

DEVELOPMENTS AT THE UN

Statement by Sir Jeremy Greenstock

A Policy towards Iraq in 2001

- **An overview of international attitudes at the UN towards Iraq in 2001**

The roots of the situation on Iraq at the UN in 2001 go back to the resolutions adopted by the Security Council after the first Gulf War in 1991. Particularly relevant is SCR687, which set the conditions for Saddam Hussein to avoid being subject to “all necessary measures” to enforce the UN’s disarmament requirements, under the authority to use force contained in SCR678. SCR687 ordained an indefinite cease fire, subject to those conditions. A number of subsequent resolutions between 1991 and 2001, adopted under Chapter VII of the UN Charter, refined and updated those conditions, but never released Iraq from being subject to the further use of force if the resolutions were not implemented.

The 2001 situation was also linked to the events of 1998, when the weapons inspectors were expelled from Iraq. In the autumn of 1998, following a number of periods of tension between the Iraqi government and the UN Weapons Inspectors (UNSCOM), the Security Council attempted to carry out a comprehensive review of where Iraq had reached under the Security Council’s requirements for complete and verified disarmament of all forms of weapons of mass destruction. In July/August 1998, the Security Council had come close to agreeing that Iraq was no longer pursuing nuclear weapons capability, but the United States blocked a certification of that status because Saddam Hussein had not fulfilled absolutely all the detailed requirements. The chemical, biological and missile development files were left open.

In the later months of 1998 there were quite fractious debates in the Council about the degree to which Iraq was still pursuing chemical and biological weapons. Under this pressure, but noting divisions in the Council, Saddam Hussein decided to expel UNSCOM from Iraq in August 1998, but eventually allowed the Inspectors back in in late November 1998, after the US and UK had reached the point of despatching aircraft to attack Iraq’s military instalments. In mid-December 1998, the Chief Inspector of UNSCOM, Ambassador Richard Butler, reported to the Security Council that he could no longer continue an effective inspection because of Iraqi obstruction. The US and the UK then despatched aircraft to attack Iraq over a period of four days, without seeking specific Security Council authorisation. When those attacks were called to a halt, the Security Council was left divided and the Inspectors were unable to return to the country.

The US and UK came under intensive criticism from all other members of the Council, and the UN as a whole, for taking matters in their own hands in this way but there was no formal motion of condemnation put forward. During the course of 1999 the Security Council tried to pick up the pieces. Under initiatives proposed by Canada and Brazil, the Council again attempted to complete a comprehensive review of the degree of Iraqi compliance with the relevant resolutions. This laid the ground for a long negotiation, mostly between the Permanent Members of the Security Council, over the creation of a new inspection organisation for Iraq. The US and the UK argued for a continuation of the regime stemming from SCR687, but with tougher

measures to ensure cooperation with and access for the inspectors, under the continuing threat of sanctions if Iraq did not comply; while Russia, France and China opposed the continuation of sanctions, but were interested in getting the inspectors back into the country. This led to the adoption of SCR1284 in December 1999, creating UNMOVIC and giving it stronger investigative powers than UNSCOM. But Russia, France, China and Malaysia abstained from the Resolution, which gave it less political force. Iraq decided to refuse to let the inspectors back in on the basis of SCR1284 and sanctions continued.

In 2000 little new work was done on Iraq, with the Security Council largely exhausted with the subject. Hans Blix was made Executive Chairman of UNMOVIC and a team was created in New York to do as much further work as might be possible at a distance, but it achieved very little. Sanctions continued, but the regime remained vulnerable to Iraqi non-cooperation and deceit and the feeling that sanctions were gradually unravelling increasingly took hold internationally. The Oil-for-Food programme also attracted greater criticism because of the loopholes and corruption which surrounded the handling of the programme in Iraq. And the Security Council remained divided.

- **The state of the UN in 2001 and its appetite for action on Iraq**

As the new Bush Administration took its first look in office at the Iraq situation, they found a growing concern in the international community, constantly reflected at the UN and in the Security Council, about the harsh effects of UN sanctions on the Iraqi people. They also saw evidence of increasingly effective manoeuvres by the Iraqis to get round oil sanctions, through the smuggling out of oil, especially through Syria, Turkey and Jordan, and the smuggling in of proscribed materials. They of course inherited the position whereby SCR1284 was the current basis for the UN containment of Iraq, but there was no confidence in the new Administration that UNMOVIC would be more effective than its predecessor, UNSCOM, or that it would even get into Iraq. There was also an American determination to continue air enforcement action in the no-fly zones. London was similarly concerned about these issues, and about the humanitarian situation in Iraq, but more worried that action in the no-fly zones would not be sustainable as the rest of the Security Council became more hostile to them.

The US and the UK therefore began to revise their policy approach to concentrate on four elements: narrowing and deepening sanctions so that they applied much more directly to weapons systems; making it clear publicly that WMD were the priority and that inspectors needed to return (but with sufficient powers to avoid Iraqi manipulation of them); tightening controls on Iraqi oil revenues; and otherwise ensuring the best possible containment of Iraq through the no-fly zones, control of smuggling and eventually the full implementation of SCR1284.

