military end of the JIC assessment, and I joined the JIC later in this piece. The things that we took from it were, under Saddam Hussein, there had been human rights abuses, which included the use of military force against civilians, and that the international monitoring process of enforcement had constrained it but hadn't actually prevented that.

I think we haven't mentioned the north yet. In the north, Iraqi forces remained poised to retake the territory, if they could. They had had a look at trying to do that in 1996 and were only restrained from it by the No Fly Zone.

In the south -- well, I have already been over the situation there, but there was a sense, I think, of Saddam gaining in confidence. He was taking positions, I think, on the Palestinian issue which would ingratiate himself with more Arab opinion. So there were those things happening --

SIR PETER RICKETTS: I can develop on the JIC, if you like. The weapons of mass destruction aspect of it was one

part of our work. We also spent a lot of time reviewing the sanctions issue and the question of erosion and leakage from sanctions, which I have talked about, and we also had certainly one paper during my time on the implications of the No Fly Zones for Iraqi persecution of the civilian population. I can go into each of those a little bit more, if you would like.

SIR RODERIC LYNE: I think we are going to take a break in minute and then probably we'll want to come back to this question after the break, I think collectively, but just to follow through this line before we do so, again, in very broad terms, you have described the problem of weapons of mass destruction that the JIC was looking at, did you see this as something that was essentially in a static condition, the Iraqi weapons of mass destruction programme, or did you see this as a growing threat or possibly even a diminishing threat in the year 2001?

SIR PETER RICKETTS: In the year 2001 we saw an acceleration of work on missile programme and I think our reports were specific that there was an acceleration there.

We saw increased Iraqi efforts to procure material for their nuclear programme, we saw continuing interest in CW research and development and I think we suspected that the increased availability of money from the increasing

revenues diverted from smuggling and OFF were allowing that acceleration of work, certainly in the missiles and the nuclear area.

THE CHAIRMAN: Thank you. I wonder, before we have a short break, if my colleagues would like to follow up what has happened so far?

BARONESS USHA PRASHAR: Could I ask a question? Could I just go back, Sir Peter? When you were talking about the view of the USA in the early days, you said that they were on the same lines as ours, but the USA was less keen on inspectors.

Why was that the case, given what you have just said about the growing threat?

SIR PETER RICKETTS: There was a concern in American circles that if we had the weapons inspectors back in Iraq, somehow Saddam Hussein would be able to pull the wool over their eyes and we would have the inspectors reporting that all was fine, whereas all was not fine. So they feared that they would be manipulated by the Saddam regime to producing an answer that was misleading.

BARONESS USHA PRASHAR: That was the view held by the USA but not the UK?

SIR PETER RICKETTS: I have been rightly prompted by Simon to remind all of us that the USA are not homogenous.

There were a whole different range of views. But I think there was a dominant feeling in the US that a weapons inspection regime was risky, that it would have to be really good and really professional if it was going to get to the heart of what was going on in these very secret Iraqi programmes.

We, I think, probably had more confidence that the UNMOVIC weapons inspection that had been developed in Resolution 1284 was professional under Mr Blix, and if we could get the UNMOVIC inspectors into the country with assistance from our experts, that would be better than not having them in, but it was an area where we probably disagreed with many on the American side.

SIR WILLIAM PATEY: The implementation of 1284, which would have got UNMOVIC into the country, on the ground inspecting, we certainly believed that would be the best way to deal with the weapons of mass destruction and we had confidence in Hans Blix, but there was a high degree of scepticism in different American circles, and I think at one stage Colin Powell said the last thing we want is a Potemkin UNMOVIC. So there was a degree of scepticism because of the experience that they had had with UNSCOM, because they had watched how UNSCOM had been manipulated and obstructed by Saddam.

So it wasn't an entirely unreasonable position on

their part, having had the experience of UNSCOM, that this UNMOVIC might go the same way, but it wasn't shared by us.

BARONESS USHA PRASHAR: Could I ask another clarification?

You talked earlier about a Contract with the Iraqi People, what it would look like after Saddam, but you said that, although it was in the public domain what the US said Condoleezza Rice was saying about regime change, was it any -- what were the assumptions? How would you achieve Iraq without Saddam? I mean, were they considerate of how you would get there.

SIR PETER RICKETTS: On the American side?

BARONESS USHA PRASHAR: Both. USA anyway.

SIR PETER RICKETTS: Because, as I said, we quite clearly distanced ourselves in Whitehall from talk of regime change, and I think in all the initial advice I saw going to Ministers in 2001 it was clear that was not something we thought there would be any legal base for.

On the American side, in the early months, when people talked about regime change, they weren't so much talking about military invasion, they were tending to talk about arming the Iraqi opposition parties or fomenting difficulty, fomenting uprisings and arming opposition groups.

SIR WILLIAM PATEY: It was a dilemma for us. It was our way of saying, "We are not going to do anything to deliver regime change, but actually our point of view is it would be very good for Iraq." So it was a way of signalling to the Iraqi people that because we don't have a policy of regime change, it doesn't mean to say we're happy with Saddam Hussein, and there is a life after Saddam with Iraq being reintegrated into the international community.

The attempt of the Contract with Iraq was to set out what the international community would do if Iraq became fully compliant with all the requirements of the international community. So it set out investment in Iraq and normalisation of relations, but it also left open that we think these things are probably impossible so long as Saddam is in place and we -- there was a phrase in there supporting -- if there was to be a change, supporting that, but without any -- there was no action points to fulfil the contract.

SIR MARTIN GILBERT: What was the status of the Contract with the Iraqi People?

SIR WILLIAM PATEY: The contract was never issued. It was an internal document. We sort of proposed it as part of reconfiguring of sanctions, of saying to the Americans -- trying to help those within the US

administration who wanted containment to deal with a dilemma of not signalling that you were okay with Saddam. So the contract was designed as sort of part of a public presentation of a relaunched -- smarter sanctions, if you like, but it never went anywhere.

SIR PETER RICKETTS: I think if we had got the goods review list resolution through in the summer of 2001, it would then have been accompanied with some sort of Contract for the Iraqi People.

SIR WILLIAM PATEY: It would have remained an internal discussion document.

SIR LAWRENCE FREEDMAN: Just another question that was made before about why the Americans didn't want inspectors back, or weren't so keen.

You have referred to the deal inherent in Resolution 1284, which was, as I recall, December 1999, and which offered the end of sanctions, in effect, if inspectors went back in and the inspections were deemed satisfactory.

So if you didn't have the inspectors back in, in a way there was no way out of the regime that had been established in terms of sanctions and containment and so on.

SIR PETER RICKETTS: Yes, I mean, Resolution 1284 offered a two-stage approach, as I remember. First of all,

suspension of sanctions after 120 days, provided Saddam was cooperating with the inspectors, and then ultimately lift of sanctions, but that was some way down the line, and that still seemed to us, in 2001, a good package, the best way of leading the international community out of sanctions and isolation towards reintegration of a reformed Iraq in the international community.

SIR LAWRENCE FREEDMAN: But the difficulty presumably for a new American administration would be that it would be a reformed Iraq with Saddam Hussein still at its head. In a sense, it raised a tension between whether the aim of sanctions was to disarm Iraq or to contain Iraq, because, for the reasons that you have given, once the sanctions were lifted, there might be all sorts of ways by which -- not necessarily weapons of mass destruction, but it would have come back into being a regional power with Saddam Hussein there.

