

SECTION 3.8

DEVELOPMENT OF UK STRATEGY AND OPTIONS, 8 TO 20 MARCH 2003

Contents

Introduction	402
The end of the UN route	402
Mr Straw's statement, 10 March 2003	412
Informal consultations in New York	416
President Chirac's interview, 10 March 2003	421
Events of 11 March 2003	426
Mr Straw's minute to Mr Blair	426
Ministerial meeting to discuss legal issues and the military plan	429
Telephone diplomacy, 11 March 2003	432
Consultations in New York	442
Events of 12 March 2003	446
Mr Straw's meeting with Mr Blair	446
Prime Minister's Questions, 12 March 2003	449
Sir Jeremy Greenstock's proposal to revise the draft resolution of 7 March ...	452
Sir Jeremy Greenstock's meeting with Mr Annan	453
Mr Straw's conversation with Mr Igor Ivanov	454
Mr Blair's conversation with President Bush, 12 March 2003	455
US concerns about UK diplomatic activity	459
Security Council open debate, 11 and 12 March 2003	460
Presentation of the UK's position	461
Consultations on UK proposals to identify key tests for Iraq	463
French concerns about the UK presentation of President Chirac's remarks ...	467
JIC Assessment, 12 March 2003	468
Events of 13 March 2003	470
Cabinet, 13 March 2003	472
France's position	477
Ministerial meeting to discuss the military plan	481
Mr Blair's conversation with President Bush, 13 March 2003	482
Developments in New York, 13 March 2003	484
The divisions in the Security Council	486

Events of 14 March 2003	490
President Chirac’s conversation with Mr Blair	490
Mr Blair’s conversation with President Bush	493
Mr Blair’s conversations with President Lagos	494
Developments in New York, 14 March 2003	496
The UK decision that Iraq had committed further material breaches	497
The exchange of letters of 14 and 15 March 2003	497
The FCO paper of 15 March, ‘Iraqi Non-Compliance with UNSCR 1441’	499
Events of 15 and 16 March 2003	505
The FCO game plan	506
Mr Blair’s conversation with President Bush, 15 March 2003	507
Mr Blair’s contacts with other leaders	510
Tripartite declaration, 15 March 2003	512
Ministerial statements, 16 March 2003	513
Mr Blair’s conversation with Prime Minister Balkenende	514
Mr Blair’s conversation with Mr Annan, 16 March 2003	515
The Azores Summit, 16 March 2003	517
President Chirac’s interview with <i>CNN</i> , 16 March 2003	524
The end of activity on the second resolution	526
Mr Blair’s conversation with President Bush, 17 March 2003	527
Russia’s position	527
Sir Jeremy Greenstock’s announcement, 17 March 2003	528
Mr Ivanov’s statement, 17 March 2003	533
Impact of the US military timetable	534
The decision to take military action	537
The military plan	539
Mr Scarlett’s advice, 17 March 2003	539
Cabinet, 17 March 2003	539
Statements to Parliament, 17 March 2003	544
Mr Straw’s statement, 17 March 2003	544
Mr Cook’s resignation statement, 17 March 2003	550
President Bush’s ultimatum to Saddam Hussein, 17 March 2003	552
Events of 18 March 2003	556
Australia commits troops	556
President Chirac’s statement	557
Mr Blair’s conversation with President Bush, 18 March 2003	559
CDS’ Directive for military operations	559

Parliamentary approval for military action	559
Debate in the House of Commons, 18 March 2003	559
Debate in the House of Lords, 18 March 2003	570
Events of 19 and 20 March 2003	572
Security Council debate, 19 March 2003	574
Military operations begin	586

Introduction

1. This Section addresses the final attempts to secure support for the UK, US and Spanish draft resolution tabled in the Security Council on 7 March 2003 and, when that failed, the UK Government's decision to take military action without the support of the majority of the Security Council.

2. Other key developments during that time are addressed elsewhere in the Report, including:

- provision of advice by Lord Goldsmith, the Attorney General, on the legal basis for military action to secure Iraq's compliance with its disarmament obligations, which is addressed in Section 5;
- planning for military operations in southern Iraq, which is addressed in Section 6.2;
- UK planning and preparations for a post-Saddam Hussein Iraq, which are addressed in Section 6.5; and
- assessments and advice on Iraq's chemical, biological, nuclear and ballistic missile capabilities, its intention to conceal them from inspections and its intentions for their use in response to a military attack, which are addressed in Section 4.3. That Section also addresses the withdrawal after the conflict of three streams of intelligence reporting which had influenced judgements about Iraq's capabilities and intentions.

3. The Inquiry's conclusions in relation to the development of the UK Government's strategy and options on Iraq before the invasion began, including the way in which the policy was developed and decisions were taken, are contained in Section 7.