From early 2001 onwards at the UN, the US and the UK began to push for a revision of the sanctions arrangements, aiming to replace the current “green” list of items that were allowed into Iraq, which was proving very cumbersome, with a list of proscribed items on a much more focussed basis. The Council remained deeply divided between those states which remained highly suspicious of Iraqi activity, with intelligence showing evidence of continued Iraqi interest in materials for sophisticated weapons programmes (the US, the UK and one or two other

western or western-oriented members of the Security Council), and Russia, France, China and many developing world or middle-ground members of the Council, who opposed the continuation of sanctions short of convincing evidence that Iraq was continuing to breach Security Council resolutions in a way which threatened international peace and security.

- **The background to the attempt to agree a UN Resolution on a revised sanctions regime in the summer of 2001**

Russia in particular was virulently opposed to the recasting of the sanctions regime lists, more because they were trying to bring the whole sanctions regime to an end, as they believed it was no longer justified, than because they disagreed with the idea of focussing on “dual-use” items. Most other members of the Security Council were prepared to do a part-deal on the lists, because they saw no other way of making progress while the Permanent Members were so divided. But when this came to a head in June and July, the Russians remained adamant and nothing new was achieved.

- **The main concerns of other members of the UNSC about the draft resolution, in particular Russia, and how the UK sought to address these**

It is interesting to note that the French, who often sided with the Russians on Iraq, were quite constructive in their support for these revisions, with the French Government telling us at a very senior level that they believed that Saddam Hussein was continuing to develop his chemical and biological capabilities (end-June 2001). France and China told the US and UK at that time that they could agree on the new Goods Review List. This isolated Russia, but Moscow remained defiant. The US, in frustration, began to sound increasingly belligerent about using the no-fly zones to deliver sharper attacks on Iraqi military installations. The UK, alongside the US, sought to address the Russian opposition with rational argument about the benefits to the Iraqi people of a narrower list and about the good sense of concentrating on dangerous weaponry. But the Russians, who were in close consultation with the Iraqis throughout this period, believed the Iraqi line that the United States in particular was trying to impose a punishment on Iraq by any means possible, that this continued punishment was unjustified in the absence of clear evidence that WMD programmes were being pursued and that the whole sanctions regime could be knocked aside, under the force of international concern about the humanitarian situation, if the Russians persisted with their tactics. The oil-for-food regime was therefore rolled over for six months at the beginning of July 2001 with no prospect of this stalemate being ended even in the following six month period.

- **The reasons why the draft resolution was not agreed**

See the section above. There was some consideration in London and Washington of forcing the draft resolution on the Goods Review List to a vote, even if Russia vetoed, to expose Russian isolation and to underline the apparent illogicality of the Russian position. In the end it was decided not to drive the Security Council to such a pronounced split, in case diplomacy in the second half of the year found circumstances in which a new compromise could be constructed. But this was quite a low point in the saga of the Security Council’s activities on Iraq, since it seemed that there was no way forward on any of the potential tracks.

- **The conclusions the UK drew from this experience, and the way forward on Iraq that the UK envisaged the UN should take**

The UK concluded from this experience that it was going to be extremely difficult to end the fundamental stalemate at the Security Council over Iraqi sanctions. We believed, as UK, that the sanctions should be maintained, even if they were progressively becoming more difficult to implement, because they instituted genuine restrictions on Iraqi imports, provided for a regime of inspection of goods even without the presence of the WMD inspectors and ensured that there was a system, even if only partially effective, of UN monitoring of goods going into and out of Iraq. We realised that, even if we had thought that the sanctions were no longer worthwhile, the United States would have resisted, to the point of a veto, any attempt to get rid of them. But one prevailing view was that the sanctions were necessary for security reasons, even with the humanitarian downsides for the people of Iraq. Nevertheless, with the failure of the Security Council to reach any form of agreement on Iraq's future, we were looking at the prospect of a continued unravelling of the sanctions regime, of growing confidence in Baghdad that they could outwit the international community and of a real prospect that, over time, Iraq would be able to reconstitute some of the programmes which had been destroyed after 1991. In the summer of 2001, we and the Americans had no clear ideas on how we could successfully get out of this logjam.

- **Your understanding of the US position towards Iraq just before 9/11**

Throughout this period up to the early autumn of 2001, the American approach can be summed up as a consistently harder version of the UK one. They had worked quite constructively on the "dual-use" resolution, but had given away nothing substantial in terms of greater Iraqi freedom to run their own affairs. No American UN Ambassador had been appointed and confirmed before September 2001 and the US Mission, though competent and cooperative as far as the UK was concerned, did not have the political strength and backing to try any major new initiatives. For all the rumbling in the background, Iraq did not appear to be at the top end of the new Administration's list of priorities in those early Bush months. There was nevertheless no doubt in our minds that the US would not allow any diminution of the sanctions regime and remained focused on the continuing evidence, such as it was, of Iraqi intentions to break free of sanctions and re-grow their military capacity, including with WMD if they were able to do so.