So, first, is that a reasonable assessment of American concerns?

SIR PETER RICKETTS: Yes, and I'm sure there were vigorous debates and differences of view around Washington on that point, but the operational conclusion, at least for the period of 2001, was the one that we've talked about, that Colin Powell was given the opportunity to show

a strengthened containment policy and they -- the Americans preferred the sanctions end of that to the weapons inspectors, sanctions suspension, sanctions lift path. That's where they put the emphasis of their policy.

Of course, the other person who was reasonably comfortable under the sanctions regime was Saddam Hussein, because it wasn't actually doing him any harm at all. So I mean, there are many dilemmas in international policy when it comes to sanctions and that I'm sure was being eagerly debated around Washington tables in early 2001.

SIR LAWRENCE FREEDMAN: Just one final point, if I may, just following on from that, we haven't heard much about the views of the Iraqi Government during this period. Presumably, we were getting them through the United Nations and elsewhere.

I mean, it is fair to say that the view of the Iraqis was first that sanctions should go before the inspectors went back in, but as they didn't believe sanctions would be removed anyway, because of the views of the American administration, there weren't really that many incentives in the system, as you have described it, for the Iraqis to change their policies as things were at the time.

SIR PETER RICKETTS: William knows better than me, but, yes, we had not succeeded in increasing the pressure sufficiently on Saddam to interest him in the 1284 package. He was watching his revenues grow from smuggling, he was doing quite well in blaming the west for the sufferings of the Iraqi people, he was posturing on the Palestinians and the Intifada, and, although his relationship with the Arab world was complex, on the Arab street there was probably quite a lot of support for the Iraqi position on the Palestinian issue.

So Saddam did not feel under great international pressure, and that was, going right back to the beginning, one of the reasons why we were keen to review policy and shift into a different gear on smarter sanctions at the beginning of the year, because we didn't feel that they were having traction on Saddam.

SIR WILLIAM PATEY: We did get some Iraqi views mainly from the Russians, but at one stage the Russians proposed that a revision of 1284, which basically said, "You lift sanctions and then the inspectors go in", but that was never acceptable to the Americans.

There was a difference between us and the Americans because we -- the French and the Russians tried to incentivise the Iraqis by removing -- there were some ambiguities in 1284. Nobody had spelt out exactly what

post-suspension looked like and there was a debate amongst the P4 on whether we would elaborate those, elaborate on those and clarify, and the Americans were against that. The Russians and the French were for it.

We were ready to do it as part of a broader package of smarter sanctions and 1284, so we were ready to elaborate what post-suspension was in order to try and incentivise Iraq to accept them.

THE CHAIRMAN: I think this is probably the right moment for the Committee and the witnesses to take a short break. We will return promptly in ten minutes.

Can I ask that if any members of the public or others in the room do need to leave, that they return before the session recommences in ten minutes from now. You will need to hand your pass in to security and return through the security screen, but please bear in mind there cannot be any readmission to the rest of the morning's proceedings after we have recommenced the hearing in ten minutes.

The committee will now leave through that door, and the witnesses. We will be back in ten minutes.

(11.33 am)

(Short break)

(11.50 am)

THE CHAIRMAN: Right, let's restart. I will turn to

Sir Roderic Lyne to pursue, Roderic, the questions you had on the JIC and other things.

SIR RODERIC LYNE: Sir Peter, we were discussing the JIC's view of Iraq in the period before 9/11. What I would like to know at this stage is, what was the JIC being asked to do on Iraq? What questions were you getting from the people who tasked the JIC, from either Whitehall departments or from Ministers, the Prime Minister's office. What questions were they asking you to explore on Iraq?

SIR PETER RICKETTS: Three sets of issues in the course of my time in the chair, which was a year.

One was to track the erosion of the sanctions regime and to report on diversions, smuggling, illegal revenues, opportunities that gave the regime, which we did in three or four papers through the year.

One quite specifically on the effectiveness of the No Fly Zones in reducing Iraqi capacity to persecute its own civilian population, and then the third we have already talked about, assessing Saddam's intentions and success or otherwise of acquiring WMD material.

Those were the three areas that we were asked to study and which we did report on.

SIR RODERIC LYNE: Were they asking you the sorts of questions that suggested that they saw Iraq as a serious

threat, perhaps a -- in some dimensions growing? You talked earlier about attempts to break out from the restrictions on their nuclear programme, for example, that they were really worried about this and they wanted the JIC to look at this.

SIR PETER RICKETTS: I don't remember specific requests from Ministers on those lines. The WMD work was part of our worldwide review of WMD programmes, which the Committee did on a regular continuing basis. The work on sanctions, as I remember it, was specifically commissioned by the FCO and was intended to keep track with the development of policy.

So, for example, in the middle of the year 2001, we were asked for a paper on the effect of a smarter sanctions resolution on Saddam Hussein and whether we thought that that would successfully increase the pressure on him to the point where he was interested in the 1284 deal.

So I remember that as a specific request to us, I remember the NFZ effectiveness issue. I don't recall other specific requirements laid on us by officials, senior officials or Ministers.

SIR RODERIC LYNE: Now, at this time, neither the United Kingdom, nor the United States had embassies in Baghdad. Therefore, we weren't getting a sort of normal

stream of diplomatic reporting on the situation inside the country.

How much did this mean that the JIC was being asked to provide the government, provide Ministers, with an assessment of what was going on in Iraq, of how firmly Saddam Hussein was in control, of what tensions existed between different groups within Iraq, paint the picture of the inside of Iraq for the decision-makers?

SIR PETER RICKETTS: We did not, as far as I recall in my period, try to write a paper in detail on the internal dynamics of the regime in Iraq. We were concerned with the more operational issues, as I have talked about, sanctions and No Fly Zones and weapons of mass destruction, and I don't believe we wrote in that period a paper on the internal regime, economic, social or political aspects of Iraq.

SIR RODERIC LYNE: Sir William, you were the head of the department. How much did you know about what was going on inside Iraq in 2001?

SIR WILLIAM PATEY: We had to rely on officers who would go into northern Iraq. We had officers -- I had an officer based in Ankara who covered northern Iraq and made regular visits into the Kurdish area. So we had a reasonable insight into what was going on in northern Iraq and we would talk to the Kurds about what was going

on in other parts of Iraq. We talked to the opposition. We were -- didn't have a -- we had a less good picture than we would have had if we had had some people on the ground, but we put it together with -- we talked to people who did go to Iraq, there were people who went to Iraq, George Galloway and a few MPs went to Iraq, others went to Iraq. We talked to the opposition, but, if you are asking me, did I know as much about what was going on inside Iraq as I knew what was going on inside Iran, probably the answer was no.

SIR RODERIC LYNE: Did you feel that Saddam Hussein was firmly in control?

SIR WILLIAM PATEY: Yes. That was our assessment, that he wasn't under any threat. He was ruthless, he had a long history of eliminating anyone who appeared a threat to him. So our assessment was that he was secure and comfortable.

SIR RODERIC LYNE: So if someone had come to you, maybe an exiled group and said, actually, there would be a chance of toppling Saddam through an internal uprising or set of uprisings, how would you have responded to that?

SIR WILLIAM PATEY: We were fairly sceptical. There were people who came from time to time suggesting that they could mount coups. We had a fairly jaundiced view of

the capabilities of the external opposition and the extent to which there was an internal opposition. We were pretty sceptical about its ability to do anything. Attempts -- previous attempts in the late 1990s from Kurdistan had met with brutal repression, so our assessment was that the chances of Saddam being overthrown internally were limited.

