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Foreign &
Commonwealth
Office

15 March 2003

London SW1A 2AH

Dear Matthew,

Azores Summit

As agreed in your telephone conversations with Peter Ricketts and Charles Gray, I enclose the following background papers for tomorrow's summit:

- the UK version of the Vision Statement;
- a paper demonstrating how far Iraq is from complying with UN SCR1441;
- a paper proposing some public lines and background on the future Oil for Food programme;
- a draft letter to EU and applicant Heads of Government that the Prime Minister might wish to issue after the Azores Summit concludes.

Vision Statement

As you are aware, Washington is negotiating with the NSC on the Vision for Iraq. We hope to ensure that the final version has the presentational impact of the UK's original draft (enclosed). We would want the redraft to cover key Phase IV principles, including a reference to amending the Oil for Food regime to ensure that Iraqi oil revenues continue to be available to help meet the humanitarian needs of the Iraqi people. We will forward the results of this discussion separately.

UN Security Council Tactics and Contact with Secretary-General

Our aim should be to leave the current diplomatic process in a way that helps ensure that we can return to the Council shortly for action on other important areas, such as amending the Iraq Sanctions regime and obtaining UN authorisation of post conflict arrangements.

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We do not need to take any formal action to withdraw the draft Resolution we tabled on 7 March. But Members of the Council may expect us to make clear that we do not intend to take any further action on it. Sir Jeremy Greenstock can best do this through a short statement in informal Council consultations. The statement would make it clear that regretted it had proved impossible to make progress on our text and that we were not taking any further action on it. Ideally this should coincide with any US announcement of a short final ultimatum to Iraq.

It would be helpful if the Prime Minister (possibly together with Aznar and Bush) could call Kofi Annan from the Azores to explain where we have got to. His key message might be:

- to explore the scope for any remaining diplomacy (if relevant) including the possibility of a final ultimatum to Saddam as the last window for a peaceful solution.;
- but to discourage anyone (Blix/El Baradei, Annan himself) being enticed on further visits to Baghdad, whose only purpose would be to buy more time;
- look forward to the United Nations having a significant role after any conflict in helping Iraq move quickly towards new prosperity and stability; and
- hope Annan can work to improve the atmosphere in the Council and keeping the UN steady.

Once the conflict begins, we cannot exclude moves at the Council to condemn our action. Some might propose a resolution criticising the use of force and calling on us to desist. Or they might go to the General Assembly under the 'uniting for peace' procedure and obtain a resolution against us (which would not be legally binding but could demonstrate sizeable international criticism). The U6 spent the last few days - with French connivance - trying to put together a draft Presidential statement giving more time for inspections. They failed to agree among themselves. And there was no sign that any of them - even the French - were interested in a more confrontational approach, that is by pushing for adoption of a Resolution (which we might have to veto) rather than a Statement (which needs to be agreed by consensus). But once the conflict starts this could change. Our Mission has already picked up hints of some interest in the 'uniting for peace' procedure. And it is not impossible that the French and others may want to make a point by taking action in the Security Council.

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**NBC suits for Northern Iraq**

It is possible that the President may raise the Americans' plans to supply a large quantity of CBW protective equipment to the emergency services in northern Iraq. They have asked a UK supplier to take nominal control of the shipment on the last stage of its flight from Bulgaria to northern Iraq (Turkey has refused the US overflight permission. Iran would certainly do likewise, but has said it would agree to a British overflight). This is not likely to pose problems of principle. But it is clear to us that the goods in question are dual use and that we are therefore obliged under UK law to seek UN sanctions committee approval before the DTI will be able to issue an export license to the shipper. Even on a fast track procedure this is likely to take until Tuesday to secure. The Americans, understandably anxious to get the equipment to the Kurds quickly, appear impatient of our requirements, and are glossing over the legal issues.

If the President raises the issue the Prime Minister might say that we sympathise with the Americans' wish to supply the Kurdish emergency services quickly. Given the dual use nature of the goods, our legal obligations are clear, ie to seek UN sanctions committee approval. But we are pursuing this as hard as we can.

Travel advice and evacuations

I sent you the changes we propose to make to our travel advice for Kuwait and other Middle East countries. You told me the Prime Minister would be happy for us to make these changes when the Americans make theirs, probably on Sunday night. That is very helpful.