The end of the UN route

4. In an attempt to secure support in the Security Council for the second resolution, Mr Blair decided on 8 March to propose delaying a decision and identifying specific tests as the basis to determine whether Saddam Hussein intended to co-operate.

5. Mr Blair began by consulting Mr Ricardo Lagos, the Chilean President, who agreed the proposal was worth exploring, although he thought more time would be needed.

6. The UK's attempts, during February and early March 2003, to reach agreement with the US on the text of a draft resolution stating that Iraq had failed to take the final opportunity to comply with its obligations and to secure international support for that position, and the opposition of France, Russia and others, are set out in Section 3.7.

7. The text of the UK, US and Spanish draft resolution tabled in the Security Council on 7 March called on Iraq “to take the decisions necessary in the interests of its people and the region”, which was characterised as a strategic decision by Iraq to disarm.

8. The draft resolution also set a deadline of 17 March for Iraq to demonstrate its “full, unconditional, immediate and active co-operation” in accordance with its obligations and to yield possession of all prohibited items to the UN Monitoring, Verification and Inspection Commission (UNMOVIC) or the International Atomic Energy Agency (IAEA).

9. In the discussions in New York on 7 March, questions were raised about how the judgement would be made that Iraq had taken a strategic decision to disarm.¹ Sir Jeremy Greenstock, UK Permanent Representative to the UN in New York, also advised that benchmarks for Iraqi compliance would need to be agreed to secure the support of Chile and Mexico for the UK’s proposals.

10. In his conversation with President Bush on 7 March, Mr Blair emphasised the importance of securing nine positive votes in the Security Council for Parliamentary approval for UK military action.² While the 17 March deadline in the draft resolution was not sufficient for Iraq to disarm fully, it was sufficient to make a judgement on whether Saddam Hussein had had a change of heart. Mr Blair argued that if Iraq started to co-operate, the inspectors could have as much time as they liked.

11. Following up their conversations in the previous week, Mr Blair spoke to President Lagos on 8 March.³

12. The draft speaking note produced by Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, suggested that Mr Blair could tell President Lagos that, after the report to the Security Council on 7 March by Dr Hans Blix, the Executive Chairman of UNMOVIC:

“... no one believes that Saddam has given immediate, unconditional or full co-operation and intelligence shows that he has no intention of doing so, but that he will continue to dribble out concessions under pressure from our military build-up in order to fool some people and divide international opinion.

“We must not allow ourselves to be fooled. Equally we need to be fair, so that Saddam genuinely does have a chance for a change of heart to avert military action. So I have taken on board your point that you need some concrete tests to judge Saddam by.”

¹ Telegram 389 UKMIS New York to FCO London, 8 March 2003, ‘Iraq: 7 March Open Debate and Lunch’.

² Letter Rycroft to McDonald, 7 March 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 7 March’.

³ [Minute Rycroft to Prime Minister, 8 March 2003, ‘Iraq: Chile’](#).

13. The points in the speaking note also included:

- A description of “five key areas and one key test in each area, for Saddam to meet by 17 March”, which had been “picked out” from the draft “clusters” document produced by UNMOVIC.⁴
- If Saddam Hussein “had any intention of complying, he would be able to do these. If he were to do all of them, it would show that he has had a change of heart, though even then it would not add up to full disarmament.”
- The tests were designed to be “as straightforward and concrete as possible”.
- The “onus” was “on Saddam to prove his innocence, not on us to prove his guilt”.

14. It was clear in Mr Blair’s discussion with President Lagos on 8 March that Chile did not support the approach in the draft resolution.⁵

15. Mr Blair stated that he had worked out five specific tests. He would send them to President Lagos, who agreed to discuss the proposals with Mr Vicente Fox, the Mexican President.

16. Mr Blair told President Lagos that China would not veto the resolution but France would; and that he had not given up on persuading Russia to abstain. A “further reason to want a second resolution, with a gap before the start of military action, was to give the Arabs a chance to press Saddam to go into exile”.

17. Sir David Manning, Mr Blair’s Foreign Policy Adviser and Head of the Cabinet Office Overseas and Defence Secretariat (OD Sec), subsequently wrote to President Lagos setting out five tests.⁶

18. The first test would be to insist on interviews outside Iraq as specified in resolution 1441. The remaining four tests were “based on” the UNMOVIC “clusters” document and would require Saddam Hussein “to provide either the material that is unaccounted for, or to produce full documentation proving its destruction” in respect of:

- chemical weapons – “specifically VX”;
- biological weapons – “specifically anthrax”;
- missiles – “specifically SCUDS”; and
- remotely piloted vehicles (RPVs) – “specifically their possible adaptation to deliver CW [chemical weapons]”.