SIR RODERIC LYNE: Did you think he was strong enough, or could become strong enough, perhaps, with the lifting of sanctions, to be in a position again in which he could within a year or two threaten neighbouring countries?

SIR WILLIAM PATEY: I think that was our assessment, that, free of sanctions, Saddam would -- we would be back to a pre-1991 position, with Saddam having -- maybe even stronger regionally, because, having survived an attack and having survived 10 years/12 years of sanctions, he might even be stronger.

SIR RODERIC LYNE: Yet, in those 10 or 12 years his economy had fallen apart and his military machinery had been degraded and from time to time attacked, so was he really in that strong a position?

SIR WILLIAM PATEY: I don't think he was an immediate threat at that time.

SIR RODERIC LYNE: What do you mean by "immediate"?

SIR WILLIAM PATEY: Well, if sanctions suddenly stopped

tomorrow, he wouldn't have had a fully-functioning capable army.

SIR RODERIC LYNE: How long would it have taken him to become threatening again?

SIR WILLIAM PATEY: Within a few years.

SIR RODERIC LYNE: You were confident that, despite the lack of the conventional reporting that you would have had from an embassy, we had a good understanding of what was going on inside Iraq?

SIR WILLIAM PATEY: The French had embassies there, and the Russians, and we did talk to our partners with embassies there. So I don't think anyone was seriously questioning, our assessment was based on our discussions with allies.

SIR RODERIC LYNE: Sir Peter, did Ministers show an interest in what the JIC was telling them about Iraq in the course of 2001 before 9/11?

SIR PETER RICKETTS: Yes.

SIR RODERIC LYNE: You had feedback on some of your reports?

SIR PETER RICKETTS: Certainly. We had feedback. Indeed, the report I referred to about the effectiveness of the No Fly Zones and their impact on Iraqi persecution figured, as I remember it, in a ministerial discussion of the No Fly Zones in the middle of 2001.

The weapons of mass destruction material was always

read with close interest, including in Number 10, and we got regular requests to keep our focus on that and to monitor it closely.

SIR RODERIC LYNE: So your understanding at official level of what was going on there essentially was shared by Ministers, you didn't have an argument or a debate or you didn't feel that they were disconnected from this picture, that they had their eyes elsewhere?

SIR PETER RICKETTS: No, not at all. I would see from time to time that JIC papers that were fed in were then followed up by requests, for example, from Number 10 for further policy work to be done, for example, on the Syrian pipeline which was becoming a increasing concern in terms of diversion of Iraqi oil and circumvention of the sanctions regime.

Our JIC paper on that led to a Number 10 request to policy departments to put up advice on what we should do about it.

SIR RODERIC LYNE: How did you get this feedback? Did you discuss the intelligence directly with the Prime Minister, or the Foreign Secretary or the Defence Secretary?

SIR PETER RICKETTS: I tended to be at ministerial meetings when they took place on Iraq. I had feedback, more often John Sawers than from the Prime Minister directly,

and from senior officials in the FCO who, indeed, were on the JIC.

SIR RODERIC LYNE: Were there frequent ministerial meetings on Iraq?

SIR PETER RICKETTS: I can't remember frequent meetings, I can remember a number of meetings in the period that I was JIC chairman.

SIR RODERIC LYNE: Do any particularly stick in your mind as having reviewed policy in a fundamental way?

SIR PETER RICKETTS: I particularly remember a discussion of the No Fly Zones on the basis of our NFZ paper in the JIC. That, I think, was at the heart of the period of discussion about the operation of No Fly Zones.

I don't recall being at a general discussion of Iraqi policy in -- for example, in terms of the development of the smarter sanctions policy, no.

SIR RODERIC LYNE: In such meetings, was there much discussion at ministerial level about how our policy meshed with the new administration in Washington?

SIR PETER RICKETTS: Not at meetings that I was at.

SIR RODERIC LYNE: Were you aware of any ministerial discussion about this?

SIR WILLIAM PATEY: I did not attend any ministerial discussions about this at this time other than with the Foreign Secretary.

SIR RODERIC LYNE: So you attended meetings with the Foreign Secretary on this subject. Were there a number of those meetings in the course of 2001?

SIR WILLIAM PATEY: I honestly don't know. Two or three, I think.

SIR RODERIC LYNE: Yes, thank you. Can I just move past 9/11 and then perhaps pass the ball on to my colleagues?

What effect did 9/11 have on the JIC's view on Iraq, the tasking of the JIC, the amount that the JIC was asked to report on Iraq? Did 9/11 put Iraq up your priority list and bring it into a sharper focus, Sir Peter.

SIR PETER RICKETTS: I just need to make a footnote here that I moved out of the chairmanship of the JIC a week before 9/11 and I therefore became a policy consumer of the JIC product more or less as 9/11 happened.

Can I just say one word about --

THE CHAIRMAN: Could I just interject? We shall be taking evidence from John Scarlett, who followed immediately after you when 9/11 happened.

SIR PETER RICKETTS: John I think would be a better witness on the effect on the JIC, but as we enter the 9/11 point in this discussion, can I just recall for the Inquiry the depth and breadth of the effect it had on policy thinking?

THE CHAIRMAN: Could I just call a short pause on that? I think there are one or two things we would like to establish before 9/11 happens, before we come back to what you want to say. Sir Lawrence, would you like to begin?

SIR LAWRENCE FREEDMAN: I just want to -- really almost sort of summing up where we had got to, the position that we were in on the eve of 9/11.

I suppose my question is whether we really had a tenable, sustainable policy if -- it is an unfair question maybe, but if 9/11 hadn't happened, do you think the policy that we had developed as of this point could have been sustained?

SIR PETER RICKETTS: Counterfactuals are always interesting questions, aren't they? I'm pretty sure we would have stuck to our guns on the policy that we had. Indeed, you can see that, even after 9/11, the effect was not immediate on our policy. We continued to push for a goods review list resolution and to urge the Americans to push that on the Russians.

I think, if 9/11 hadn't happened, we would have reminded convinced that a strengthened sanctions regime, tightened, narrowed, was the right way to go, and we would have continued to push to get weapons inspectors back into Iraq.

It is a theme throughout western -- I mean, British policy, from early in the 1990s, all the way through to 2003 to want to see inspectors back in.

SIR LAWRENCE FREEDMAN: If we just go through what we have already heard this morning, we have heard from the Russians who, more than we realised, had no particular interest in changing the nature of the sanctions regime, they were doing quite well from it.

The French were distancing themselves from British and American policy. Colin Powell was the dominant voice possibly in American policy, but there were other voices pointing in completely the opposite direction.

In the Arab world, in a sense, Iraq was almost yesterday's issue because of the Intifada and all of the concerns that that was raising, and Iraq's regime was managing perfectly nicely with the situation as it was, because it controlled the smuggling and the rationing.

So whereas it may have been British policy, were we sort of short of allies on this? Were we really in the position to push forward with our particular policy at that time?

SIR PETER RICKETTS: I think we sensed a bit more momentum behind the policy on the eve of 9/11 than you are suggesting there, Sir Lawrence. We had got quite close to a resolution in July. Indeed, we got a resolution

which I think looked forward to a more detailed resolution to come in November, if I remember rightly. So we had got a growing majority on the Security Council to see that the current sanctions regime was not working and that it should be replaced by something better, including lifting civilian holds and freeing up civilian trade into Iraq.