We are likely to have a relatively short window between issuing the revised advice and the start of hostilities. We are not sure how many British nationals will decide to leave in response to the advice, but the numbers still there are substantial – for example up to 4,500 in Kuwait, and 29,000 in Saudi Arabia. In most cases we expect that scheduled services will be sufficient to enable people to leave. But we have made contingency plans to charter aircraft for Kuwait and are close in touch with BA. Much depends on the time available between the issuing of the revised travel advice and the start of hostilities. We do not want to be accused of giving inadequate warning. The Americans face similar problems although their communities in the Gulf are generally smaller. It would therefore be helpful if the Prime Minister could bear this aspect in mind when talking about next steps with the President.

It may also be worth reminding the US of the need to give the UN sufficient warning of hostilities to enable them to evacuate staff from Iraq. We remain particularly concerned about the risk that weapons inspectors will be detained by the Iraqis as hostages. While we have already taken steps to get UNMOVIC

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and the IAEA to withdraw those UK nationals willing to leave, we know that at least three British inspectors remain.

MEPP

Quartet members have strongly welcomed President Bush's announcement on the Roadmap. Public reaction from the Arab Three has been positive. Israel has welcomed the statement, but indicated it needs time to study the proposals. Initial Palestinian public reactions were sceptical but, following intervention by the UK and others, the PA has adopted a more positive tone.

Private reactions throughout the region have been more sceptical. The link to Iraq and the conditionality were both unpopular. But both regional players and the Quartet have expressed gratitude for the Prime Minister's commitment and recognised its importance in achieving this step.

Both we and the Spanish would want the Summit declaration to include a positive line on the MEPP. The following elements could be included:

- The Quartet "Roadmap" represents the will of the international community to resolve the conflict in the Middle East and the only agreed way of achieving this;
- We look forward to the appointment of an empowered Prime Minister of the Palestinian Authority as soon as possible;
- This, together with the formation of a new Israeli Government, opens an opportunity to make progress, that must be seized;
- We expect all parties to respond positively to the Roadmap and start implementing it without delay;
- The Roadmap provides the route to a permanent two-state solution, with clear phases, time lines, target dates and benchmarks aimed at progress through steps by both sides in all the relevant areas;
- The destination is a final and comprehensive settlement of the Israel Palestinian conflict by 2005;
- Spain, the UK and US regard it as essential that we put equal focus on the need to break the cycle of violence that devastates the lives of both Israelis and Palestinians; and
- We expect a renewed effort to end all suicide bombings and call on both parties to act within the constraints of international law.

(Kara Owen)
Private Secretary

Matthew Rycroft Esq

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A VISION FOR IRAQ AND THE IRAQI PEOPLE

Iraq is a country with a long history, a rich culture and an educated people. It has huge potential. Yet under Saddam Hussein its people have been driven into poverty and denied basic human rights. His defiance of United Nations resolutions demanding the disarmament of his nuclear, chemical, biological and long-range missile capacity has led to sanctions. Saddam's rule of fear and repression has tortured and killed thousands of Iraqis and led to two wars of aggression against Iraq's neighbours.

For 12 years, Saddam has defied the will of the United Nations and undermined its authority. We have done all that we can to persuade him to disarm and thereby avoid military conflict. If Saddam refuses even now to cooperate fully with the UN, then he forces us to take the military route to achieve the disarmament of Iraq's weapons of mass destruction, we will do all that we can to minimise civilian casualties or damage to civilian infrastructure by targeting only legitimate military objectives. We will mobilise the international community to provide emergency humanitarian relief.

Our aim is to disarm Saddam of his weapons of mass destruction, which threaten his neighbours and his people. Our presence in Iraq if military action is required to secure compliance with UN resolutions will be temporary. But our commitment to support the people of Iraq will be for the long term. The Iraqi people deserve to be lifted from tyranny and allowed to determine the future of their country for themselves. We pledge to work with the international community to ensure that the Iraqi people can exploit their country's resources for their own benefit, and contribute to their own reconstruction, with international support where needed. We wish to help the Iraqi people restore their country to its proper dignity and place in the community of nations, abiding by its international obligations and free from UN sanctions.