B The change in the international mood as a result of 9/11

- **The extent to which attitudes at the UN towards Iraq changed as a result of 9/11, in particular the US attitude**

9/11 was a major shock to the UN system, not least because it was believed that the UN building itself might have been on a list of Al Qaeda targets. The main change in political relationships which the attacks on New York and Washington caused was to engender a much greater sympathy for the United States amongst all UN member states than had previously been the case. The American obsession with terrorism that had been evident in the later Clinton years, and which continued in the early months of George W Bush, seemed to have been vindicated. The

resolutions adopted both in the Security Council and the General Assembly immediately after 11 September were evidence of that greater sympathy, extending in the Security Council to agreement without much argument that the US had a right to defend itself against the government in Afghanistan and any terrorists it might have been harbouring. The adoption a fortnight or so later of a comprehensive resolution to counter terrorism on a global basis, which set a new precedent for mandating necessary action by all governments on a threat to international peace and security, was also allowed through with very little opposition.

None of this post-9/11 work at the UN, however, appeared to Member States to have any specific relevance to Iraq. Everyone was fixated on what American decisions might turn out to be on Afghanistan. The UN itself was expected to play a role in dealing with the aftermath; and after the Taliban government fell in November 2001, the UN Secretary General appointed Lakhdar Brahimi to lead negotiations on the formation of a new Afghan government. This activity overshadowed discussions on Iraq, but there were intensive efforts in November to re-establish P5, and especially Russian support, for a revised Goods Review List resolution.

- **The impact of the changing mood at the UN on the UK policy towards Iraq**

One of the consequences for the UK's approach to these matters at the UN was to lead us to think that members of the United Nations as a body might become much more interested in working with the US and the UK on international security issues, because of their greater sympathy for the United States after the 9/11 attacks. The UK realised that this sympathy needed to be nurtured by the US itself if it was to be sustained. I would have the occasional conversation about this with the new US Ambassador at the UN, John Negroponte, who arrived immediately after 9/11. I soon learnt that it was in his nature to be cooperative and consultative with other UN members, but it was the attitude in Washington which really counted. As the US-led Coalition in Afghanistan began to deal effectively with the problems there, and as the US machine gathered itself to create firmer defences against any possible further terrorist attacks, we began to see that there was not much energy being expended in Washington on outreach, consultation and good relationships. Even before I heard of any serious action being taken to prepare for a possible attack on Iraq, I was coming to the conclusion that the United States was missing an opportunity in general global terms.

- **An overview of developments at the UN on Iraq between 9/11 and the beginning of discussions leading to SCR 1441**

While with hindsight it has become commonplace to refer to the long-term obsession with Iraq in certain right wing quarters in Washington, and while evidence has emerged of almost immediate instructions being given at the top of the Bush Administration for the preparation of military measures against Iraq, none of this filtered through at the time to the UK Mission in New York. I was aware of the theoretical option to promote regime change through the use of force; but it was not until February or March 2002 that I heard that serious preparations might have begun in Washington for an attack on Iraq. Even then I gave these relatively little credence, because my conception of the difficulties and downsides of taking on such a task outweighed my understanding of the determination of the Bush Administration to undertake such an initiative.

In November 2001 there was intensified activity to get P5 support for a revised Goods Review List resolution. The Russians sounded a bit more constructive, but they were not ready to agree a new way forward before the oil-for-food regime had to be rolled over at the end of November. The Russians and French were also reporting to us a fatalistic mood in Baghdad, indicating that the Iraqis were expecting an American attack after Afghanistan had been settled, in which case they felt there was no point at all in trying to respond to SCR1284. Nevertheless, in early 2002, the Americans and Russians began a series of bilateral negotiations on the Goods Review List which produced compromises on both sides. Towards the end of March the US secured Russian agreement to a new approach. This was then taken in detail through the Security Council during April and a new GRL resolution, SCR1409, was adopted unanimously on 14 May. This relative success, after eighteen months of very little progress indeed, was regarded as a considerable advance at the UN. But it still left work to do on many other aspects of SCR1284; on enforcement of the oil-for-food regime and of more sensible oil pricing; and on other ways of containing Iraq, including through controls on smuggling.

In February-March 2002 I gradually became aware of more – though by no means all – of the detail of the exchanges between London and Washington on the preparing of a new case against Iraq, and of possible military action. The UK Prime Minister's visit to Crawford in April 2002, some of the reports on which I read in New York, made me realise that the UK was facing some very difficult decisions about where it placed itself in relation to US action on Iraq. Since anything we did on this front was bound to have consequences at the UN, I began to pay more and more attention to these aspects. The rumours flying around in the press and amongst other Missions at the UN about military preparations also made conversations in the margins of other UN business increasingly vigorous on Iraq.

Perhaps the issue of greatest interest at the UN was whether the US, if it decided to attack Iraq, would attempt to legitimise its action through UN procedures and whether it would try to gather allies from elsewhere in the international system. Anybody who understood the background in political and diplomatic terms realised that the US was unlikely to collect partners for such an enterprise unless the UK decided to sign up. I was therefore frequently questioned in New York about UK attitudes.