The French were certainly on board for that, and, yes, we had a continuing Russian problem, but we were used to dealing with Russian problems in the Security Council and we had a degree of confidence that with time and with our, you know, adjustments to the resolution to take account of some of their concerns, that we could have got there. I think that's where we felt we were on the eve of 9/11.

SIR WILLIAM PATEY: I think in July the French were possibly closer. I wouldn't characterise them as distancing themselves. I think, post-9/11, what they were prepared to agree to in November, had they agreed to it in July, we would have been better off. I used to tell my French colleagues, "You are always agreeing with things five months too late".

So I would see them, in July, as coming on board, and we hadn't given up on the Russians, because the Russians were running out of arguments, other than the

blatant one, that "It is in our commercial interests to see this continuation of the sanctions regime".

It is hard to say, but we would have still felt it was a viable policy and still the best option amongst the others that might be canvassed.

THE CHAIRMAN: I can recall a quote, maybe it wasn't quite from this time, but I think it was from Tariq Aziz, which described smart sanctions as "the kick of a dying mule".

You wouldn't accept this as a characterisation of where this policy was going?

SIR PETER RICKETTS: I'd rarely accept anything Tariq Aziz said, as far as I recall.

MR SIMON WEBB: Can I reinforce the point Peter was making about the importance of inspectors? In the stocktake I referred to which went into policy debate, we looked at how effective had been the attempt in 1998 to keep, if you like, the WMD lid on by bombing -- there was a short bombing campaign at that point after the inspectors were thrown out, and we concluded it was not effective and we were not able to offer any assurance that you would have been able to deal with the WMD problem solely by air power.

Therefore, that reinforced, quite explicitly -- I must have a look at my notes -- the point that you

needed to get the inspectors back in. So we were strongly behind the Foreign Office position on all that.

THE CHAIRMAN: Thank you, I think we have dealt with 2001 from its beginnings, the new American administration, and, through the spring and summer, the events in the United Nations and elsewhere, and then we have to come to 9/11.

I suppose the first question I should like to put to our witnesses is, how far did the event itself -- we shall come on, I'm sure, to the United States -- but how far did it change the United Kingdom's assessment about the security environment threat that could arise from Iraq as well as from other sources, and did that itself inject a requirement to review policy by reason of a change of the assessment of the threat?

SIR PETER RICKETTS: What it did, first and foremost, and obviously, is push counter-terrorism right to the top of the agenda, and that was true from the moment it happened, but it also was the starkest indication we had had that this new breed of terrorists were intent on mass casualties, that they were innovative in finding unconventional ways of achieving that, that they didn't mind at all dying in the process and that this was all a new dimension, really, of the terrorist threat.

One thing it did immediately do is redouble our

concern about the possibility of terrorists acquiring weapons of mass destruction, because, if you put together unconventional means, willingness to die, intent to create mass casualties, weapons of mass destruction would be a very good weapon for such terrorists, and that concern, which had been around and which the Prime Minister had articulated earlier, I think was made worse by the discovery by the coalition forces in Afghanistan that AQ was interested in experimenting with CW or BW in Afghanistan, and so --

THE CHAIRMAN: I think -- sorry -- some indication, too, of an interest in, if not work on, radiological.

SIR PETER RICKETTS: Indeed. All of which threw into greater relief concerns about WMD proliferation, not just Iraq, but more widely. Simon has already referred to the AQ Khan network, but then, when you came to WMD and Iraq, I think it gives the whole issue greater political salience and prominence.

Not to say that we had any evidence that Iraq was directly linked in any way to the 9/11 attack, we didn't have any such evidence, but it did throw into greater relief the threat from Iraqi WMD without any inspector control over it, and I think that's probably the way in which 9/11 impacted Iraq policy in the first place.

It didn't change, as we have said, the thrust of our

general policy. I mean, we were still, after 9/11, working for a GRL resolution, for containment, for getting the weapons inspectors back in, but it added an edge to that work on WMD.

THE CHAIRMAN: Thank you.

SIR PETER RICKETTS: I accept that.

THE CHAIRMAN: You stated -- and we know from reading -- that the United Kingdom did not itself assess that there was a direct threat from Iraq and its potential, in WMD terms, in terms of linkage with Al-Qaeda or other terrorist movements.

Was the same true in the United States?

SIR PETER RICKETTS: We heard --

THE CHAIRMAN: I don't know if you can help.

SIR PETER RICKETTS: We heard people in Washington suggesting that there might be some link between Saddam Hussein and Osama bin Laden, undocumented, and I don't think we ever saw any evidence of it. Certainly, at that early stage, they didn't produce evidence, but the tone of voice was more, "If there turns out to be a link between Saddam Hussein and Osama bin Laden, then you know, that's going to have major implications for Iraq and Saddam Hussein".

We began to get that sort of tone of voice early on.

THE CHAIRMAN: You say a "tone of voice", but what was the

nature of the change in US attitude towards policy, the way it was developing its policy from the impact of 9/11, both, as it were, politically, militarily, but also emotionally?

SIR PETER RICKETTS: I think I have seen the phrase in official papers that US policy hardened after 9/11 and that, I think, captured some of it.

Counter-terrorism became absolutely the dominant issue, the War on Terror, but, immediately, the operational implication of that was Afghanistan, and the US, with support from others, went into coalition operations in Afghanistan straight away, and it was not until some months later, probably late November, that one began to hear talk of a phase 2 of the War on Terror from Washington, not always specifically looking at Iraq, but a sense that Afghanistan would not necessarily be the only phase of the war on terror. So it certainly gave the US immediately much greater focus on counter-terrorism.

I think in terms of interdepartmental politics in Washington, it made the Pentagon the dominant instrument of American policy, particularly when they moved into coalition operations in Afghanistan.

THE CHAIRMAN: Thereby importing an additional set of policy options into American thinking, but not into our own,

insofar as we might have to follow them?
SIR PETER RICKETTS: I think that's fair. It changed the weighting of policy players in Washington immediately, I think, in favour of the Pentagon, but that did not reflect an immediate change in UK policy.
SIR WILLIAM PATEY: There wasn't an immediate change in American policy in some ways, but the tone changed. I made a note here that the US was ready to support a new resolution in November, but its intrinsic worth had fallen since 9/11. So there was a sort of -- for the time being, they were going to go along with our attempts to get agreement, but, of course, it came at a time in order to get agreement, we were going to have to make more concessions to get P5, and the willingness to make any concessions had fallen away when -- with the Pentagon coming to the fore in policy-making.
THE CHAIRMAN: So although there may have been a degree of sympathy with the United States by reason of the effects of 9/11, in political terms in the P5 in the Security Council it actually went the other way, because of the internal effect in Washington of giving more power, more influence to, if you like, the Pentagon component of policy-making.
SIR PETER RICKETTS: That is true, if you look narrowly at the Iraq issue. If you look more generally, those early

weeks after 9/11, there was a tremendous surge of worldwide support for the Americans. I mean the invocation of Article 5 in NATO, the passage of a unanimous Security Council Resolution on the day after 9/11, I think. Everybody was prepared to support the US in their immediate counter-terrorist policies.

Over the months, when that was translated into thinking about Iraq policy, yes, I think that probably did move things away from any prospect of consensus immediately.

THE CHAIRMAN: I wonder, Mr Webb, your own perspective on this with the, as it were, rise of the Pentagon in relative terms, immediately following 9/11 and afterwards, did that change our bilateral relationship on the military side?