We will support the Iraqi people in their desire for:-

- Freedom: an Iraq which respects fundamental human rights, including freedom of thought, conscience and religion and the dignity of family life, and whose people live free from repression and the fear of arbitrary arrest.
- Good Government: an independent Iraq respecting the rule of law, whose government reflects the diversity and choice of its population and provides them with key public services, especially health, education and water.
- International Respect: an Iraq respected by its neighbours which plays its full role as a member of the international community.
- Peace: a unified Iraq within its current borders living at peace with itself and with its neighbours.
- Prosperity: all Iraqis sharing the wealth created by its economy and its oil reserves, drawing on the talents and skills of its people.

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We will help by:-

- Working with the UN and international community to help meet the humanitarian needs and prioritise resources to feed and care for the people of Iraq.
- Enabling Iraqis to establish their own effective representative government and encouraging UN involvement in this process
- Achieving a swift end to sanctions in accordance with UN Security Council resolutions.
- Supporting Iraq's re-integration into the region and the wider international community, with actions including the reopening of land borders.
- Seeking a fair and sustainable solution to Iraq's debt problems.
- Promoting increased aid from the international community.
- Supporting an international reconstruction programme, and helping Iraq make the transition to a more prosperous and dynamic economy.
- Promoting investment in Iraq's oil industry, managed transparently and fairly, and trade in open world markets, for the benefit of the Iraqi people.
- Encouraging the renewal of cultural and educational exchanges with other countries.

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IRAQI NON-COMPLIANCE WITH UNSCR 1441

15 March 2003

Background

Iraq has failed to comply fully with 14 previous UN resolutions related to WMD.

UNSCR 1441 is unambiguous:

- "Recognising the threat Iraq's non-compliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security" (PP3)
- "Decides that Iraq has been and remains in material breach of its obligations under relevant resolutions" (OP1).
- "Decides... to afford Iraq, by this resolution, a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council" (OP2).
- "Decides that false statements or omissions in the declarations submitted by Iraq... and failure by Iraq at any time to comply with, and co-operate fully in the implementation of, this resolution shall constitute a further material breach of Iraq's obligations" (OP4)

The attached material assesses Iraqi progress in meeting relevant provisions of UNSCR1441.

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"The Government of Iraq shall provide to UNMOVIC, the IAEA, and the Council, not later than 30 days from the date of this resolution, a currently accurate, full, and complete declaration of all aspects of its programmes to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems...as well as all other chemical, biological, and nuclear programmes, including any which it claims are for purposes not related to weapon production or material" (OP3)

Not met. Although a 12,000-page document was submitted on 7 December, it did not contain new information to answer any of the outstanding questions relating to Iraqi disarmament. None of the issues identified in the UN's Butler or Amorim reports (1999) have been resolved.

Dr Blix, 27 January: "Regrettably, the 12,000 page declaration, most of which is a reprint of earlier documents, does not seem to contain any new evidence that would eliminate the questions or reduce their number".

Dr Blix, 14 February: "The declaration submitted by Iraq on 7 December, despite its large volume, missed the opportunity to provide the fresh material and evidence needed to respond to the open questions"

IAEA written report, 27 January: "The Declaration contains numerous clarifications. It does not include, however, additional information related to the questions and concerns", outstanding since 1998.

Outstanding issues that were not resolved in Iraq's 7-8 December Declaration include:

- Failure to account adequately for SCUD-type missiles and components "suggests that these items may have been retained for a prohibited missile force" (UNMOVIC document, *Unresolved Disarmament Issues*, 6 March)
- Failure to explain why Iraq has built a missile test stand at Al Rafah that can accommodate missiles with over 4 times the thrust of the (prohibited) Al-Samoud 2 missile.
- Amount of mustard gas unaccounted for is at least 80 tonnes (in 550 shells and 450 aerial bombs) – but "based on a document recently received from Iraq, this quantity could be substantially higher" (*Unresolved Disarmament Issues*, 6 March)
- "Given Iraq's history of concealment with respect to its VX programme, it cannot be excluded that it has retained some capability with regard to VX" that could still be viable today. There are significant discrepancies in accounting for all key VX precursors. Iraq said it never weaponised VX – but UNSCOM found evidence to contradict this. (*Unresolved Disarmament Issues*, 6 March) It was not until 15 March – over three months after the specified date for the Declaration - that Iraq provided a further document which it claimed contained additional information (although this remains unconfirmed).