Eventually, in August and early September 2002, it became clear that President Bush was going to make a statement in the UN General Assembly which would set out US policy as regards Iraq. While the UK knew in advance that the US would bring the subject of Iraq to the UN one last time before making a decision on military action, others were not quite sure what was going to happen. Nor was the UK privy to the precise terms which President Bush would use in his General Assembly speech. So we examined very closely the exact language which the President used on 12 September in the General Assembly. He was virulently critical of Iraqi behaviour, but was nevertheless clear that the US would allow discussion at the UN of how Saddam Hussein could be brought to implement all the relevant resolutions in full. The President mentioned the possibility of UN "resolutions", although the plural was a slip of the tongue. This seemed to indicate to others, and particularly to France and Russia, that the US might be persuaded to seek specific authorisation at the UN for a military attack. It was clear to me, from the information available to the UK, that this was most unlikely.

C Negotiation of SCR 1441

- **UK concerns and objectives for the negotiations leading to SCR 1441**

While the United States was certainly, in everyone's eyes, the lead promoter of a new draft resolution to secure the return of inspectors to Iraq under firm conditions, the UK was consulted by the Americans from the beginning – or should I say by some Americans. Often at the UN, where the US and the UK share a position on a piece of business in the Security Council, the UK can lead on the detailed drafting and presentation of a resolution, even where the US is the obvious power behind it. The US allows this to happen from time to time because the UK often raises fewer hackles and has a lot of experience and practice in the detailed business of negotiating a draft. Since it was under UK pressure, partly, that the US was coming to the UN anyway at this stage in the Iraq saga, we were obvious partners with the US in the drafting task that had been set by the President. So Ambassador Negroponte and I got together quite quickly after the 12 September speech to begin to prepare material. We were influenced by the need, as we saw it, to find the right mean between the reality of hostile attitudes in the Security Council and the American wish for the hardest possible conditions to be imposed on Iraq when the inspectors returned. That the Iraqis themselves would allow the inspectors back had been indicated soon after President Bush's speech: the Iraqis immediately objected to the forceful rhetoric against them in his delivery, but had seen the way the wind was blowing on the prospects for military action. So they were playing for time. Negroponte and I drew up elements for a resolution which we thought might be negotiable within the Security Council, but which improved on the resolutions on the statute book so far, including SCR 1284. The two of us also realised that there had to be a clear indication that, if the Iraqis did not cooperate with the inspectors under these new terms, the expectation would be that military action was the only option left. This approach, which I explained in the normal way to London, was generally agreed by the people sending me my instructions.

- **How UK objectives for the negotiations related to US objectives**

As Negroponte and I got down to business, we soon learnt that drafting was also being done in Washington. It was not long before a text was sent to the US Mission in New York which was a good deal harder and more peremptory than the drafting we were doing. When I saw it, I made my view clear to my American colleague that I thought this approach was non-negotiable within the Security Council. He in turn made it clear that these were his instructions.

It is worth commenting here that whatever Ambassador Negroponte's own personal views may have been, he was aware, as I was, that our two capitals had different considerations to apply in the search for a new resolution. The US, having agreed to come via the UN for the next international action on Iraq, was keen to impose terms on Saddam Hussein which made the case for military measures unquestionable if he did not fulfil them. There was therefore an American interest in setting the bar very high for Iraq. The UK, on the other hand, was interested in ending the threat from Iraq of the use of WMD against UK interests. If this could be done by a successful and effective UN regime of intrusive inspections, this was preferable to a war. We therefore wanted the inspectors accepted back by Iraq with maximum international agreement on the conditions supporting them. Iraq was likely to refuse to deal with the harshest kind of

inspectorate regime, in the hope that they would create enough divisions in the international community for any American intention to use force against them to be weakened by the lack of support. Baghdad, as well as other members of the United Nations, could tell from what had become public over the course of 2002 that the full range of American reasons for wanting to deal with Iraq through the use of force was not willingly subscribed to by any other member of the Security Council, including the United Kingdom. There was some credit given to the UK by other members of UN for helping to persuade the US to come via the UN at all. We were also given some credit for trying to institute a UN regime of inspection which might offer some hope of effective international action to close down any remaining Iraqi WMD programmes, in place of US unilateral action. These nuances were not lost on our negotiating partners amongst the other Permanent Members of the Security Council.

Be that as it may, the UK and the US agreed together that it was necessary to get a resolution adopted in order to get the inspectors back. Both Ambassador Negroponte and I realised that presenting a very harsh text, as Washington had started with, was not going to achieve this.

- **Your understanding of any differences of view within the UK administration**

I was not aware of any serious differences of view in London. There were individuals who believed the Administration in Washington might never agree to terms for a resolution which would be acceptable to other members of the Security Council; others were happy to see how events developed. The UK team as a whole, in No 10, in the FCO and in New York, were content to give it our best shot and see what transpired. There were those of us, including myself, who believed that a resolution was essential if UK participation in any military action was to be regarded as internationally legitimate and who would have been most uncomfortable with a UK decision to proceed if no new resolution was possible. I myself warned the Foreign Office in October that I might have to consider my own position if that was the way things went.

- **Your understanding of any differences of view within the US administration**

It was quite clear to anyone observing developments in Washington close up that there were harder and less hard elements within the US Administration. The first draft of a new resolution indicated that. The differences of view between the US Secretary of State and the US Secretary of Defence in particular were common talk in the capital. Vice President Cheney regularly took a hard line in public. Where President Bush himself might come out was not clear in advance. My US colleague at the UN was close to Secretary Powell. Within this spectrum there were certainly those in Washington who felt that the whole approach to the UN was a waste of time and who would have been prepared to proceed with the use of force against Iraq without allies.