MR SIMON WEBB: Perhaps I can talk about what I saw as the sort of shift of thinking and come back to the relationships.

On the shift of thinking, the striking shift was this: previously, terrorism had been seen as something where, if you like, you would experience an incident, you would deal with them on a reactive basis. The huge shift after 9/11 was that both the scale of the casualties that had been inflicted and all these people who had given up their own lives meant a shift in

thinking to say, "We can't afford to wait for these kinds of threats to materialise upon us; we must be ready to engage the potential threats wherever they emerge".

So it shifted from something which is, in a way, often part of the American feeling that, "We are a big country who have everything within our boundaries and we will wait for things to happen", into a much more proactive sense that they needed to deal with security threats before they arrived.

We, ourselves, did a new chapter of the Strategic Defence Review -- in fact, I oversaw the production of the White Paper -- and we acknowledged some of that. You will find British Ministers saying, "We need to deal with threats before they arrive, rather than just waiting for them to come here", and, of course, you know, domestically we were now running an air defence operation on an ongoing basis against hijacked airliners and you needed to -- that gave you a sense of it being preferential to engage these issues before they arrived with you. A general change of thinking.

It didn't -- I mean, we were immensely busy, all of us, at this period. It is perhaps worth mentioning, as we were just doing in late August and early September, we had an operation running in Macedonia, in fact my

discussions with Washington were mostly about Macedonia in all this, where -- people forget all this, but we did a 60-day deployment of a NATO coalition led by the UK, which the Americans had interests in.

We then went on to Afghanistan, which for any defence department was a substantial deployment and the Americans went in first and then we were arranging the international security assistance force in the Kabul area and we led the coalition on that. So we were very busy on that, and I think there was a sense in which Iraq was there but it was second on the agenda for a while.

That was reinforced by the fact that actually the penetrations in the No Fly Zones dropped off quite suddenly after 9/11. The Iraqi aircraft ceased to come through into the No Fly Zones as often as they had done before, and you had a sense that Saddam was being careful for a while. That reversed later on, but all these things combined to -- I don't think -- I did not have a sense of anybody saying, "Oh, great! Now we are in charge", feeling. It was more, "These issues have come to us. We are a defence department. We are going into Afghanistan. We are very busy with that, so we will lead because it is time for us to do the military operations which are necessary".

THE CHAIRMAN: You have talked already this morning about regime change and its sort of contextual position even before the election of President George W Bush.

Did that come more obviously to the fore, and, if so, how quickly, following 9/11, whether in political discourse or, indeed, in military consideration of what might need to be done.

SIR PETER RICKETTS: I think in the immediate post-9/11 period from Washington it was more in the tone of voice that I have described, that, if we find that there were links between Iraq and the terrorists either who carried out 9/11 or the Osama bin Laden group, then that puts Iraq very much on our agenda.

I think it was only later, in the autumn, after the initial surge of work in the Afghanistan operation that we began to hear the phrase I have used, phase 2. Phase 2 was not clearly defined at all, what it meant. Did it mean military action, did it mean other kinds of action, did it herald a completely different US policy towards Iraq? But it was clear from the late autumn, I suppose, from late November, that Iraq was being considered in a different light in the light of the 9/11 attack.

BARONESS USHA PRASHAR: I just wanted to go back to this whole question of why did Iraq become an area to pursue,

because there was the question of containment being pursued? You said yourself that there was a very tenuous link, if any -- no documentary evidence of links with Al-Qaeda and Osama Bin Laden.

So why did it become so important to pursue the policy of regime change or the removal of Saddam? I just want to explore that a little bit. Can you just reflect on that?

SIR PETER RICKETTS: You are asking me really to explain US policy here, because it was not British policy at that point. British policy remained the very familiar one of, "Let's go back to the idea of getting the weapons inspectors in", and that was very much the flavour from London.

I think for many in Washington, the new urgency of weapons of mass destruction, the risk that weapons of mass destruction might fall into the hands of terrorists, with incalculable consequences, the fact that Iraq, in our view at that time, probably did still have some weapons of mass destruction, had been prepared to use them against its own population and against Iran at earlier stages, meant that Iraq and their WMD programme was a real cause for concern in Washington.

That didn't translate immediately into any concrete policy to what to do about it, but it made their

tolerance of uncontrolled, unsafeguarded weapons of mass destruction capacity in Iraq, made that tolerance less.

BARONESS USHA PRASHAR: But we heard from you earlier that, post-9/11, there was sympathy for the USA and you nearly got these smart sanctions, and I still don't understand why it was so urgent to pursue Iraq.

SIR PETER RICKETTS: Well, I think we have said that was not the first priority after 9/11. The first priority was to go after Al-Qaeda, the presumed people responsible for the attack. That led on to a large US military operation in Afghanistan, the overthrow of the Taliban regime, the arrival of an international force which we first led in Afghanistan and a cranking up of US counter-terrorism policy across the world; in the UN, in many other fora. That was the first response.

Later, towards the end of the year, people did begin to look at Iraq, for the reasons that I have described, because of the fact of weapons of mass destruction and continuing programmes there, as part of what they called phase 2.

So by the time you came to the State of the Union address at the beginning of 2002, you had President Bush talking about an axis of evil, of which Iraq was one part. I think Iran and North Korea were the other parts. So there wasn't an exclusive focus on Iraq in

American policy at that time, but it was one of the Axis of Evil countries, as the President put it, that they were worrying about. Perhaps Simon can explain --

MR SIMON WEBB: Yes, I think it was read in that way and, as you mentioned yourself, Chairman, there are obviously indications discovered in Afghanistan of interest of Osama bin Laden in some sort of improvised nuclear device, and the thing he was short of was expertise and fissile material to try to do that kind of thing.

So you would -- that made you look at all the countries where you might have a WMD problem, of which Iraq was one, he had obviously overstated -- that was overstated because we didn't quite know what was going on there, but also the other countries that were mentioned.

The other point I think was something like this, that the only instrument you had to deal with this problem of proliferation was the United Nations non-proliferation regime. You didn't have any other real instruments for trying to tackle it. So restoring that, in the way that Peter has described, in Iraq became a policy priority; because, unless the UN could show itself effective in Iraq, where, for ten years, we had been talking about disarmament, and yet they had thrown the inspectors out and we had apparently done

nothing about it, unless you could make the UN effective over Iraq, then how were you to -- what were you to say to Libya, and particularly their neighbours in Iran, about -- to try to persuade them not to go down the same course?

So these things tended to merge together a bit in that way, I think, at that stage.

THE CHAIRMAN: Thank you.

BARONESS USHA PRASHAR: So what you are saying is that because the United Nations was seen to be ineffective, therefore disarmament and use of inspectors was seen to be ineffective, and therefore the alternative was the removal of Saddam.

MR SIMON WEBB: No, no, I am saying that what we wanted to do is get the inspectors back in again. I mean, the inspectors had been out since 1998 and, as we discussed earlier, we had now had a new inspection regime under 1284. We wanted to get that regime working again in Iraq, which was why we came back to it.

The questions started to come up, "Well, if you can't get that to work, what next?"

SIR WILLIAM PATEY: I think one of the clear trends post-9/11 was the willingness to accept the risks intrinsic in a containment policy had declined in the United States.

THE CHAIRMAN: I would like thank you for registering that. It is a very fundamental point in the sequence, isn't it?