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- "It seems highly probable that destruction of bulk agent, including anthrax, stated by Iraq to be at Al Hakam in July/August 1991, did not occur. Based on all the available evidence, the strong presumption is that about 10,000 litres of anthrax was not destroyed and may still exist". (*Unresolved Disarmament Issues*, 6 March)
- Failure to account for all of the aircraft associated with the L-29/AI-Bai'aa remotely piloted vehicle (RPV) programme. Furthermore, there is no explanation of 27 June 2002 RPV flight of 500kms (the proscribed limit is 150kms).
- Failure to account for material unaccounted for when UNSCOM were forced to withdraw from Iraq in 1998: for example, what happened to up to 3,000 tonnes of precursor chemicals, including 300 tonnes unique (in the Iraqi programme) to the production of VX nerve agent? UNSCOM estimated that quantities of undeclared growth media could have produced: 3-11,000 litres of botulinum toxin; 6-16,000 litres of anthrax, and 5,600 litres of clostridium perfringens. (*Amorim and Butler reports*, 1999)
- According to Dr El-Baradei (*IAEA written report*, 27 January) the Declaration "does not include, however, additional information related to the questions and concerns" outstanding since 1998. These were:

Apart from failing to answer unresolved questions, the Declaration also contained some significant falsehoods:

- *Dr Blix*, 27 January: "Iraq did not declare a significant quantity, some 650 kg, of bacterial growth media, which was acknowledged as imported in Iraq's submission to the Amorim panel in February 1999. As part of its 7 December 2002 Declaration, Iraq resubmitted the Amorim panel document, but the table showing this particular import of media was not included. The absence of this table would appear to be deliberate as the pages of the resubmitted document were renumbered."
 - the uncertainty about the progress made in weapons design and centrifuge development due to the lack of relevant documentation
 - the extent of external assistance from which Iraq benefited
 - the lack of evidence that Iraq had abandoned definitively its nuclear programme.
- The 7 December Declaration maintains that the Al-Samoud 2 missile has a maximum range of 150kms. UNMOVIC and a panel of international experts have established that the Al-Samoud 2 is a prohibited system, designed to have a range beyond the 150 kms limit imposed by the UN in 1991 - one variant having a range (based on separate Iraqi data) of just under 200kms. In addition, Iraq declared that the missile was still under development - however, as of February 2003 63 missiles had already been deployed with the Iraqi armed forces.
- The Declaration admits that 131 Volga missile engines had been imported, in contravention of sanctions. However, according to UNMOVIC Iraq actually imported at least 380 engines.

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- The Declaration claims that its UAVs and cruise missiles adhere to UN restrictions. However, recent inspections have revealed a type of unmanned drone that was not referred to in the Declaration, and its range easily exceeds the UN proscribed limit of 150kms. There has never been full Iraqi disclosure on any of its UAVs.
- The Declaration also fails to account properly for work on aircraft fuel drop tanks that were converted to deliver CBW agent. The UN found modified aircraft fuel tanks at the Khan Bani Sa'ad Airfield in December 2002. These tanks were stated to have been part of an indigenously manufactured agricultural spray system that was said to have been produced by the Iraqi Air Force (*Unresolved Disarmament Issues, 6 March*)
- According to an Iraqi document that UNMOVIC obtained separately from the Declaration, "13,000 chemical bombs were dropped by the Iraqi Air Force between 1983 and 1988, while Iraq has declared that 19,500 bombs were consumed during this period. Thus, there is a discrepancy of 6,500 bombs. The amount of chemical agent in these bombs would be in the order of about 1,000 tonnes. In the absence of evidence to the contrary, we must assume that these quantities are now unaccounted for." (*Dr Blix, 27 January*)

Iraq shall provide UNMOVIC and the IAEA "immediate, unimpeded, unrestricted, and private access to all officials and other persons whom UNMOVIC or the IAEA wish to interview in the mode or location of UNMOVIC's or the IAEA's choice pursuant to any aspect of their mandates" (OP5)

Not met. At first, none of the Iraqi personnel requested for interview by UNMOVIC agreed to be interviewed in private. At a meeting in Baghdad on 19-20 January, the Iraqi side committed itself to "encourage" private interviews. However, it was not until 6-7 February (i.e. just before Dr Blix and Dr El-Baradei's last visit to Baghdad) that three people agreed to be interviewed in private. But these interviews were with personnel volunteered by the Iraqi authorities, not with scientists requested by UNMOVIC.

