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To: *Matthew Rycroft*

Fax Number:

From: *Kara Ouse*

Date: *5. Mar 01*

Pages to follow: *15*

Message:

Please see attached

- Detailed analysis of the "chicks" document*
- Key points on Blix report, interviews and minutes (core script) for use after Friday*
- An NPD paper on SA and LAEA. This is still not right, I'm afraid, and doesn't give us the kind of detail you and we need on interviews. I've asked a non-researcher to have a go. Apologies*

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Kara

From: Patrick Davies
Date: 05 March 2003

cc: PS/Mr O'Brien
PS/PUS
Mr Ricketts
Mr Chaplin
Heads: UND; Press Office; MED;
NPD
Special Advisers

~~Peter Ricketts~~
Private Secretary

IRAQ: KEY PAPERS

1. I submit, as requested:

- A - A detailed summary of the draft Blix report - Outstanding Issues Concerning Iraq's Weapons Programme (compiled by NPD);
 - B - Key points on the Blix report, interviews and Iraq's missile programme;
 - C - An NPD paper on South Africa and the IAEA;
 - D - Elizabeth Wilmsfurt's draft elements for an SCR granting Saddam immunity.
2. Peter Spoor is submitting separately a draft statement for the Security Council meeting on 7 March.

Patrick Davies

Patrick Davies
MED

Note from the Iraq Inquiry:
'D' was omitted from the fax.

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**OUTSTANDING ISSUES CONCERNING IRAQ'S WEAPONS
PROGRAMME: BLIX'S "CLUSTERS"**

1. On 24 February, Dr Blix circulated a draft paper on "Outstanding Issues Concerning Iraq's Proscribed Weapons Programmes". This is not yet a public document.
2. Dr Blix will circulate a revised paper to the UN Security Council on 7 March.
3. The paper is intended to form the basis for UNMOVIC's determination of the "Key Disarmament Tasks", which under UNSCR1284 has to be submitted to the Security Council by 27 March. The French, Germans and Russians will try to use the document to draw up a "leisurely" timetable for these issues to be addressed. Our position has been that, without full and active Iraqi co-operation, it is not possible to draw up a comprehensive list of disarmament tasks. In any case, the requirements of UNSCR1441 take precedence.
4. The paper points out that Iraq has admitted refurbishing some equipment previously destroyed by UNSCOM, in particular some chemical facilities. There has been a modest expansion of biological industries, with an increase in staffing of 10-20%. UNMOVIC also acknowledge that there have been a number of intelligence reports concerning mobile bio-weapon production facilities. There has been "a surge of activity" in missile technology over the past 4 years, with the development of two new missile systems (Al-Samoud 2 and Al Fatah), both tested to beyond the proscribed range of 150kms. Other missile systems may be under development.
5. As UNMOVIC point out, the draft paper is not exhaustive. But it does reveal the enormous extent of Iraqi non-co-operation over the years: a 167 page-long catalogue of Iraqi intransigence.

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MissilesKey unresolved issues

- Illegal import of missile engines for the Al-Samoud 2 programme: Iraq declared it imported 131 engines, in contravention of sanctions, but actually imported 380 engines. Might be even more: "During an inspection, an Iraqi engineer stated that a total of 567 engines were obtained both from an outside source and through scavenging" spare parts (p25)
- 13 of 23 flight tests of Al-Samoud 2 exceeded 150kms. Iraq declared production of 76 missiles, and – although Iraq claims that they are still under development - 63 missiles have already been deployed (p26). We believe that there are many more missiles, probably around 120.
- Little evidence to confirm claimed destruction of all Fahad missiles (p25)
- On Research and Development on proscribed ballistic missiles, and Iraqi concealment efforts, "What is of concern is the apparent intent behind such activities and, in particular, the conscious decision to act in contravention of resolution 687 and to conceal these activities from UNSCOM" (29)
- No explanation why Iraq has developed large missile test stand at al-Rafah (p29). Meeting of independent missile experts, convened by UNMOVIC, concluded that the stand could test missiles over 4 times more powerful than the (prohibited) Al Samoud 2. We believe the figure is much higher, and the test stand is capable of testing engines almost 9 times more powerful than the prohibited Al-Samoud 2).
- No explanation why Iraq has resumed research in UDMH, powerful missile fuel linked to proscribed missile programme. (p29)
- No explanation why Iraq attempted to produce non-conventional, probably CW, warhead for FROG rocket system up to 1990 – "possibility cannot be ruled out" that Iraq continued this research. (p31)
- UNMOVIC questions Iraqi accounting for Scud missiles allegedly destroyed post-Gulf War. For example, on the claim that 14 Scud missiles were used as targets in a missile interception project "it is questionable that Iraq would have really used what were at the time valuable operational assets in pursuit of such a project" (p19). Suggests may have retained prohibited equipment: "Lack of documentation to support the destruction of a significant amount of Scud-B liquid propellant, and the fact that approximately 50 warheads were not accounted for...suggests that these items may have been retained for a prohibited missile force" (p19-20)