⁴ UNMOVIC Working Document, 6 March 2003, *Unresolved Disarmament Issues: Iraq’s Proscribed Weapons Programmes*.

⁵ Letter Rycroft to Owen, 8 March 2003, ‘Iraq: Prime Minister’s Conversation with Chilean President, 8 March’.

⁶ [Letter Manning to Lagos, 8 March 2003, \[untitled\]](#).

19. Sir David stated that Mr Blair believed:

“... that if Saddam Hussein intends to disarm voluntarily, and comply with successive UN resolutions, he should be ready to co-operate fully in each of these categories. The Prime Minister also believes that public opinion would see these five demands as clear and fair tests of Saddam Hussein’s intentions, and ones that can quickly be met.”

20. In a further conversation late on 9 March, President Lagos and Mr Blair discussed the proposed tests.⁷

21. Mr Blair agreed that they should check that Dr Blix “did not think the tests were unreasonable”. If the tests showed that Saddam Hussein was serious about co-operation, the tests could be followed by a timetable leading to disarmament. The proposal was “halfway between setting out a detailed time schedule now, which the US would not agree, and the current situation with its lack of definition of full co-operation”.

22. Mr Blair also raised the possibility of pushing back the deadline to 24 March, “though he had not raised this with the US”.

23. Mr Blair told President Lagos that:

“... he thought we had eight votes. If Mexico and Chile could support the resolution on the basis of these proposals there would be enormous pressure on Saddam, and it would be possible that France/Russia would not veto.”

24. President Lagos agreed the approach was worth exploring, but he would want to see changes to the wording of the draft ultimatum and an additional week.

25. On 9 March, Ms Clare Short, the International Development Secretary, declared she would resign if the UK took military action against Iraq without UN authority.

26. In an interview for *BBC Radio 4’s Westminster Hour* broadcast on 9 March, Ms Clare Short said she would resign from the Government if the UK took military action against Iraq without UN authority.⁸

27. Asked whether she thought Mr Blair had acted “recklessly”, Ms Short described the situation as “extraordinarily reckless”.

28. In response to further questions Ms Short said:

- “... what worries me is that we’ve got the old spin back and we have detailed discussions either personally or in the Cabinet and then the spin the next day is: ‘we’re ready for war’.”

⁷ Letter Rycroft to Owen, 9 March 2003, ‘Iraq: Prime Minister’s Conversation with Lagos, 9 March’.

⁸ *BBC News*, 10 March 2003, *Clare Short interview [extracts]*. [Link to full interview no longer available.]

- “If it takes another month or so, that is fine ...”
- “... I think you could get a world where we see the UN in authority ... proper care for the people of Iraq, because at the moment the preparations to care for the humanitarian aftermath of any military conflict are not properly in place.”
- “And there’s another major legal point – if there isn’t a UN mandate for the reconstruction of Iraq ... It will in international law be an occupying army and won’t have the authority to make changes in the administrative arrangements in Iraq.”

29. Ms Short informed Mr Alastair Campbell, Mr Blair’s Director of Communications and Strategy, and Mr Suma Chakrabarti, the Department for International Development (DFID) Permanent Secretary, of her action as soon as the interview had been recorded.⁹

30. Ms Short wrote in her memoir that she:

“... had decided war was unstoppable. I had experienced enough wars to know that it was too late to criticise when our troops were on the ground ...”¹⁰

31. Ms Short also wrote that her diary entry for 9 March read:

“TB [Mr Blair] rang, furious. Said I am undermining his delicate negotiations ...

“... I said sorry to upset but doing what I think right, no good resigning after war started. He said 7 days yet, can’t leave that man there.”

32. Mr Robin Cook, who in March 2003 was Leader of the House of Commons, wrote that on 10 March he had agreed with Ms Hilary Armstrong, the Chief Whip, that, on 13 March, he would announce a debate on Iraq for the following week.¹¹

33. No.10 officials emphasised to their counterparts in the White House the crucial importance of securing nine votes in support of a resolution in the Security Council.

34. The UK thought that more time, possibly until the end of March, could be needed to build support.

35. Sir David Manning told Dr Condoleezza Rice, the US National Security Advisor, that he thought they were “still short of nine votes” for the draft resolution.¹² Chile and Mexico “would probably abstain” and China “might veto in French and Russian company”. There was “an increasingly difficult domestic political background”, which “re-emphasised how crucial it was to secure nine votes”. Time would be a factor in that.

⁹ [Letter Chakrabarti to Turnbull, 11 March 2003, ‘Iraq’](#).

¹⁰ Short C. *An Honourable Deception: New Labour, Iraq and the Misuse of Power*. The Free Press, 2004.

¹¹ Cook R. *The Point of Departure*. Simon & Schuster UK Ltd, 2003.