On 28 February, a further two scientists were interviewed in private. As of 14 March, UNMOVIC had asked 41 people to be interviewed, but only 12 had agreed to UNMOVIC's terms. The remainder of the interviews could not be carried out because of unacceptable restrictions (e.g. insistence on the presence of official Iraqi minders, or that the interviews be tape-recorded).

It was not until 26 February that the IAEA carried out its first private interview; as of 14 March, IAEA had only been able to carry out 4 private interviews.

We have reason to believe that the Iraqi authorities have intimidated interviewees; that rooms have been bugged; and that some potential interviewees have been kept away from the inspectors by the Iraqi authorities.

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- *UNMOVIC written report, 28 February:* "the reality is that, so far, no persons not nominated by the Iraqi side have been willing to be interviewed without a tape recorder running or an Iraqi witness present"
- *Dr El-Baradei, 7 March:* "When we first began to request private, unescorted interviews, the Iraqi interviewees insisted on taping the interviews and keeping the recorded tapes"

"UNMOVIC and the IAEA may at their discretion conduct interviews inside or outside of Iraq, may facilitate the travel of those interviewed and family members outside of Iraq, and that, at the sole discretion of UNMOVIC and the IAEA, such interviews may occur without the presence of observers from the Iraqi Government" (OP5)

Not met. No interviews have taken place outside Iraq.

There is evidence that Iraqi scientists have been intimidated into refusing interviews outside Iraq. They – and their families – have been threatened with execution if they deviate from the official line.

"UNMOVIC and the IAEA shall have the right to be provided by Iraq the names of all personnel currently and formerly associated with Iraq's chemical, biological, nuclear, and ballistic missile programmes and the associated research, development, and production facilities" (OP7)

Not met. *Dr Blix, 27 January:* "Some 400 names for all biological and chemical weapons programmes as well as their missile programmes were provided by the Iraqi side. This can be compared to over 3,500 names of people associated with those past weapons programmes that UNSCOM either interviewed in the 1990s or knew from documents and other sources".

During February, Iraq supplied some additional names. However, the information provided is still inadequate. For example, according to UNMOVIC's document on *Unresolved Disarmament Issues*, 6 March, Iraq provided a list of people who worked in the entire chemical weapons programme – but Iraq's 132 names contrast with UNMOVIC's records, which show that "over 325 people were involved in chemical weapons research" at one establishment alone.

"UNMOVIC and the IAEA shall have the free and unrestricted use and landing of fixed- and rotary-winged aircraft, including manned and unmanned reconnaissance vehicles" (OP7)

Partially met – belatedly, and under pressure. Iraq initially hindered UNMOVIC helicopter flights. *Dr Blix, 27 January:* "Iraq had insisted on sending helicopters of their own to accompany ours. This would have raised a safety problem." The matter

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was resolved when UNMOVIC agreed to take Iraqi escorts in UNMOVIC's own helicopters.

Iraq also obstructed U2 reconnaissance flights over Iraq, placing unacceptable pre-conditions on the flights. Almost three months after inspections began, just before Dr Blix presented a report on Iraqi co-operation to the Security Council, Iraq finally relented. The first U2 flight took place on 17 February.

"UNMOVIC and the IAEA shall have the right at their sole discretion verifiably to remove, destroy, or render harmless all prohibited weapons, subsystems, components, records, materials, and other related items, and the right to impound or close any facilities or equipment for the production thereof" (OP7)

Not yet met. UNMOVIC has determined that the Al-Samoud 2 missile programme, as well as rocket motor casting chambers at Al-Mamoun, are prohibited under SCR687. This assessment has been confirmed by a panel of independent experts, who concluded that the (light) Al-Samoud 2 was designed to fly just under 200kms. In the case of the casting chambers, this equipment was previously destroyed by UNSCOM as being part of a prohibited weapons programme - but was subsequently rebuilt by Iraq.