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Issues where there has been some progress

- Destruction of Al-Samoud 2s: 28 destroyed as of 5 March. But unclear if supporting infrastructure, documents, etc also being destroyed – if so, to what timetable?
- UNMOVIC says that it is confident that Badr-2000 long range missile programme never reached production

Not addressed in the draft report

- Missile main fuel: Iraq claims to have unilaterally destroyed 137 tonnes of imported missile main fuel – but no evidence
- No information on indigenous engine production
- Illegal retention of missile propellants
- Development time-scales for Al-Samoud 2 – allegedly only a few months from project start to first flight test. This is not plausible.

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Munitions and other delivery means

Key unresolved issues

- Iraq needs to provide more detailed information on all its UAV programmes, in particular the Al-Musayara UAV and its alleged remotely piloted vehicle (RPV) programmes (L-29, MiG-21). (p54)
- "There is a clear contradiction in Iraq's explanation of its development of spray tanks... Spraying devices for CBW purposes may still exist in Iraq" (p53)
- The two together could be used to deliver CBW agent. (p 54)
- "Regarding the missing 550 mustard [gas] filled 155mm projectiles, UNMOVIC has been unable to resolve the status of these items and remains concerned due to their probable military utility" (p49)
- Iraq changed several times how many R-400 bombs it claimed to have, generally after UNSCOM had shown the Iraqi declarations to be false (p41).
- Iraqi documents reveal that 6,500 fewer bombs used in Iran-Iraq war than Iraq has declared – amount of CW agent in the region of 1,000 tonnes ("Air Force document") In UNMOVIC's view, could still be viable chemical agents (p71)

Issues where there has been some progress

- Iraq has 'uncovered' some R-400 bombs and bomb fragments at Al-Azzizziya, some of which may contain BW agent. However, this site was known to UNSCOM, who accepted that 157 R-400 bombs had been destroyed there. Still around 500 R-400 bombs unaccounted for.
- UNMOVIC uncovered 12 122-mm chemical warheads – UNMOVIC has established that they are relatively old, and not filled with CW

Not addressed in the draft report

- We believe that UAV systems have potential to deliver WMD and range of at least 500kms (Iraq declared 100kms maximum range)
- In particular, we believe that some areas of Iraq's UAV declaration have been understated.
- No reference to CM-1500 cruise missile proposal, to be developed in conjunction with Serbian arms company.

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Chemical clusters

Key unresolved issues

- UNSCOM sampled at sites where Iraq said it destroyed VX. They found traces of chemicals consistent with VX, but could not determine quantities of VX present – and no other supporting evidence. Iraq said never weaponised VX – but UNSCOM found evidence to contradict this. "Cannot be excluded that it has retained some capability with regard to VX" that could still be viable today. Also discrepancies in accounting for all key VX precursors. (p76)
- Not provided adequate evidence to support declared amounts of Tabun. May have retained precursors for Tabun production (p62)
- Amount of mustard gas unaccounted for is 80 tonnes – but "based on a document recently received from Iraq, this quantity could be substantially higher". Iraqi documents do not support declared consumption of mustard. (p69-70)
- Declaration on Soman incomplete

Issues where there has been some progress

- Iraq to present document on VX early next week
- Evidence suggests that Tabun would have been poor quality (p62)
- Evidence that most mustard gas remaining in 1991, as declared by Iraq, destroyed by UNSCOM
- Unlikely any Sarin-type CW still viable today. No evidence of Sarin precursors in Iraq.
- No dedicated mustard gas production facility.
- Iraq has admitted that it refurbished some chemical processors