¹² Letter Manning to McDonald, 9 March 2003, ‘Iraq: Conversation with Condi Rice’.

36. Sir David argued that the US and UK “should be ready to oblige if what they wanted was another ten days, or the end of the month”. That would be:

“... a small price to pay for securing the nine votes that were needed if UK forces were to participate in military action, and if we were to be sure that the Prime Minister could survive a vote in the House of Commons. Obviously these were our priorities ... It did not make sense to give the military timetable precedence over the political realities ... I could not believe that the military planning could not be massaged to allow more time if there was a chance that this would make the difference.”

37. Sir David commented that he had:

“... laid it on the line this evening. I left Condi [Dr Rice] in no doubt about our political difficulties; and ... that the Administration should be ready to make concessions on test/benchmarks and on timing if that was what it took to get nine votes ...”

38. The timing of the vote on a second a resolution and for a Parliamentary debate in the UK, and the potential difficulties of securing nine votes in the Security Council and a majority in Parliament, were discussed in a subsequent conference call between Mr Jonathan Powell, Mr Blair’s Chief of Staff, Mr Campbell and Sir David Manning and the White House.¹³

39. In his diaries, Mr Campbell wrote that the White House had said that:

“... if we got a majority with vetoes, Bush wanted to go straight in, within days, even short of the March 17 deadline, would say the UN had failed to act, and get going, on the basis of 1441. We made the point that we needed a second resolution. Without it we had real problems in Parliament. They said continually that they wanted to help us but of course what they really wanted was the use of our forces.

“Jonathan and I continually emphasised we needed the second resolution. We had seven definite votes still, but Condi was less confident re Chile and Mexico ... They [the US] basically wanted by Tuesday/Wednesday to say we had exhausted every effort and now the diplomatic window had closed. We said that if we got the majority for a second resolution, even with vetoes we would have to go through with it, including the timetable. Andy Card [President Bush’s Chief of Staff] said he feared the President’s response would be ‘Here we go, another final opportunity, a final final opportunity and this time we really mean it.’ I said TB’s job was on the line and we did not want to lose him. ‘No, nor do we’, said Condi. I think our concern was probably deeper.”¹⁴

¹³ Letter Rycroft to McDonald, 9 March 2003, ‘Iraq: US/UK Conference Call, 9 March’.

¹⁴ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

40. Mr Blair left President Bush in no doubt that he needed a second resolution to secure Parliamentary support for UK involvement in military action and sought support for his initiative of setting out tests in a side statement, including that the vote in the Security Council might have to be delayed “by a couple of days”.

41. Offered the opportunity not to take military action, Mr Blair assured President Bush the UK would be with the US “if he possibly could be”.

42. President Bush was evidently unwilling to countenance delay and was reported to have told Mr Blair that, if the second resolution failed, he would find another way to involve the UK.

43. Mr Blair and President Bush discussed the position late on 9 March, including the positions of Mexico and Chile.¹⁵

44. Mr Blair told President Bush that he was working with President Lagos on identifying tests for compliance in five specific areas and suggested that they (the US and the UK) should consider delaying the vote by a couple of days.

45. Mr Blair told President Bush that “he [Mr Blair] would be with the US if he possibly could be”.

46. Mr Rycroft recorded that President Bush responded that if the second resolution failed, he would find another way to involve the UK. He would “rather go alone militarily than have the British Government fall”.

47. President Bush wrote in his memoir that he told Mr Blair he would “rather have him drop out of the Coalition and keep his government than try to stay in and lose it”; and that Mr Blair said, “I’m with you ... I absolutely believe in this. I will take it up to the very last”.¹⁶

48. Mr Campbell wrote:

“TB started by saying he was ‘fighting on all fronts’. ‘Attaboy’ came the reply, a bit too patronisingly for my tastes. TB said one of his Ministers was threatening to resign, also that Chirac [Mr Jacques Chirac, the French President] told Lagos that the Africans were ‘in the bag’ ... TB had spoken to four of the leaders who made up the 8 plus 1. Musharraf [Mr Pervez Musharraf, the Pakistani President] was with us but it was difficult for him. Cameroon said absolutely. Guinea’s Foreign Minister coming tomorrow. Dos Santos [Mr José Eduardo Dos Santos, the Angolan President] solid.

“TB was doing most of the talking ... He felt Bush needed to work some more on Fox. He felt if we could get them to accept the idea of the tests, other countries

¹⁵ Letter Rycroft to McDonald, 9 March 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 9 March’.

¹⁶ Bush GW. *Decision Points*. Virgin Books, 2010.

would also come with us. But Bush said he was already putting enormous pressure on Mexico. He said he had also been twisting Lagos' arm ...