- **What success you had in influencing the US position**

Having decided to come to the United Nations, the Bush Administration was obliged, at least to some extent, to listen and react to the views of other members of the Security Council. The motivation for taking this route in the first place had been Washington's, and particularly President Bush's, decision to seek international support for action to terminate any threat from Iraq; and they recognised that UK support was in some ways a key to the support of others. This

decision of President Bush's had been influenced more by internal American advice, and particularly that of Secretary of State Colin Powell, than by British arguments in themselves, although the President recognised that the Prime Minister had an important domestic requirement to establish international legitimacy for the use of force against Iraq. There were different views within the senior Administration in Washington; and arguments from the British side were never able significantly to influence those in Washington who believed that going the UN route was a waste of time.

Nevertheless the negotiation of resolution 1441 was directed for the Americans by Secretary Powell, with his President's backing. Secretary Powell and Ambassador Negroponte were in constant contact throughout this period and Negroponte and I, with our staffs, worked as a team in New York. In this way the UK Mission made, I think, an important tactical contribution in terms of the drafting of texts, the management of the debates within the P5, the choice of tactics and timing in the various stages of negotiation in New York and in representing to our capitals the negotiability or otherwise of certain approaches to the return of inspectors to Iraq. On occasions I was able to propose language which got round obstacles or bridged differences. But many of the crucial issues were discussed, negotiated and decided between ministers, particularly the American, British and French Foreign Ministers, and the most significant decisions, which were in themselves compromises, had to be discussed between or cleared with Heads of Government. My role was therefore tactical and subordinate.

- **The factors that shaped UK strategy in the negotiations on SCR1441**

UK strategy was influenced by two principal factors: the need to research every possible angle for the disarmament of Iraq through means short of the use of actual force; and the need to establish with the greatest international consensus the justification for the use of force, if force in the end proved necessary. This meant, following President Bush's speech of 12 September 2002, that the UN inspectors had to return to Iraq to establish in detail whether or not Saddam Hussein was complying with UN resolutions, under conditions that both attracted support within the Security Council and gave the inspectors a real chance of achieving something useful. The UK would not have opposed harsher conditions for Iraq when the inspectors returned, if the Security Council had been able to support those. Nor would we have found it impossible to compromise a bit more, if other members of the Security Council had dug their heels in against strict conditions. On that spectrum, the US room for manoeuvre was much narrower than the UK's. In the end, it was a last-gasp compromise between Washington and Paris that made 1441 possible.

It is perhaps important to note here my understanding of the UK's reasons for wanting a clear reference to the potential use of force against Iraq, if it failed to comply, in any resolution on the return of inspectors. It was an approach which Secretary General Kofi Annan viewed, in both public and private comment, as an understandable factor in dealing with Iraq: that a regime like this needed to understand that avoiding compliance with UN resolutions could bring the ultimate sanction. Foreign Secretary Jack Straw was careful in presenting this argument very clearly to his fellow foreign ministers, particularly those of the other Permanent Members, as for instance when P5 ministers met privately in New York just after the 12 September Bush speech. Jack Straw called it his paradox argument: if the Security Council was convincing in its

determination to enforce compliance, if necessary with recourse to military action, Iraq would understand that it had no choice but to comply and then the use of force would not actually be necessary. Any resolution text should therefore combine the requirements for compliance with the threat of the alternative if compliance was not forthcoming. As I understood the context within which I was working on this issue, the other members of the Security Council would come under pressure to recognise that it had to take this route, because the United States would use force unilaterally if the UN achieved nothing effective. If Iraq recognised that the Security Council as a whole was setting out the alternatives in these terms, then it was more likely to complete its disarmament before the use of force was necessary. This concept - the setting of the terms in New York in such a way as to put maximum pressure on Saddam to concede without a fight - lay behind the UK approach all the way up to March 2003.

- **The factors that led to success in agreeing the resolution**

The harsh terms which Washington introduced at the beginning of the debate in mid-September 2002 produced a strong reaction from France, China and particularly Russia, when we presented them within the P5. There were some very difficult and depressing exchanges. The US and UK in fact avoided presenting a draft resolution text as such, because the Russians and French threatened immediately to counter-present a text of their own, a situation which it is wise to avoid in the Security Council. We were therefore constantly talking about “elements” and “concepts”. Gradually Negroponte and I obtained instructions to make concessions here and there and chinks of hope returned that we could make some small progress. As we moved into October, the Russian opposition appeared to turn a little less virulent, while the French took over the lead adversarial role through their insistence that no resolution could be passed without specifying that, then or later, the Security Council had to be the place where the actual use of force was decided upon.

I remember speculating on the possible reasons why the Russians turned down the heat slightly and I think it still remains a matter of speculation. Russia had resented the degree to which the previous inspection team, UNSCOM, had been used by the US and UK as a channel for gaining information on internal Iraqi affairs; and Moscow was determined not to allow UNMOVIC to be manipulated by the Americans. As the resolution began to be shaped more satisfactorily in that respect, Russia allowed the French to take the lead, perhaps also calculating that there were limits to the degree to which Russia should act in complete hostility to the Americans on Iraq, when Moscow had its own reasons for not wanting Saddam Hussein to be an outright winner. So there was a case for letting the French take the flak.

