

## Witness Statement by Tom McKane

1. I am providing this Witness Statement in answer to the questions raised in the letter dated 18 November from the Secretary to the Inquiry.

### Role and Responsibilities

2. I was Deputy Head of Overseas and Defence Secretariat in the Cabinet Office from September 1999 until the beginning of September 2002 when I returned to the Ministry of Defence. The role involved coordination of policy across a range of subjects in the field of defence, foreign affairs and international development, including defence industrial policy and export licences. Iraq was, therefore, only one of a number of subjects for which I had responsibility. The role evolved during that period, the main change being when the posts of Head of Defence and Overseas Secretariat and Prime Minister's Foreign Policy Adviser were amalgamated in summer 2002.

3. Until autumn 2001 I had day to day responsibility for coordination of policy towards Iraq. Thereafter day to day responsibility passed to another senior civil servant in the Overseas and Defence Secretariat, though I remained engaged, particularly with the defence aspects. I was also directly involved in work on the Dossier from April to the beginning of September 2002. The public communication of Iraq policy was the responsibility of the Foreign and Commonwealth Office, though it was discussed at meetings chaired by the Cabinet Office.

4. My role involved working with officials both within the Cabinet Office and a range of other Government Departments and Agencies. There was a particularly close relationship with staff in Number 10 Downing Street, which became even closer following the change in organisation referred to at paragraph 2. Contact with Special Advisers was generally limited to Number 10 staff. There was contact with Ministers in Cabinet and Cabinet Committees and elsewhere, as business demanded.

## Development of Strategy and Policy

5. The Government's policy towards Iraq in January 2001 was one of containment, as it had been since the first Gulf War in 1991. The objectives were to limit Iraq's ability to re-arm and develop Weapons of Mass Destruction and to reduce the threat Iraq posed to its neighbours. The policy was pursued through:

- support for full implementation of relevant UN Security Council Resolutions
- Participation in the policing of the Northern and Southern No Fly Zones in order to protect the Kurdish and Shia populations from the Iraqi security forces.

6. In autumn 2000, ahead of the US Presidential election, the Government initiated a stock-take of Iraq policy in order to be ready to engage with a new US Administration, which was expected to undertake its own review, irrespective of who won the election. The most recent expression of the international community's policy towards Iraq was UNSCR 1284, passed in December 1999 in the aftermath of Operation Desert Fox. UNSCR 1284 was designed to make progress on controlling Iraq's WMD while at the same time alleviating the impact of sanctions on the Iraqi people by lifting the ceiling on Iraq's oil exports under the Oil for Food programme. UNSCR 1284 also established UNMOVIC as the agency, together with the IAEA, charged with verifying implementation of Iraq's obligations under the various relevant UNSCRs.

7. In the course of the UK stock-take, which took place over the period October 2000 to March 2001 a number of considerations were identified:

- a. international support for the sanctions regime was in danger of eroding, in part because it was held by many to be hurting the Iraqi people rather than the regime.

b. sanctions were not being applied effectively. On the one hand, the Iraqi regime was finding ways of exporting oil outside the confines of the Oil for Food programme and the proceeds were being used for personal gain and to buy arms and WMD technology. On the other hand, goods were being imported into Iraq through neighbouring states in breach of sanctions.

c. some political figures in the US were calling for more active steps to bring about regime change in Iraq in the belief that the policy of containment was not working.

8. The conclusions reached in the course of the UK stock-take are summarised in the letter from John Sawers to Sherrard Cowper-Coles dated 7 March 2001. They covered a number of developments to existing policy, the main features of which were:

a. a move from a sanctions regime under which all imports into Iraq were banned unless specifically exempted to one where all imports were to be permitted except for those specifically excluded (arms and dual use goods).

b. a tightening up of border controls by Iraq's neighbours.

c. All of Iraq's oil revenues were to be brought under UN control.

The intention was to make the sanctions regime more effective while making it more difficult to blame sanctions for the condition of the Iraqi people.

9. Prior to the terrorist attacks of 11 September 2001 much effort was put into persuading the new US Administration and other members of the international community to adopt this shift in approach. After 9/11 the circumstances changed and it proved impossible to secure agreement to a new UNSCR enacting the changes. Although a Goods Review List was introduced in May 2002 (UNSCR 1409), by this time the focus of Iraq policy had shifted.

10. From September 2001 the majority of OD Secretariat's efforts were diverted to Afghanistan and counter-terrorist policy. As explained above, I handed over day to day

responsibility for Iraq, though I remained in touch with developments, in particular the growing sense that the US Government were intent on a more muscular approach to Iraq. This was encapsulated in President George W Bush's State of the Union address of 29 January 2002. I played a part in the collation of background papers for the Prime Minister's visit to the US in April 2002, though I did not draft any of them. I was present at meetings of a group convened by the Deputy Chief of Defence Staff (Commitments) in the Ministry of Defence (at which there were discussions of how any military intervention might unfold). And in July 2002 I was responsible for coordinating a Cabinet Office paper on conditions for military action in Iraq, though I was absent on leave when it was discussed by Ministers. Through this period it became increasingly clear that the US Government were expecting and laying the ground work for military intervention but the policy of the British Government remained one of containment even though preparatory work was undertaken so as to be in a position to join the US in military action if it became necessary.

#### Public Presentation of Policy

11. My direct involvement in the public presentation of information relating to Iraq began in April 2002 and continued till I left the Cabinet Office at the beginning of September 2002. The objective, as I understood it, was to inform British (and international) public opinion by setting out in one place the facts about the Iraqi regime's failure to comply with UN Security Council resolutions since 1991 and the regime's human rights record.

12. By the time I became involved there was already in existence a draft on Iraq's Weapons of Mass Destruction, which had been prepared by the Cabinet Office Assessments Staff. Work on producing text covering the Iraqi regime's human rights abuses and the history of UN weapons inspectors was assigned to the Foreign and Commonwealth Office. There was a concentration on ensuring that we produced a document which would make an impact. I therefore had to include as much fresh material as possible. But throughout the process we were clear that the material had to be factually accurate and as comprehensive as possible. We drew from a range of sources, both open and classified, including intelligence material. I relied on the Cabinet Office Assessments Staff and other representatives of the intelligence community to advise on the accuracy of the material which they were providing and the benefits and risks of using intelligence material in a public document.

13. The timing of the publication of the dossier was kept under review throughout this period. After several meetings involving staff from a number of Government Departments it was decided in June 2002 to put the draft dossier on ice. Work recommenced in my final days in the Cabinet Office.

14. By early September the Prime Minister had decided that the dossier should be ready for publication within weeks, in order to explain publicly why effective action had to be taken to counter the threat posed by Iraq. This is brought out in the draft "capping piece" which I sent to Matthew Rycroft (one of the Prime Minister's Private Secretaries) on 2 September 2002. As I was leaving the Cabinet Office responsibility for the dossier was returned to the Cabinet Office Assessments Staff. I have no direct knowledge of how the Prime Minister's foreword to the dossier was prepared.

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