"Bush not happy. Bush said Saddam was very adept at exploiting weakness and Blix was weak. These countries need to see that we want to do this peacefully. He wants the vote to go through but not on an unreasonable basis.

"TB said the public opinion problem stemmed from people feeling the US wanted a war. We have to put up the genuine tests of disarmament, show the determination to try to do this peacefully.

"Bush said he had never come across a situation where the dividing line between success and failure was so narrow. He said he wanted it done peacefully, or any other way. His tone was very different to TB's. Bush was talking the diplomatic talk while clearly very irritated by the whole thing. His worry was that we were negotiating with ourselves, that we got a resolution with a timeframe, everything we want, and we get nothing for it. He said he couldn't believe Chirac said he had the Africans in the bag. 'I can', said TB. 'I have a lot of experience of them.'

"He [Bush] was clearly aware of how tough things were getting for TB. He said if the swing countries didn't vote with us 'my last choice is for your Government to go down. That is the absolute last thing I want to have happen. I would rather go it alone than have your Government fall.' 'I appreciate that', said TB. 'I really mean that' said Bush. TB said it was also important that he understood that he really believed in what they were trying to do. Bush – 'I know that but I am not going to see your Government fall on this.'

"TB said 'I've got our troops there too. If I can't get this through Parliament, we fall, and that's not exactly the regime change I want. We have to work out what Chile and Mexico need.'

"They agreed to speak again to Lagos and to Fox. TB said we were in high-risk, high-reward territory. Bush said he was being eroded domestically by inactivity. He also said he felt the hardest part would be after Saddam. Then Bush did a number on the changes in the Arab world that could follow.

"TB said the biggest concern in not going with the UN was the lack of support if things went wrong. Tommy Franks [General Franks, Commander in Chief US Central Command (CENTCOM)] had said ninety per cent of precision bombs are precise. That leaves ten per cent.

"But Bush was left in no doubt TB would be with him when the time came.

"Bush said 'I'm not going to let you down. Hang on in there buddy. You are doing great.'

“What had been interesting was that Bush listened far more intently to TB. TB did not make too much of his own problems, and was stressing he thought we were doing the right thing.”¹⁷

49. Sir Jeremy Greenstock reported that Dr Blix was prepared to work with the UK on identifying tests “as long as the bar was not out of reach of a complying Iraq”.

50. Dr Blix had reminded Sir Jeremy that UNMOVIC still lacked clear evidence that Iraq possessed any weapons of mass destruction (WMD).

51. Sir Jeremy Greenstock met Dr Blix late on 9 March to explore whether the various ideas for an ultimatum combined with specific tests for Iraq could be made part of a new UN resolution.¹⁸

52. Sir Jeremy told Dr Blix that the “risk of failure on our current draft was high enough for another way forward to be contemplated”. The UK might now be prepared “to set Saddam a series of tests, with dates set for him to meet specific requirements. If he failed at any stage, the final opportunity would be lost”. It would be important to devise tests that set the bar high, and not to lower them “in the face of Iraqi bluster”. The UK needed a professional judgement from Dr Blix on which areas should be set as tests.

53. Sir Jeremy reported that Dr Blix was prepared to work with the UK on a series of tests over timed periods “as long as the bar was not out of reach of a complying Iraq”; and that he had assured Dr Blix that that was not the UK’s objective. The US still had to be persuaded, “but that was our job”.

54. Dr Blix had also reminded Sir Jeremy “that UNMOVIC still lacked clear evidence that Iraq possessed any WMD at all”.

55. Following discussion of the details, Sir Jeremy commented that:

“... subject to further thoughts from UNMOVIC ... a convincing test by, say 21 March would comprise:

- Interviews [outside Iraq], accepting UNMOVIC’s lower number, with a venue of either Larnaca or Bahrain, and adding a warning about intimidation.
- RPVs and spray tanks [for possible delivery of chemical or biological agent]: full documentation and explanations.
- Completion of the Al Samoud destruction (since they are obviously keeping some for a conflict).
- A convincing public statement by Saddam.”

56. The FCO suggested some changes to the tests identified by No.10.

¹⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹⁸ Telegram 391 UKMIS New York to FCO London, 10 March 2003, ‘Iraq: Second Resolution’.

57. Mr Tim Dowse, Head of the FCO Non-Proliferation Department, wrote to Mr Peter Ricketts, FCO Political Director, on 10 March, commenting that the No.10 benchmarks “more or less” overlapped with a version he had produced, but cautioning against setting a figure on the number of scientists to be interviewed outside Iraq.¹⁹ In Mr Dowse’s view there was “no magic in 150”; UNMOVIC could not handle that number.