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Biological clusters

Key unresolved issues

- "UNMOVIC has credible information that the total quantity of BW agent in bombs, warheads and in bulk at the time of the Gulf War was 7,000 litres more than declared by Iraq. This additional agent was most likely all anthrax" (p90)
- Credible information that bulk agent, including anthrax, was deployed during Gulf War (p91)
- "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... strong presumption is that about 10,000 litres of anthrax was not destroyed and may still exist". Could still be viable today (p92)
- Destroyed production records for botulinum toxin (p94). Only "estimates" for numbers of bombs filled with toxin. Production could be rapidly recommenced (p94)
- Destroyed documents on research into aflatoxin.
- Research into economic weapons, such as anti-plant agents (p102)
- Probably has seed stocks for clostridium perfringens (gas gangrene), and can produce this agent quickly after a decision to do so (p106)
- Although no evidence that did not declare all agents it worked on, some indications of interest in other agents, e.g. smallpox. Unaccounted for growth media that could've been used for this purpose. (p112)
- Cannot be certain that didn't dry agents such as anthrax (p114)
- UNSCOM estimated that quantities of undeclared growth media could have produced: 3-11,000 litres of botulinum toxin; 6-16,000 litres of anthrax, 5,600 litres of clostridium perfringens (p118)
- Iraq could now have a capability to continue its development of bacterial growth media production, to the state of being able to supply large quantities of dry or liquid media to a proscribed programme (p120)
- Cannot rule out possibility of continued research into BW-related genetic engineering (p122)

Issues where there has been some progress

- No evidence anthrax produced after 1991

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- No evidence of ricin production (p110)
- 1400kgs of "unknown" growth media destroyed by UNSCOM
- Aflatoxin development could have been due to personal ambition and expertise of leading scientist who worked on it
- If al-Hakam (BW site) had been bombed, would have created large contamination hazard – possibly stretching as far as Baghdad (p91)

Not addressed in the draft report

- UNMOVIC should request seed stocks for all agents, not just those claimed by Iraq
- No explanation of research on camel pox, nor evidence of the results.
- Iraq should provide evidence of destruction of ricin-containing pulp left over from castor oil production facility.
- Iraq should explain difference between production capacity to produce anthrax, botulinum toxin, and declared amount produced.
- Fleeting reference to mobile BW laboratories, but considerable information on them.
- No proof that Iraq produced only 25 BW warheads
- Incomplete account of BW spray development
- Conclusion that Iraq stopped production of Tabun is potentially incorrect – no supporting evidence (p62)
- Growth media: 650kgs declared by Iraq in Amorim report, but dropped in 7 December Declaration

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Key Points

"Clusters" Document

- Blix's report is inevitably not comprehensive. Impossible to provide a comprehensive list of disarmament tasks without Iraqi co-operation and given the inspectors were out of Iraq for 4 years;
 - But it is vivid testimony to Iraq's failure to make serious progress over the past 12 years;
 - The document identifies 29 specific areas of work where Iraq is known to have engaged in prohibited activities, including Scud type missiles (as well as the Al Samoud missiles), VX, Anthrax, Tabun, Sarin, and Botulinum toxin and many other elements specifically related to WMD;
 - It shows that a huge number of questions remain unanswered. It identifies more than 100 specific actions that Iraq must take to resolve these issues. They are not difficult, mostly concerning the need to present documents, evidence and more coherent accounts of Iraq's work. Iraq could have provided this at any time;
 - It also highlights new issues which have emerged in the last 4 years. Blix reports that:
 - Iraq has repaired equipment previously destroyed by UNSCOM
 - Iraq can give no credible account of the surge of activity in the missile technology field in the past 4 years
 - There are uncertainties about Iraq's use of mobile BW "factories"?
- These new issues must also be addressed.

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Interviews

- SCR 1441 specifically required Iraq to provide unimpeded access to anyone UNMOVIC wished to interview;
- Private interviews with key personnel – scientists, managers or others with relevant knowledge – important to help resolve outstanding disarmament issues and would be an indication of Iraq's willingness to cooperate;
- But almost nothing has happened. In his 1 March report, Blix reported that UNMOVIC had requested 28 interviews without observers. No one had come forward. Following further pressure on Iraq, 3 candidates had presented themselves. But all were volunteered by the Iraqi government. At least one was with an Iraqi minder;
- Since then, UNMOVIC has carried out 6 more private interviews (total of 9). But 6 more have been declined;
- No guarantee that the interviews which have taken place were not bugged, nor that the interviewees were not intimidated and/or threatened by the regime beforehand;
- Total number of failed interviews to date is 34;
- Iraq's failure to cooperate raises further suspicions that Iraq has something to hide. If not, why would it refuse UNMOVIC's requests for interviews?
- This must be set against the fact that UNSCOM has a list of 3500 names of those it might wish to interview.