France, for its part, was throughout this saga the most determined opponent of unilateral action without Security Council authorisation. The second half of the negotiation of 1441 revolved with increasing intensity around this aspect. It was only when Washington conceded language that seemed to make it clear that the Security Council would play a continuing role in monitoring the return of inspectors and its aftermath that Paris finally agreed to vote for the resolution. France also must have thought there had to be limits to opposing the United States on an issue where there were certain important mutual interests. To have had no resolution at all after Bush’s speech, and to have had no return of inspectors, would not have been in the overall French interest.

Managing these factors was a particular achievement of Secretary of State Powell, who deserved the principal credit for the unanimous adoption of SCR1441 on 8 November 2002.

- **Your understanding of differences between UNSC members' interpretation of the resolution**

The most important ambiguity in SCR1441 revolved around the “automaticity” of further action if Iraq failed to comply, that is the use of force without further Security Council authorisation. The French and others had to recognise, because they had tried to negotiate it otherwise and failed, that the text of 1441 did not specify that only the Security Council could authorise the use of force at a specific point. 1441 only ordained a further meeting and discussion in the Security Council if Saddam was shown, either by the inspectors or by a Security Council member, in both its declaration updating its account of disarmament and in its failure to cooperate with the inspectors, that it was not complying. Most members of the Council, however, made an assumption that further discussion in the Security Council about Iraqi compliance would itself lead to a decision for or against the use of force. In public explanations of vote after 1441 was adopted, only Mexico was absolutely explicit that this was their expectation. France and Russia were not so explicit, which implied to me that they recognised that 1441 did not amount unambiguously to such a condition.

- **The UK position at the time that SCR1441 was agreed on the need for a second resolution**

The UK could have lived with several options for the final text of SCR1441. It was the difficulty in finding ground between the American and French positions which dictated the way the final stages went. But London was clearly not in favour of specific language in 1441 that required a further resolution before force could be used against Saddam Hussein. In that respect we supported the American position. To have conceded that the use of force against Iraq was not legal under international law unless the Security Council took a specific, fresh decision would have been to reject the basis under which military action was taken in December 1998 and to have denied the legal logic of SCRs 678 and 687, which was refreshed and renewed in SCR1441, but not replaced. I was under instructions to maintain this position in my exchanges with other members of the Security Council.

- **How the UK communicated its position**

I made an explanation of vote after the adoption of SCR1441 which set out the UK position on “automaticity”. This stated, in short, that the UK accepted that the Security Council would be active in the case of Iraqi non-compliance, and that this was what non-automaticity meant. But the UK was not specific in saying that a new decision would not be necessary. Nor in fact was the United States. We left it that SCR1441 would have to speak for itself. The UK’s actual position was that the whole corpus of resolutions, from SCR678 and 687 onwards, substantiated the case for the use of force against Iraq, through the termination of the 1991 ceasefire, if Iraq was shown not to have complied with the relevant resolutions. In taking this position, we were using exactly the same approach as in justifying the bombing of Iraq in December 1998, which up to this time had never been contested on a legal basis by any other member state.

- **The UK's assessment of Saddam Hussein's reaction and potential room for manoeuvre after the resolution was agreed**

With SCR1441 adopted, the UK saw the test for Iraq as coming in two categories: first, the presentation of the further declaration required by 1441, which we thought might put Saddam Hussein in a corner on what he decided to include or omit; and second, in the degree of cooperation which Iraq showed to the inspectors, once they returned. We expected, correctly, that the declaration would be used by Iraq to confuse and delay the UN, by being both voluminous and uninformative. There were early indications, once the declaration had arrived, that Washington wanted to use it immediately as a major act of non-compliance. London argued hard against this, because we believed that this would not be a strong enough base for gaining international support for the use of force. We thought it much more likely that the inspectors would succeed in pinning Iraq between non-cooperation and complete concession of all WMD material. There were a number of us who thought that this would be most clearly brought about, or perhaps only brought about, by the discovery of an actual WMD (a "smoking gun").

D The period between SCR1441 and the proposed second resolution

- **Discussions in the UN on the reports by Blix, and differing views of UNSC members**

In January 2003 the Security Council returned to discussing Iraq against the background of SCRs 1284 and 1441. But with the inspectors back on the ground, it became increasingly clear that only an adverse report from the inspectors themselves would convince a majority of the Security Council that strong action had to be taken. A date was set for the first report back to the Security Council by Executive Chairman Blix, the 27th January, and serious, detailed discussion had to wait for that event. In the meantime, however, there was a significant falling-out between Washington and Paris: the French reacted angrily to statements from Washington, outside the UN process, that seemed to make the use of military force increasingly likely; and the Americans were disgusted with public French statements, notably by Minister Dominic de Villepin in the UN on 20 January 2003, railing against the prospect of US unilateral action.