But going back just briefly to Afghanistan, the first reaction by the United States and then by the international community was itself a military success of some speed. That not only disclosed further information about the links between Al-Qaeda and the Taliban regime which was hosting it -- or was it the other way round -- but it also must have given some degree of confidence both in the direction of effort and the capacity of both the United States itself and its military, but also more widely, including the United Kingdom.

So did Afghanistan, that enterprise, shift assumptions, confidence levels, in the coalition, between the United States and the United Kingdom?

MR SIMON WEBB: It didn't feel quite like that. It just felt busy, rather than -- I suppose we were pleased that the operations that we had done that year in Macedonia and in Kabul had worked well, and I suppose you could say we were in practice and had been ever since Kosovo, but I don't think we felt kind of more than that.

THE CHAIRMAN: Does "we" include Ministers as well as officials, or was there a sense that, you know, we had been able to pull something off here? I'm talking about

politicians in office both in London and in Washington. Was that not an encouragement to consider a wider range of options or a different set of likelihoods attaching to different options?

SIR PETER RICKETTS: I don't think British Ministers ever underestimated the scale of the challenge of a military operation in Iraq, a hypothetical military operation in Iraq, in late 2001.

I mean, I think it is hard for us to speak about the view in Washington. It may have been that there were some in Washington who felt that the Afghanistan mission had gone extremely well, relatively few US casualties, and, you know, that therefore other military operations would be the same. I don't recall that as a feeling around in London at the time.

SIR WILLIAM PATEY: I was certainly not aware, right up to March 2002, when I left, of any increased appetite by UK Ministers for military action in Iraq.

THE CHAIRMAN: Okay. There is a lot more to say and we shall be discussing WMD issues tomorrow. What I would like to do now, I think, is to ask my colleagues, in the light of the evidence we have been taking throughout this morning, for points that have arisen out of it that we would like to take up with you in the last few minutes or half hour.

Sir Martin, would you like to?

SIR MARTIN GILBERT: Yes. I would like to get a stronger sense of how the Americans were reacting to the idea of the return of the inspectors, how they really understood our sense of the containment policy could be effective.

SIR WILLIAM PATEY: I mean, my sense was that the Americans didn't hold great store by the inspection regime and, therefore, there was always a debate as to just how much effort were they prepared to put into getting 1284 implemented. I think we were almost more enthusiastic about getting inspectors, had greater faith that the inspection regime would ultimately deliver the answers on WMD and lead to a different situation in Iraq.

I think the Americans were more sceptical about it, and, therefore, it came back to this issue of how -- how far down the road did you go to explain post-suspension arrangements in order to incentivise the Iraqis?

They were much more focused on making the containment policy work, keeping Iraq -- keeping a regime which limited Iraq's ability to spend its oil revenue, which maintained tight controls on its ability to acquire weapons or anything that could contribute to it. That was much more their focus, and, indeed, smarter sanctions.

So my own impression is that they were less sanguine

about the impact. We certainly had discussions with them about, "Why don't you think Hans Blix -- he is a serious player, he has learned the lessons of UNSCOM", but we had to have these debates with them because they didn't take it as a given.

THE CHAIRMAN: Did you want to comment on that, Usha?

BARONESS USHA PRASHAR: I wanted to move to a different area because this morning, Sir Peter, when you were talking about the Whitehall machinery, you said it was a classic Whitehall operation of policy being coordinated across government departments and the Cabinet Office was leading on that.

Was there any change after 9/11, or did that policy machinery continue?

SIR PETER RICKETTS: No, I don't think there was. I don't think there was.

BARONESS USHA PRASHAR: What happened?

SIR PETER RICKETTS: I think the focus of policy debate shifted to counter-terrorism, where there was a huge priority for work right across the board in counter-terrorist cooperation with many different countries, including work in the UN and then Afghanistan, but, no, the Whitehall coordination mechanism worked through that.

BARONESS USHA PRASHAR: It continued to work post-9/11?

SIR PETER RICKETTS: Yes.
BARONESS USHA PRASHAR: Okay. My second question really is about, could the UK and the US have done something different to achieve the objectives of containment over this period? Could they have done something different?
SIR PETER RICKETTS: I mean, I think we were interrupted, as it were, by 9/11, because, as we were saying earlier, I think we had built some momentum behind a policy that would shift towards tighter, narrower, more effective sanctions freeing up the civilian goods, getting away from the sense that the west was responsible for the humanitarian crisis in the Iraq, and over time, you know, I think that could have succeeded in putting containment on to a more sustainable footing.

If there were things we could have done differently -- I mean, perhaps we could have anticipated that the Russians would have seen these huge commercial difficulties in going down that path and perhaps have got on to that and tackled that earlier, but, looking back, I think we first of all achieved the initial objective, which was to work well with the incoming US administration, and out of that mass of different voices in Washington in January 2001 come down on a policy throughout the rest of that year until September, which was basically the policy we had been advocating.

With more time, we might have been able to get the GRL resolution and, therefore, get the sanctions policy on to a better footing.

SIR WILLIAM PATEY: We did look at different options. I remember writing a paper that went all the way from, you know, hard containment, current policy which didn't seem like hard containment, to soft containment, to lifting of sanctions, to -- I have to say, it even had at the end of it a regime change option. It said go all out for regime change, which we dismissed at the time as having no basis in law, but we did look at the various options and our policy review conclusion was, given the international circumstances, because, you know, it wasn't just up to Britain, it was what was feasible, given the Russian position, given the French position, given the regional position, and given the American position. So we did look at the other options.

BARONESS USHA PRASHAR: When you looked at the other options, was it something within the FCO, was that paper considered by Number 10?

SIR WILLIAM PATEY: It was an FCO paper. I don't recall us going to the -- within the FCO, the extremes were knocked out. So within -- I think within the Cabinet Office machinery we were really talking hard containment and current policy soft containment. So the

lift sanctions and see what happens option, we knocked out. So there was an internal FCO.

BARONESS USHA PRASHAR: That was your paper which wasn't fully considered at Number 10?

SIR WILLIAM PATEY: We didn't put it up beyond the department.

MR SIMON WEBB: Could I try and answer Sir Martin's point? Can I just do that very quickly? Which is really to say something like this, that, if you like -- and this was a trend which came through particularly after the axis of evil speech at the end of January by President Bush -- was, previously, we had tolerated a situation in which this containment was sort of jogging along and not doing very well, and I have talked earlier about the issues about on WMD.

I think it got, as Peter described, a further run after, because, you know, that seemed to be the best way to try to deal with the WMD problem in the new context after 9/11. But inexorably, the military departments do do this. They start asking themselves, "If that doesn't work" -- and the question I think became, "Are we prepared to tolerate the containment policy or even the inspectors not working?", and that, I think, is the shift, and once you start to say that, you start to say, "Well, what might one then do?"

It is not a plan, it is not -- it is certainly not anywhere near a decision, but it is a question that has to come up about how you move your policy forward in this new context where you have a feeling you can't wait for threats to come to you.

SIR PETER RICKETTS: Can I just put on the record, as it were, a quotation from a document of mine of March 2002, which I think has now sort of circulated as a result of the Butler Inquiry?

I said:

"The truth is that what has changed is not the pace of Saddam Hussein's work in the weapons of mass destruction programme, but our tolerance of them post-9/11."

That's what I said in a note to Jack Straw in March 2002 and I think the "our" in that sentence is as much America as -- perhaps more America than the UK.