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Iraqi missile programme: Al-Samoud 2

- Iraq declared production of 76 Al-Samoud 2 missiles.
- Although it stated that the missile was under development, it has admitted deploying 63 missiles.
- Iraq conducted 23 flight tests of the Al Samoud 2, 13 of which exceeded the 150kms limit imposed in UNSCR687.
- Iraq has maintained that these tests were carried out without missile guidance systems or warheads, and the missile travelled further since they were lighter. In the 7 December Declaration, it described the Al Samoud 2 as a permitted system.
- UNMOVIC, supported by an international panel of missile experts, did not find this explanation plausible. The experts concluded that both variants of the Al Samoud 2 were designed to achieve a range in excess of 150kms, the 'light' Al-Samoud 2 being designed to fly around 195kms.

According to other reporting, in fact Iraq has:

- 129 Al-Samoud missiles in total
- 75 missiles are deployed, 54 are in the process of being completed. (Of these 54 missiles, 16 are for training, 6 are in the final stages of being completed, and 32 are partially complete)

UNMOVIC demanded that Iraq begin the destruction of the Al-Samoud 2 missiles, and associated infrastructure, by 1 March. After much prevarication (when Iraq first said that it would "study" the demand, and then said that it "agreed in principle" to the destruction of the prohibited missiles) on 28 February Iraq announced that it would start to destroy the missiles.

Destruction began on 1 March. To 5 March, 28 Al-Samoud 2 missiles have been destroyed, along with 1 missile launcher, 2 warheads (out of 118 declared) and 5 engines. No end-date has been set for the process.

UNMOVIC have also destroyed two large rocket motor casting chambers at Al-Mamoun, and encased the remains in concrete. These had been destroyed by UNSCOM, as being part of a prohibited missile programme, but were refurbished by the Iraqis.

Non-Proliferation Department, 2003

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SOUTH AFRICA AND THE IAEA

KEY POINTS

- in March 1993 South Africa revealed that it had earlier abandoned a former nuclear weapon programme, and it invited the IAEA to confirm this abandoned status
- IAEA visits to South Africa from late April to mid-August led the IAEA in September 1993 to conclude, in essence, that they could find nothing inconsistent with the South African account of their programme
- throughout the IAEA enjoyed excellent cooperation from the South African authorities, and reports to the Board of Governors included the following passages:
 - (a) "The team had extensive discussions with the South African authorities and technical staff at the AEC [Atomic Energy Commission] and at the National Armaments Corporation (ARMSCOR) who had been in charge of the nuclear weapon programme", during which "detailed briefings were provided on the various phases of the programme and on the associated development and production facilities" (para 7 of GOV/INF/698)
 - (b) "it is appropriate to record the active cooperation of the South African authorities in arranging for access to all facilities that the team requested to visit - both those facilities which had been provisionally listed by the South African authorities as having direct connection with the former nuclear weapons programme or with peripheral activities and additional facilities identified by the team" (para 25 of GOV/2684).
- the position on access to records is less clear-cut, since many records had been destroyed by the time the IAEA visits took place, but the IAEA appears to have been given access to remaining records and to have found these consistent with other data and to have been given a plausible explanations for the destruction or absence of other records (for example, the South African procedures for dismantling the weapons included provisions for the destruction of design information, so that "by the time of the team's visit in April 1993, the dismantling and destruction of weapons components and the destruction of the technical documentation had been nearly completed", but "dismantling records concerning the HEU components of the weapons were available and provided sufficient detail to enable the ARMSCOR data to be correlated with the corresponding data in the nuclear material accountancy records maintained by the AEC.")
- separately, IAEA inspections were also proceeding to check the completeness and correctness of the initial report South Africa had submitted to the IAEA on the inventory of its nuclear material after it acceded to the NPT in July 1991
- it took rather longer, almost four years, before the IAEA thought it reasonable to conclude that some apparent discrepancies, between the amounts of HEU and LEU that

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could have been produced and the amounts that were declared to have been produced, were unlikely to indicate any real discrepancies

- throughout this process too the IAEA enjoyed a high level of cooperation from the South African authorities (one IAEA report says, in relation to the amount of HEU produced: "In the course of the assessment, the team examined many thousands of records relating to the operation of the plant and intervening shutdown periods")

- Two senior and well-known IAEA safeguards officials (Perricos and Dillon) subsequently went on record to say the following:

"The IAEA's assessment of the completeness of South Africa's inventory of nuclear facilities and materials and its assessment of the status of the former nuclear weapons programme is not free of uncertainty. As in all cases where a large nuclear programme comes under safeguards, there can be no *absolute* assurance that all the nuclear material, subject to safeguards under the Agreement, has been declared to the IAEA and that all nuclear facilities have similarly been declared. In the case of South Africa, the results of extensive inspection and the transparency and openness shown leave relatively little room for speculation to the contrary."