As it happened, when it arrived, the report by Messrs Blix and Baradei on Iraqi cooperation with UNMOVIC and IAEA up to 27 January was quite critical of Iraq for incomplete cooperation. The US in particular seized on this report as evidence of non-compliance. Blix thought this reaction exaggerated. He took care, when he produced his next report in mid-February 2003, to be much more nuanced, saying that Iraq was cooperating in certain useful respects. It was around this time that the inspectors discovered that the Iraqis were trying to adapt Russian-produced Volga rocket motors to power missiles for a distance greater than the permitted 150KM. But the Russians were beginning to dismantle the motors, under UNMOVIC's direction. Minister de Villepin made a good deal of this in a public meeting of the Security Council at ministerial level, when he was, unusually, applauded for resisting the concept of the unilateral use of force.

Throughout the toing and froing of public arguments during this period, I was conscious that the US and UK was finding it hard to garner support in the Security Council from anyone other than

Spain and Bulgaria. The French, Germans and Russians were working particularly closely together to present the arguments against the use of force and for the continuation of inspections for a much longer time than seemed likely under US military preparations in the Gulf. China clearly sympathised with these three, but was less voluble in expression of its views. Syria was, separately from this company, antagonistic to the US/UK position for Arab and Islamic reasons. The other six members of the Security Council, Pakistan, Chile, Mexico, Angola, Guinea and Cameroon (the “middle-ground six”), watched with growing confusion and nervousness the pitched battles around them.

E The attempt to agree a second resolution in early 2003

- **The motivation behind the UK’s drive for a second resolution**

Serious business in the UK Security Council, going beyond the mere analysis of a situation and looking for actual action, usually revolves around a proposed text. This clarifies the purpose of a discussion and channels the debate into a specific purpose. The UK, realising that any meeting of the Security Council under the terms of 1441 would be both an analysis of Iraqi compliance and an argument about consequent action, decided that it would be fruitless, and probably a mistake, to assume that this stage could be avoided. There was therefore a strong case for trying to hold the initiative by being the proposer of any draft resolution submitted for discussion. There was also another tactical consideration. If we had not tried to hold the ring, another Security Council member might have proposed a different sort of resolution, either attempting to establish that the use of force was not necessary at this point on Iraq, or that a specific decision had to be made only by the Security Council. Such a resolution would have probably received majority support and the US and UK would have needed to veto it, a very poor basis for proceeding to the use of force except in extreme international isolation. The third consideration was that the UK still maintained a small hope, even though we were not blind to the difficulties, that the Security Council would decide to unite in pressure on Iraq, rather than leave the issue to be resolved by the US, with or without the UK, outside the UN. The obvious way to try to create such a position was to generate debate around a specific proposition. The downside, on the other hand, was that other members of the Security Council, and public opinion generally, tended to assume that we were bidding for specific authority to attack Iraq, which was not the case. On balance, the UK decided that to hold the initiative in the Security Council was worth this disadvantage.

- **Your assessment of the process by which the UK pursued a second resolution**

The UK first needed to establish that the United States agreed with such an approach. This was not easy, because of the spread of views in Washington and because we had already used up much of our ammunition with Washington on the utility of the UN route in securing SCR1441. Prime Minister Blair, however, succeeded in convincing President Bush to support us in this approach when he visited Washington/Camp David at the end of January 2003. It was noticeable to the British team, nevertheless, that President Bush’s words on this subject in public were rather less warm and specific than those he had used with the Prime Minister in private. We then waited through the first half of February to see whether the inspectors would make a catalytic find. This would have made a tremendous difference, in that we understood, through private

exchanges with, for instance, the French and the Chinese, that their attitudes on this subject might change quite markedly if a “smoking gun” was discovered. As the weeks went by, however, without a find, I realised that we would need to have a go in the Security Council anyway. We decided to base our approach on the concept of a final ultimatum to Iraq, based on a series of benchmark tests agreed with the inspectors, at the conclusion of which the evidence for compliance or non-compliance by Iraq should be objectively clearer. The difficulty in this, of course, was that it took us closer to the whole business of a decision on compliance or non-compliance, which most members of the Security Council would argue strongly was for them alone. But our proposed process also brought Security Council members up against the realisation that one way or another, they would have to be active rather than passive if they were to ensure that the UN remained in control of the situation, as they were always saying they wanted.

- **Your view of how UNSC members’ positions emerged, including the extent to which capitals as well as representatives in New York were active in the process**

I was in no doubt that the French and Russians, accompanied consistently by the Germans, would be fighting us all the way along such an approach. Bulgaria wobbled at one or two points, but I felt that the US, UK, Spain and Bulgaria were a reasonably solid quartet on our side. The Chinese and the Syrians could not be expected to support us. But I thought the “middle-ground six” were worth bringing into detailed discussion. All through this period, in addition to public and restricted meetings of the Security Council, there were groups meeting and discussing the evolving situation in Iraq. The P5 and the non-permanent Ten met amongst themselves; I initiated private “non-meetings” of the Security Council fifteen; there were constant bilateral or smaller meetings; and the US and UK met with most members of the Security Council to show them the state of evidence that Iraq was still concealing WMD. One notable public occasion was the presentation by Secretary Powell on 5 February of a voluminous amount of evidence of Iraqi activity on and concealment of WMD material. This was a powerful performance, but it turned out to convince only the already converted. We soon got reaction from the Russians and French in particular that it had not persuaded them to change their stance.