MR SIMON WEBB: I said "The real anxiety is WMD, of which Iraq is the first example", or something like that.

THE CHAIRMAN: Thank you. Sir Roderic?

SIR RODERIC LYNE: I would just like to follow up on this. This is a very interesting series of points that you have made, about the way that policy evolved in the period autumn 2001, after 9/11, into the early months of 2002.

Sir William Patey talks about a paper put up within the FCO about options, but you say that paper didn't go beyond the FCO, although you referred to the Cabinet Office looking at a narrower range of options. Mr Webb has talked about the Ministry of Defence asking itself the question, "What do we do if this doesn't work?"

MR SIMON WEBB: I was talking more about the Americans.

SIR RODERIC LYNE: Sir Peter Ricketts is noting that the tolerance of Saddam has changed as a result of 9/11. Now, at what point, if at all, did the people at the top, the very top, the Ministers, sit down with their experts, people like yourselves, the chiefs of staff, the intelligence chiefs, and say, "We are in a different situation. The American approach has clearly changed. If you have any doubt about that, the Axis of Evil speech by President Bush made that pretty clear, but we are still committed to a policy of containment. It is a policy that, by our own assessment, isn't now working properly, it is not functioning well, and our closest allies are now on a different tack".

Was there -- did our policy just drift from one line eventually into another or was there a point at which Cabinet Ministers sat down and looked at the strategy. They reviewed the problem we were facing, the extent of

the threat, they reviewed the strategy that we were following and, above all, most importantly, they were presented with a series of options to discuss and debate so that they could then take a decision about where we go from here? Did that happen at any point?

SIR PETER RICKETTS: You are now moving the focus forward well into 2002, if we are talking in the period beyond the "axis of evil" speech, and I think the policy process that I remember in that period was another of these classic interdepartmental processes, coordinated by the Cabinet Office in late February/early March 2002, to prepare the Prime Minister for his important discussions with President Bush at Crawford in March 2002, and that would seem to be an important moment to take stock of policy, and there certainly was a Whitehall-wide process to stocktake, review policy options and put advice to Ministers at that point.

THE CHAIRMAN: I don't want to halt you on this but we will have, in later sessions, the opportunity to go in more detail into that period of early 2002 and the run-up to the February meeting. But, Roderic, did you want to pursue this --

SIR RODERIC LYNE: Just one short rider to that. In the classic Whitehall manner, as you have put, did this classically include Ministers sitting down to look at

these options before the Prime Minister went to Crawford?

SIR PETER RICKETTS: I was not present at such a meeting, but then I probably wouldn't have been in the position that I held, so I can't answer that.

SIR RODERIC LYNE: But you would have been aware of it as the political director at the FCO and Sir William would have been aware of it as the head of the department.

SIR PETER RICKETTS: I would need to research further that point. My researches have not extended at this point --

THE CHAIRMAN: In fairness, we did ask didn't ask you to look at 2002 for this session.

MR SIMON WEBB: I distinctly remember in that period us from Defence offering Mr Hoon a view, which he then put to his colleagues, certainly before Crawford. So I'm sure -- we weren't talking --

SIR PETER RICKETTS: Okay, we will come back to this at a later stage.

THE CHAIRMAN: Thank you. Sir Lawrence?

SIR LAWRENCE FREEDMAN: Sir William Patey mentioned the paper which discussed regime change, only to dismiss it as having no basis in law. Can we just clarify, therefore, what people had in mind during 2001 when they were talking about regime change? What sort of series of events did they assume that this would entail?

SIR WILLIAM PATEY: Well, we never got into that in 2001. This was a paper I commissioned from my staff, to say, "Come on, let's think of the whole range of options out here. Let's go from -- nothing is off the table. I know this is the policy we have been pursuing for the last ten years, but nothing is off the table." And it was very much an internal paper. I would have to go and research again to see where it went to, but it wasn't circulated, but it did -- because I came across it again -- it did look at lift, give up and see what happens, deal with the consequences and -- so it didn't go into any how you would achieve regime change. Obviously, regime change -- we are talking about a paper that had two pages and seven or eight --

SIR LAWRENCE FREEDMAN: Accepting that, but it is a more general question: when this phrase was used, which I think was mentioned before -- it had been used by the Americans since 1998 or indeed before that, with the Iraq Liberation Act. Hadn't it, by and large, been about supporting, say, the INC or other exiled groups? It wasn't necessarily about a full-scale military invasion, which is how it has now come to be seen.

SIR PETER RICKETTS: Correct. In that pre-9/11 period -- I think our understanding, when Americans in Washington talked about regime change, they were thinking about

fomenting uprisings or arming the external opposition forces, and we treated all that with great scepticism in Whitehall.

SIR LAWRENCE FREEDMAN: What sort of response did you get when you told them so?

SIR PETER RICKETTS: It never became an operational policy. The operational policy was the one that we were pursuing with the State Department, and there were expressions of opinion, that perhaps that would be a great thing to do, but it never concretised into operational policy.

SIR LAWRENCE FREEDMAN: So after 9/11 -- and you mentioned these discussions of stage 2. Afghanistan was stage 1. That had a very clear and obvious purpose and was widely supported. But then, late November, you start getting the discussions, "Well, what do we do next?" And at this point quite quickly Iraq is raised publicly, including a (inaudible) by the President.

So at that stage, presumably, you did have to start thinking about what regime change might now mean. Did you have those discussions still in 2001 -- at the end of 2001?

SIR PETER RICKETTS: I don't recall discussions like that at the end of 2001. No, I don't think that they began to -plan for the contingency: what if US policy began to develop in the direction of military invasion of Iraq.

I don't recall any such discussion in 2001.

SIR WILLIAM PATEY: And we were never asked as a department to provide advice on regime change or how it might look, nor did we.

SIR LAWRENCE FREEDMAN: But in December 2001, when the President was making statements which indicated that Iraq was coming into his sights, so you are saying that Ministers didn't ask you -- and I also recall Jack Straw responding to some of these statements. But you weren't asked then for any assessment of where this might be going?

SIR PETER RICKETTS: I don't believe so, no. We certainly never put up any advice on that, as far as I recall.

MR SIMON WEBB: I don't think there were any substantive discussions until after the weapons of mass destruction speech.

SIR WILLIAM PATEY: It was still background noise, I think. The background noise was louder but it was still background noise.

MR SIMON WEBB: I think there is a point to make here also that the focus didn't shift to regime change; the focus shifted to weapons of mass destruction problems, of which in the case of Iraq -- in order to deal with the weapons of mass destruction problem in Iraq, you would probably end up having to push Saddam Hussein out of power. That was the sequence of events, if you couldn't

do it by inspection.

So it wasn't hopping straight to regime change. In fact I don't think we ever thought there was really a legal basis for a regime change as such in that period. It was all about an objective -- the objective was about the WMD after 9/11.

BARONESS USHA PRASHAR: Do you think this ambiguity about policy can have led to confusion, because was it about disarming Saddam Hussein -- and that was it about WMD -- or was it about regime change? The way you were going to get there. It seems to me to be a deliberate policy of ambiguity.

SIR PETER RICKETTS: No, I don't think that's true. It is for the Americans to describe their own policy. Our policy I don't think was ambiguous. I think we were still along the same old track of trying to get weapons inspectors back into the country, and indeed in the first months of 2002 we got a tip-up of interest again in the GRL resolution. We found that the State Department were more interested, and the Russians were beginning to sniff around as well, a revival of the goods review list mechanism.