UNMOVIC gave Iraq a deadline of 1 March to begin the destruction of these prohibited systems (missiles plus associated components/infrastructure, and casting chamber). At first, Iraq said that the Iraqi authorities intended "to study" the demand. Then the Iraqi authorities said that they agreed "in principle" to the destruction of the missiles, "despite our belief that the decision to destroy was unjust... and the timing of this request seems to us to be one with political aims" (letter to Dr Blix from Dr Al-Saadi, 27 January).

Destruction began on 1 March, but Iraq has threatened that it may stop the destruction process at any time. As of 14 March, Iraq had destroyed:

- 65 missiles (Iraq has declared production of 76 missiles, but UNMOVIC estimate there are around 120 missiles)
- 42 warheads (out of 118)
- 5 engines (out of an estimated 380)
- 2 missile launchers (out of 9)

"Decides further that Iraq shall not take or threaten hostile acts directed against any representative or personnel of the United Nations" (OP8)

Partially met. Inspections have largely been incident-free. However, UNMOVIC has noted some "friction" during inspections, and occasional harassment. On several occasions inspectors have been met with demonstrations. Dr Blix, 27 January.

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"Demonstrations and outbursts of this kind are unlikely to occur in Iraq without initiative or encouragement from the authorities."

On several occasions Iraqi authorities have claimed that inspectors were spying.

"Demands further that Iraq cooperate immediately, unconditionally, and actively with UNMOVIC and the IAEA" (OP9).

Not met. The questions outstanding since UNSCOM was forced to withdraw in 1998 have still not been answered. Nor have those issues raised by the Amorim panel, a group of international experts convened under UN auspices to identify outstanding Iraqi disarmament issues. Although Iraq has provided some documents, it is not answering any substantive questions.

On 6 March, UNMOVIC released a paper on *Unresolved Disarmament Issues – Iraq's Proscribed Weapons Programmes*. The paper is a 173 page-long catalogue of Iraqi intransigence since 1991, detailing

- Some 29 occasions when Iraq failed, despite repeated requests, to provide credible evidence to substantiate claims
- Some 17 separate instances when UNSCOM/UNMOVIC uncovered information that directly contradicted the official Iraqi account
- 128 actions Iraq should now take to help resolve the outstanding issues.
- *Dr Blix, 14 January*: "Although I can understand that it may not be easy for Iraq in all cases to provide the evidence needed, it is not the task of the inspectors to find it. Iraq itself must squarely tackle this task and avoid belittling the questions."
- *Dr Blix 27 January* "It is not enough to open doors. Inspection is not a game of 'catch as catch can'"
- *UNMOVIC written report, 28 February*: "During the period of time covered by the present report, Iraq could have made greater efforts to find any remaining proscribed items or provide credible evidence showing the absence of such items. The results in terms of disarmament have been very limited so far"
- *Dr Blix, 7 March*. "With such detailed information regarding those who took part in the unilateral destruction, surely there must also remain records regarding the quantities and other data concerning the various items destroyed"
- *Dr El-Baradei, 27 January*: "Iraq's co-operation with the IAEA should be full and active, as required by the relevant Security Council resolutions."

There are a number of examples of Iraqi gestures which have been a pretence of co-operation.

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Of papers handed over by the Iraqis in early February:

- *Dr Blix*: "No new evidence was provided in the papers and no open issues were closed"
- *Dr El-Baradei*: "Iraq has provided documents on the concerns outstanding since 1998, but no new information was contained"

Of legislation on Weapons of Mass Destruction (WMD)

UNSCOM – and now UNMOVIC - requested that the Government of Iraq pass legislation prohibiting the manufacturing or importing of WMD and associated material. Draft legislation was provided. On 14 February – the day of Dr Blix's last update to the Security Council – Iraq announced that it had passed a Presidential Decree to this effect. In fact, the decree is totally inadequate: its scope is very limited, and it does not even suggest any penalties for offenders.