58. Mr Dowse also commented that:

- The tests on biological programmes might include growth media as well as anthrax. Iraq had admitted possessing material “as recently as 1999” and it was “simply not credible that all documentation has disappeared in such a short space of time”.
- He had “included the mobile bio-labs mainly because they’ve had so much publicity”, and there was “fairly firm intelligence about them”; but if Iraq refused to admit their existence, the UK was “in a bind, because we are unlikely to be able to prove they do exist. So perhaps we should drop them.”
- He had included bombs and shells because they were “concrete things, more easily visualised than VX”, and there was “less room for argument over whether they have been destroyed or not” in the light of the “scope for Iraqi obfuscation over destruction of VX”.
- The problem with “almost any benchmark relating to SCUD-type missiles” was that Iraq had claimed they were destroyed and “we can’t prove the contrary”. Demands for the 50 SCUD warheads which were “unaccounted-for” faced the same problem.
- He thought accelerated destruction of the Al Samoud 2 missiles and the associated production equipment, including “the test stand [at al-Rafah] if Blix agrees”, would be a better test.
- The No.10 benchmark on Unmanned Aerial Vehicles (UAVs) was “a poor one” referring to a programme in the 1990s. It would be better “to use the ‘drone with a wingspan of 7.45 metres’ which UNMOVIC have just discovered” which had not been declared by Iraq and which the US was “pretty confident” was an illegal system which they thought they had tracked “flying over 500km”.
- His preference was to pitch the test more widely for the destruction of “all UAVs with CBW applications”.

59. Mr Ricketts sent the comments to Mr Rycroft, observing that there were some good comments and Mr Dowse was available to be used for further drafting.²⁰

60. In his discussion with Mr Blair, Dr Blix appears to have been ambivalent about the specifics of the UK’s proposed tests.

¹⁹ [Email Dowse to Ricketts, 10 March 2003, ‘Benchmarks – No 10 Version’.](#)

²⁰ [Manuscript comment Ricketts to Rycroft on Email Dowse \[NPD FCO\] to Ricketts, 10 March 2003, ‘Benchmarks – No 10 Version’.](#)

61. In preparation for a telephone call to Dr Blix on 10 March, Mr Rycroft advised Mr Blair that he could not allow the proposals for tests to be watered down and that initial tests would show whether there was a change of heart to allow full co-operation.²¹ Mr Blair might need to remind Dr Blix that his 7 March report had noted that Iraq should be able to provide more documentary evidence; and that where documents were not available, interviews could be another way to obtain evidence.

62. Mr Blair told Dr Blix that “the only way to avoid immediate conflict and allow more time for inspections was to lay down a set of tests ... If these were met, we could establish a future work programme.”²² He did not know if the US would agree the approach and could try to “extend the 17 March deadline a bit”.

63. In the discussion of the possible tests, Dr Blix noted that it would not be possible for Iraq to “yield up” all its WMD by 17 March, as proposed in the draft resolution. The proposed test on anthrax would also be difficult. He suggested the addition of the complete destruction of Al Samoud missiles.

64. Dr Blix wrote that he had been invited to the UK Permanent Mission to the UN in New York to take a call from Mr Blair at 1.30pm London time.²³ Mr Blair had said “they needed five or six items on which the Iraqis would demonstrate their compliance with UNMOVIC’s work programme”. The items the UK had been considering “included accounting for anthrax, the chemical agents VX and mustard, SCUD missiles and remotely piloted vehicles: and promising genuine co-operation with UNMOVIC’s plans to take scientists (along with their families) for interviews outside Iraq”.

65. Dr Blix wrote that: “The process could not go on until April/May but perhaps it could extend a few days beyond March 17.”

66. Dr Blix added that he had told Mr Blair that all the “items” he had mentioned would fall within the list of unresolved disarmament issues, but: “Whether they would all be among the key issues we would select, I could not yet say with certainty.”

67. Dr Blix commented that he had “sensed” that Mr Blair had “found it hard to persuade the US to go along”.

Mr Straw’s statement, 10 March 2003

68. Mr Jack Straw, the Foreign Secretary, told the House of Commons on 10 March that the choice lay between standing firm and giving Saddam Hussein a deadline for compliance or a return to the “failed policy” of containment.

69. Mr Straw made an oral statement to the House of Commons on 10 March in which he described the reports to the Security Council on 7 March by Dr Blix and

²¹ Minute Rycroft to Prime Minister, 10 March 2003, ‘Blix Call’.

²² Letter Rycroft to Owen, 10 March 2003, ‘Iraq: Blix, 10 March’.

²³ Blix H. *The Search for Weapons of Mass Destruction: Disarming Iraq*. Bloomsbury Publishing Plc, 2005.