So we still had our focus on weapons inspector route and sanctions-type means, and if we heard these voices about regime change, they weren't really impinging on

the Whitehall policy debate at that point.

THE CHAIRMAN: Laurie?

SIR LAWRENCE FREEDMAN: I'm curious about this because we now know that the President was actively discussing this in December internally. The military planners were starting to think about what it might mean. This was the period when the US did start to think this through.

So you are saying there was no indication penetrating into Whitehall that the US debate had suddenly taken this rather sharp turn?

SIR PETER RICKETTS: I don't remember a sharp turn, no. What I remember of late 2001 was huge work going on on Afghanistan, the UK deeply engaged in putting together a coalition to go in as ISAF to Kabul, us continuing to pursue weapons inspections and there being a range of different views in Washington. Of course we were hearing people talking about regime change. I've said we were hearing people saying, "If we find any evidence of Saddam Hussein connected to UBL, my goodness, that's going to have a major impact on our policy". But I don't remember a clear turning a corner on American policy, as you describe, in late 2001.

SIR WILLIAM PATEY: In pursuit of this policy, we were saying to the French and the Russians and others, "If we can't make this sanctions regime work, if we can't make

this containment policy work and deliver on WMD, then the noises from Washington will lead us in a different direction." We were saying that but we weren't --

SIR LAWRENCE FREEDMAN: So you picked up something?

SIR WILLIAM PATEY: No. We picked up the signs but we weren't -- we could see that as pressure on us to deliver on our policy.

SIR PETER RICKETTS: Maybe the question, just to finish that, for all of us in interpreting our transatlantic friends is: when does debate about options, when does disagreement, when do a dozen competing ideas become policy. And I don't recall by the end of 2001 that we were at all clear that this was becoming policy.

SIR LAWRENCE FREEDMAN: Just one question just to wrap this up, that gives it a broader context, and it goes back to the stage 2 debate. As you will be aware, well aware, after 9/11 there were major issues about the "war on terror": what it would mean, what it would require, was this going to be essentially about intelligence and police work, picking up non-state actors, or was there, as was the strong view in the States, really about the state sponsors of terrorism, which is why "war" might then seem a more appropriate word.

Were you having those sort of broader debates about what this long-term policy might mean? If you declared

war on terrorism, where was this going to take you and, if so, was Iraq part of that discussion?

SIR PETER RICKETTS: I don't remember "War on Terrorism" ever being our phrase. Indeed, I remember British Ministers being fairly -- you know, not very impressed with it as a phrase. Yes, of course, we had endless debates and discussions and decisions about what our counter-terrorist policy should be, and that ranged from intelligence sharing, from building up capacity of countries around the world to deal with terrorists, improving border control regimes, and many, many different policies that came together into a broad counter-terrorism policy.

I don't remember us sitting down and having debates about whether, you know, we should be thinking about military action against state sponsors of terrorism. No, I don't recall such discussions.

THE CHAIRMAN: We have covered a lot of ground this morning and I'm going to ask my colleagues if they have got any last questions before the conclusion of this session, and then I will, if I may, ask our witnesses whether there are any final points that they would like to make. So, just to go round the table ...

SIR RODERIC LYNE: Just one point that continues to puzzle me, which is the paradox between our assessment of

Saddam Hussein's aspirations to develop weapons of mass destruction, which you described earlier and which the JIC had quite a lot of information that it reported on. As I understand it, broadly speaking, the assessment that Saddam was trying to do this, that he had certain capabilities, which he was trying to develop further, was not disputed by other countries, by other members, permanent members of the Security Council, broadly shared by countries in the region. So there wasn't a major difference of opinion -- correct me if I am wrong -- between us and France, or Germany, or Russia, on this basic assumption.

But at the same time the United Kingdom and the United States, working off this database, saw Iraq clearly as a major threat that had to be contained or more serious, and all of these other countries came to a very different conclusion.

Now, why did they look at the same information but not regard it as threatening, whereas we did?

SIR PETER RICKETTS: Well, first of all, I don't think there was any disagreement, as you say, that Iraq had had weapons of mass destruction. After all, they had used them. IAEA inspectors had found and largely dismantled a nuclear programme after the Gulf War. So the fact that the country had capabilities and had shown they

were willing to use them was not disputed. There may have been difference of assessment, I don't know, as to whether they were actively seeking to reconstitute their WMD capabilities. There we had intelligence information suggesting that they did, which I'm sure could be exposed to you in more detail in private sessions. I don't know to what extent that was shared as an assessment with other countries.

But, for example, the French certainly were concerned about Iraq's WMD, and one policy line that the French were always in agreement with us on was getting the inspectors into Iraq. So the disagreement with the French was really about how to go about it. The French had serious doubts about the NFZs. They had serious doubts about the sanctions regime, but they wanted to see the inspectors back in Iraq. So there was a difference of how to achieve your objective.

The Russians -- honestly, I don't know exactly what was driving them. I think their commercial interests were probably pretty prominent in their view. And regional countries -- I mean, I guess they thought that Iraqi weapons of mass destruction were not something that they could do anything about and they were rather looking to the western countries to deal with that problem. They saw probably as not something that they

had the capacity to deal with. So there was a bit of handing off that problem to the US, UK and others.

SIR RODERIC LYNE: But they didn't think it was so menacing to them that they needed to assist in the process of dealing with it? They were actually undermining that process.

SIR PETER RICKETTS: Well, they were living with Iraq as a large and potentially powerful neighbour. They were profiting commercially. They were doing their best to avoid antagonising Iraq and they were hoping that the West would do enough to keep Iraq deterred.

SIR WILLIAM PATEY: I think it is a reflection of the differing levels of tolerance and the different levels of economic and commercial engagement, and when the economic cost of doing what was required went up, the level of tolerance seemed to go up as well. So I think that's what we were dealing with.

SIR RODERIC LYNE: But with the exception of Kuwait, were the countries in the region banging on doors in London and Washington saying, "We are very worried about Saddam Hussein; please will you do something about him."

SIR WILLIAM PATEY: I can't say my door was being knocked on very regularly, no.

SIR RODERIC LYNE: Thank you.

MR SIMON WEBB: One point just to make is that the

intelligence about the wider proliferation issues, which we were talking about and you will get on to, was not on the whole shared -- it was extremely sensitive and it was very much held within the UK and probably people within the US, if you like, but it was not widely available to other allies.

THE CHAIRMAN: Thank you. Sir Peter, Sir William, Mr Webb, final remarks from this morning's session from yourselves?

SIR PETER RICKETTS: Not from me, thank you, no.

THE CHAIRMAN: Right.

Well, we have covered 2001 in policy terms. We arrived at 9/11 and the immediate aftermath, although there is much more to say in 2002 and onwards. This afternoon we want to go in more detail into the No Fly Zones and also the sanctions components of the UK's 2001 policy and the policy before.

There will be a slight change of cast, I think. Sir Peter, I think, you will give way and we have Sir Michael Wood joining us.

What I would like to say to those present: thank you for sitting so patiently through quite a long morning with a lot of detail. We are going to resume at 2 pm. I hope, if you are coming back, which I hope you will, you will come back by 2 o'clock. On going out, please,

as in the break, hand in your passes to the security people and collect them again on coming back.

Sad to say, unlike the opera, those who don't get in before we restart at 2 pm don't get in until the next break.

Thank you all very much and thank you to our witnesses.

(12.55 pm)