BACKGROUND

After South Africa acceded to the NPT on 10 July 1991, the IAEA was faced: (a) with the immediate task of checking the correctness and completeness of the initial report South Africa submitted on its inventory of nuclear material and (b) with the subsequent task of assessing the status of South Africa's former nuclear weapons programme following Prime Minister de Klerk's revelations about it on 24 March 1993.

Verification of South Africa's Initial Report of its Inventory of Nuclear Material

South Africa acceded to the NPT on 10 July 1991, and it subsequently signed the requisite safeguards agreement with the IAEA on 16 September 1991 (INFCIRC/394). This came into effect on the same day, and in accordance with its requirements South Africa submitted on 30 October an initial report dated 22 October on its inventory of nuclear material as of 30 September. From November onwards an IAEA team then conducted a number of inspections to verify the correctness and assess the completeness of that report.

The interim results of these inspections were reported to the General Conference in September 1992 (in document GC (XXXVI)/1015, dated 4 September 1992). This indicated that "the team found no evidence that the inventory of nuclear material included in the initial report was incomplete", but at the same time the team reported that there were apparent discrepancies associated both with the high enriched uranium (HEU) produced by the pilot enrichment plant and with the low enriched uranium (LEU) produced by the semi-commercial enrichment plant.

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According to the 1993 Safeguards Implementation Report (GOV/2724, issued 29 April 1994), a further report to the General Conference in September 1993 (in document GC(XXXVII)/1075) "concluded, on the basis of a detailed examination of nuclear material accountancy records and daily operating records, that the amounts of high-enriched uranium (HEU) which could have been produced by South Africa's pilot enrichment plant were consistent with the amounts declared in South Africa's initial report."

However, in addition to reporting this conclusion on HEU, the 1993 Safeguards Implementation Report said that "the work of the Agency in clarifying apparent discrepancies with regard to the production of low-enriched uranium (LEU) at South Africa's semi-commercial enrichment plant continued". By the time the Safeguards Implementation Report for 1994 was issued to the Board in 9 May 1995 (GOV/2804), the Agency was able to note, however, that, as a result of continuing efforts to clarify this issue in 1994, "it was considered reasonable to conclude that the reported amounts of low-enriched uranium produced by the plant were consistent with past plant operations as documented and evaluated."

The IAEA did therefore eventually satisfy itself about the apparent discrepancies it initially identified in relation to both HEU and LEU production, albeit in somewhat cautious terms.

Assessing the Status of South Africa's Former Nuclear Weapons Programme

While the IAEA was conducting this work, the then Prime Minister of South Africa, F.W. de Klerk, told a joint session of Parliament on 24 March 1993 that a decision had been taken in 1974 to develop a limited nuclear capability of seven fission devices, but that after he became Prime Minister in 1989 it was decided that:

- all the nuclear devices (of which six had been completed) should be dismantled and destroyed;
- all the nuclear material in Armscor's possession should be recast and returned to the Atomic Energy Commission where it would be stored according to internationally accepted measures;
- Armscor's facilities should be decontaminated and used only for non-nuclear commercial purposes;
- after which South Africa should accede to the NPT and in consequence submit all its nuclear materials and facilities to IAEA safeguards.

By this time, as noted above, the IAEA was already engaged in the task of checking the correctness and completeness of the initial report of its inventory of nuclear material which South Africa had made after duly acceding to the NPT and signing the requisite safeguards agreement. But the Government of South Africa now extended an invitation

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to the IAEA to confirm the abandoned status of South Africa's former nuclear weapons programme. An IAEA Technical Team visited South Africa for this purpose from 22 April to 4 May and its preliminary assessment was reported to the Board in GOV/INF/698, issued on 27 May 1993. A final assessment was made to the Board in GOV/2684, issued on 8 September 1993, after two further visits to South Africa from 3-11 June and 9-13 August. The conclusions of these assessments were couched in careful terms, but in essence amounted to saying that the team had found nothing inconsistent with the South African account of the programme.

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