- *UNMOVIC written report 28 February*: "The presidential decree, which was issued on 14 February and which prohibits private Iraqi citizens and mixed companies from engaging in work relating to weapons of mass destruction, standing alone, is not adequate to meet the United Nations requirements. UNMOVIC has enquired whether a comprehensive regulation is being prepared in line with several years of discussions between Iraq and UNSCOM/UNMOVIC"

Of Iraqi excavation of some R-400 bombs and bomb fragments

In February, Iraq notified UNMOVIC that it had uncovered some R-400 bombs (indigenously produced, filled with chemical or biological agent). However, Iraq's declarations on R-400 bombs have been inconsistent and contradictory, "leaving UNMOVIC with little confidence in the numbers produced or types of agents filled". Photographic evidence contradicts Iraqi claims that all R-400A bombs (marked as filled with botulinum toxin and anthrax) were destroyed in July or August 2001. It is unlikely that the results of the ongoing Iraqi excavation will resolve this issue.

- "UNMOVIC cannot discount the possibility that some CW and BW filled R-400 bombs remain in Iraq" (*Unresolved Disarmament Issues*, 6 March)

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IRAQ – OIL FOR FOOD PROGRAMME (OFF) AND SANCTIONS

The UN "Oil for Food" programme is a vast humanitarian programme. Under the programme, Iraq is allowed to sell unlimited quantities of oil in return for goods to meet the humanitarian needs of the Iraqi people.

Background

"Oil for Food" began on 12 December 1996. Under "Oil for Food", Iraq can export as much oil as it wishes through the UN. The revenue from its oil sales is deposited in an escrow account operated by the UN in New York (similar to a trust fund). 72% of this revenue is allocated to buy civilian goods for central/southern and northern Iraq. The rest goes to meet international compensation claims and administrative costs of the programme.

How it works

Every 180 days, Iraq prepares a "wish-list" of the goods that it assesses it requires to meet its humanitarian needs. Iraq then negotiates contracts for central/southern Iraq with international suppliers. If the goods requested are approved by the Sanctions Committee (and there is a lot of flexibility), these contracts are then processed by the UN and the suppliers are paid. Iraq then takes responsibility for distributing the goods to the Iraqi people through a complex network. In the north, which is not controlled by Baghdad, the UN takes responsibility for ordering and distributing the items.

Importance

Around 60% (approx. 16 million people) of the Iraqi population are to some extent dependent on the OFF programme for food. It is essential that it continue until new government structures exist in Iraq that can manage oil exports and oil-funded imports without the involvement of the international community. Current estimates are that ordinary Iraqis have 2 – 4 weeks food left. The poorest of these may have sold any surplus and have even less. If the OFF collapses completely, there is likely to be a humanitarian crisis on an unprecedented scale, which neither the US, UK or UN is prepared to deal with. It is critical that the food distribution network is disrupted as little as possible during any conflict and is supported in resuming as soon as possible after conflict ends.

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Plans to keep it functioning

If the Iraqi regime falls, new arrangements will need to be put in place to enable the OFF to keep functioning. Our current plan is to table a resolution soon after conflict starts, transferring authority for ordering and distributing goods to the UN Secretary General. We are also recommending that all compensation payments are suspended and all funds used for humanitarian purposes. We have had confidential discussions with the UN and US to this effect but there is some sensitivity about the timing for introducing this draft resolution. We also want the sanctions regime to continue to maintain control over import into Iraq of military and dual-use equipment until Iraq has stabilised. We are seeking to amend some of the procedures to speed up the process for humanitarian goods. We would hope that the Secretary General would be able to transfer full control over oil revenues to a properly representative Iraqi Government as soon as possible (not as the US have suggested, an Iraqi "entity", which could, particularly if US appointed, fuel suggestions that the Coalition was seeking to control Iraqi oil).

Public Lines

- The OFF programme currently ensures that military goods, prohibited by UN sanctions, are not exported to Iraq whilst allowing unlimited exports of all other goods. The programme is run by the UN and the Iraqi government. It involves a complex distribution system.
- The OFF programme feeds around 60% of the Iraqi population. It is essential as a means for Iraq to continue to export oil and import and distribute humanitarian goods. It will not be superseded until new government structures exist in Iraq which can manage oil exports and oil-funded imports without the involvement of the international community.
- Until there is an effective Iraqi government we would want this to continue. We would hope that full control over oil revenues could be transferred to a properly representative Iraqi Government as soon as possible

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