Dr Mohamed ElBaradei, the Director General of the IAEA, and the provisions of the revised draft resolution, tabled by the UK, US and Spain on 7 March, giving the Iraqi regime a deadline by which it was required to demonstrate that it was prepared to disarm peacefully.²⁴

70. Mr Straw emphasised that resolution 1441, giving “Iraq a ‘final opportunity’ to comply with a series of disarmament obligations” had been adopted four months previously; and that, during the debate in the Security Council:

“... not a single speaker claimed that Iraq was in compliance with those obligations; neither did a single speaker deny that Iraq has been in flagrant breach of international law for the past 12 years.”

71. Mr Straw welcomed Dr ElBaradei’s report that “the IAEA had found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq”.

72. Dr Blix, “on the other hand”, had “reported movement in some limited areas: for example the partial destruction of prohibited Al Samoud missiles”. But that was “only the tip of the iceberg of Iraq’s illegal weapons programme”, and the “full extent of the iceberg was revealed” in an UNMOVIC document, *Unresolved Disarmament Issues: Iraq’s Proscribed weapons Programmes*, which had now been made public.²⁵ Mr Straw described the document as setting out, in “173 pages of painstaking detail, the terrible nature of the weapons Saddam has sought with such determination to develop”. It was “a catalogue of evasion, deceit and feigning co-operation while in reality pursuing concealment”. The “sheer scale of Iraq’s efforts to develop and hide” its weapons could “be grasped only by reading the whole document”.

73. Citing the potential impact of “tiny amounts” of anthrax, Mr Straw stated that: “Contrary to Iraqi assertions”, the inspectors found evidence of anthrax where Iraq had declared there was none. There was “a strong presumption that some 10,000 litres of anthrax” had not been destroyed and “may still exist”, and Iraq possessed “the technology and materials to allow it to return swiftly to the pre-1991 production levels”.

74. Addressing the suggestions that inspections should be given more time, and specifically the memorandum produced by France, Germany and Russia on 5 March, Mr Straw said that Saddam Hussein was “a master at playing for time” and that continuing inspections “with no firm end date” would “not achieve the disarmament required by the Security Council”.

²⁴ House of Commons, *Official Report*, 10 March 2003, columns 21-39.

²⁵ UNMOVIC Working Document, 6 March 2003, *Unresolved Disarmament Issues: Iraq’s Proscribed Weapons Programmes*.

75. Challenging Iraq's claim that it had no weapons of mass destruction, Mr Straw said it was:

“... the same old refrain that we have heard ... for the past 12 years. Yet whenever the inspectors have caught the regime out, it has first protested, then conceded that narrow point, but then mendaciously claimed that there are no more.”

76. Characterising the choice to be made as whether to “stand firm” in pursuing the objective of disarmament or settling for a policy which would “in truth” allow Saddam Hussein to:

“... rebuild his arsenal under cover of just enough co-operation to keep the inspectors tied down for years to come. We should not deceive ourselves. The alternative proposals before the Security Council amount to a return to the failed policy of so-called containment. But the truth is that containment can never bring disarmament, nor is it the policy of the United Nations as expressed in resolution 1441 and in all the preceding resolutions going back to 1991.”

77. Stating that the reality was that Saddam Hussein only responded to pressure, and therefore that that pressure should be increased, Mr Straw said that Saddam Hussein had to be put to the test. The initiative to produce the revised resolution tabled in the Security Council on 7 March stemmed from the Government's “desire to secure a peaceful outcome”. Negotiations on the detail were continuing and the UK was “examining whether a list of defined tests for Iraqi compliance would be useful in helping the Security Council to come to a judgement”.

78. Mr Straw said that he profoundly hoped that the Iraqi regime would “even at this late stage, seize the chance to disarm peacefully”. He added: “The only other peaceful alternative would be for Saddam Hussein to heed the calls of a number of other Arab leaders for him to go into exile and to hand over to a new leadership prepared to conform with the Council's demands.” If Saddam Hussein refused to co-operate, the Security Council “had to face up to its clear responsibilities” under the UN Charter.

79. Addressing the potential consequences of military action, Mr Straw stated that the international community would have “a duty to build a secure, prosperous future for the Iraqi people”. In his meeting with Mr Kofi Annan, the UN Secretary-General, on 6 March, he had proposed “that the UN should take the lead role in co-ordinating international efforts to rebuild Iraq, and that they should be underpinned by a clear UN mandate”.

80. Mr Straw acknowledged the fear that action on Iraq might “exacerbate tensions elsewhere in the region”, and emphasised the need for progress in restoring a meaningful peace process between Israel and the Palestinian Authority. He concluded:

“A lasting settlement in the Middle East will remove one great threat to security ... In confronting the danger from Iraq's weapons, the UN can remove another great threat. We must not let Saddam turn his ‘final opportunity’ to disarm ... into endless

opportunities to delay. The future not only of the region but of UN authority is at stake.”