As always in UN business, capitals were closely connected with the activity. Because all members of the Security Council work on instructions from capitals, it is rarely possible or sensible to regard the two as separate players. Later in the process, when we were trying to persuade the middle-ground six to go along with our final benchmark proposal, emissaries from London and Washington, and indeed from Paris, went round capitals with their arguments. This constantly evolving and revolving process gave us hope from time to time that individual Security Council members might come across to our side of the argument, but if they did seem half persuaded for a period, they never did so all at once and they all decided towards the end to stick together in not doing so.

- **The reasons for the breakdown of international consensus**

If SCR1441 represented an international consensus, it was not founded on rock. The various interpretations of the text of 1441, the different motivations for agreeing it at the time and the failure, not least by the US and UK, to resolve some of the ambiguities immediately after the

adoption of 1441 all meant that the underlying approaches to the use of force against Iraq in the circumstances at the time never really changed throughout this period. Only a revelation by the UN inspectors themselves might have made a difference to this. Secretary Powell's 5 February presentation, for all its weight, did not amount to an alternative to a judgement by a body of the UN itself. The UK's attempt to reconstitute a consensus had only a slim prospect of success, made slimmer by the recognition by anyone else following events closely that the United States was not proactively supportive of the UK's efforts and seemed to be preparing for conflict whatever the UK decided to do. These "noises off" were decidedly unhelpful to what I was trying to do in New York.

- **The UK's understanding of, and attempts to respond to, the concerns of the other members of the Security Council (in particular the French)**

Much of the resistance in the Security Council to our arguments revolved around the question "What is the hurry when the inspectors are just getting down to business again?". I go into this further in my next answer below, but it was difficult to produce a convincing response. It would also have been in our own interests to give the inspectors more time to find a smoking gun. At one point the Canadians, though not on the Security Council, came up with a proposition for a benchmark test extending from early March for twenty-eight days. I was also approached by the middle-ground six with a proposal for a final ultimatum covering a period of forty-five days. Though sympathetic to these approaches, I was not in a position to take them very far, as Washington had already decided on its approximate timelines. When no smoking gun appeared, and as the preparations reached their climax, President Chirac of France turned unequivocal in his condemnation of the unilateral use of force and declared, early in March, that he would oppose it with a veto "whatever the circumstances". The UK at the time was still trying to shape its final ultimatum proposal and this cut away the ground for further discussion with unfortunate incision.

- **Your understanding of UK views at the time on whether a second resolution could have been achieved if the inspectors had been given more time**

Timing was indeed a crucial consideration. There appeared to be an assumption in the military planning of the invasion of Iraq that the heat of the summer months had to be avoided. I was not part of the discussions in London about our own military preparation or about our own preferred timing for military action. The UK had started by planning an attack on Iraq through Turkey, by agreement with the US, but the Turks declined to cooperate in this. London was therefore preoccupied with hasty preparations for the alternative, an attack from Kuwait into the south of Iraq. It seemed to me that the option of invading Iraq in, say, October 2003 deserved much greater consideration. But the momentum for earlier action in the United States was much too strong for us to counter. The Prime Minister's arguments for more time, as I observed them from New York, appeared to win two weeks or so of delay, but no more. The "second resolution" as we designed it for March 2003 might have taken on a different shape and character on a different timing. Nevertheless, with hindsight, my judgement is that a majority of members of the Security Council would have opposed the use of force against Iraq by the US and the UK on almost any timing, unless the inspectors had succeeded in exposing Iraq's deception with the discovery of an active chemical or biological weapon.

- **The factors leading to the timing of the end of the attempt to secure a second resolution**

The main factor was the President's decision on the timing of military preparations. All the way through my handling of the second resolution effort we were checking with Washington how much time we might have. It was clear before I started my final set of proposals in the Security Council in the week of Monday 10 March that that was likely to be the last week in which I could gain traction or fail. At that stage, too, the approaches to the capitals of the middle-ground six became more intensive, without hitting success. Around 13-14 March there were signs that Mexico and Chile might inspire a counter-resolution, requiring a delay on any military action, but Washington managed to turn this off. On Friday 14 March Security Council discussions faded away into an eerie silence, while the countries favouring military action prepared to attend a final summit meeting in the Azores. The most important factors, therefore, in all this saga were first, the absence of irrefutable evidence that Iraq was pursuing an active programme of WMD; and second, the determination of the United States to proceed with military action whatever the state of the evidence produced at the UN.

- **Your understanding of the impact that the focus on the negotiations on the second resolution had on wider aspects of planning for the invasion**

There must have been parts of the American machine that were all but oblivious of the action going on in New York. There were other initiatives being tried on the side, for instance discussions with certain Arab countries about the possibility of persuading Saddam Hussein to give up and leave Iraq before the Arab world was convulsed with another war. But, in general, planning for the invasion proceeded in its own context and on its own terms with only the President of the United States in a position to switch it on or off as he decided. The US and the UK had, well before then, decided that the threat from Iraq, which was genuinely perceived as including the potential threat of the use of WMD, could only be terminated either if Saddam Hussein conceded absolutely everything the resolutions demanded or if his regime fell. If this was to be achieved through a UN route, that had to happen on a US-ordained timing. In that sense, the US focus on the planning for the invasion had a distinct impact on the negotiations for the second resolution, rather than the other way around.