81. Mr Michael Ancram (Conservative), described the Iraq situation as outlined by Mr Straw as “grim” and encouraged the Government, in response to the serious questions and doubts about whether the case for action had been made, to “ensure that the case for action continues to be made and strongly”, and to produce more of the information it had for the British people to absorb.

82. Asked by Mr Ancram what the Government’s position would be in the event that three Permanent Members of the Security Council vetoed a second resolution, Mr Straw replied:

“We have made it clear throughout that we want a second resolution for political reasons, because a consensus is required, if we can achieve it, for any military action. On the legal basis for that, it should be pointed out that resolution 1441 does not require a second resolution ...”

83. Mr Michael Moore (Liberal Democrat) asked Mr Straw to accept that there were “still diplomatic and political options open to the international community and that the military agenda must not dictate the calendar for inspections”; and if he believed that “war should be the last resort”. Threatening to ignore the United Nations undermined the principles of international law.

84. Mr Straw responded that war was and “should always be a last resort”. The UK was not ignoring the UN. Mr Blair had “moved heaven and earth to ensure that the whole issue of Iraq” was “dealt with through the United Nations”.

85. Asked by Mr Simon Thomas (Plaid Cymru) to remind the House “exactly ... which part of resolution 1441 authorises war”, Mr Straw said:

“I am delighted to do so. We start with paragraph 1, which says that the Security Council ‘Decides that Iraq has been and remains in material breach of its obligations under relevant resolutions, including resolution 687 ... in particular through Iraq’s failure to co-operate with United Nations inspectors and the IAEA, and to complete the actions required under paragraph 8 to 13 of resolution 687’.

“We then go to paragraph 4, in which the Security Council ‘Decides that false statements or omissions in the declarations submitted by Iraq pursuant to this resolution 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’ – obligations of which it is now in breach. We turn to operative paragraph 13, in which the Security Council ‘Recalls, in that context, that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations’.”

INFORMAL CONSULTATIONS IN NEW YORK

86. Reporting informal consultations in New York on 10 March, Sir Jeremy Greenstock said that he had drawn the attention of the Security Council to Mr Straw's statement and the reference to work on a list of defined tests.²⁶ That had "caused a fair bit of interest".

87. Sir Jeremy also reported that, in response to questions, the points made by Dr Blix included:

- 40 interviews had been requested and 15 had been conducted "to UNMOVIC's modalities".
- The RPV UNMOVIC had discovered was important and should have been declared. UNMOVIC was examining whether it was proscribed.
- 52 Al Samoud 2 missiles had been destroyed.
- It was difficult for him to assess the regional threat posed by WMD. There were no confirmed cases of its existence and UNMOVIC had never maintained Iraq had them. But the clusters document recorded Iraqi deceit; repeated Full, Final and Complete Disclosures (FFCDs); hide and seek and cheating in the past. There were a lot of accounting problems.
- UNMOVIC was not expressing any low regard for intelligence agencies but no WMD had been found as a result of tips on location. Part of the reason might be that intelligence was gathered at levels which did not deal with actual storage.
- Experience showed that it was possible that Iraq could have mobile biological facilities.

88. Mr Blair failed to secure unqualified support from President Lagos for his approach.

89. Mr Blair spoke twice to President Lagos on 10 March in an attempt to find a path both President Lagos and President Fox could support.

90. In the first telephone call, before a conversation with Dr Blix, Mr Blair reported Dr Blix's response to Sir Jeremy Greenstock on the draft tests.²⁷

91. In the second conversation, Mr Blair reported progress on the three areas President Lagos had raised:

- Sir Jeremy Greenstock had worked up an agreed text with UNMOVIC identifying a set of concrete tests on which to judge Iraqi compliance.
- Mr Blair thought it "would be possible to find different wording" on the ultimatum to Iraq.

²⁶ Telegram 403 UKMIS New York to FCO London, 11 March 2003, 'Iraq: 10 March Council Consultations'.

²⁷ Letter Rycroft to Owen, 10 March 2003, 'Iraq: Chile, 10 March'.

- Timing “would be difficult, but he would try to get some flexibility” if the first two issues “fell into place”.²⁸

92. If Mr Blair knew he had Chilean and Mexican support, the UK would share the ideas with France and Russia.

93. President Lagos’ response was positive although he did not agree to support the resolution. Mr Blair offered to visit Chile if that would be helpful.

94. Mr Campbell wrote that President Lagos had said he was “eighty per cent there but worried about France and Russia”.²⁹

95. By 10 March, President Bush’s position was hardening. He was very reluctant to delay action.

96. Reporting a conversation at 9.30pm on 10 March, Mr Straw told Sir David Manning that Mr Colin Powell, the US Secretary of State, thought that there were seven solid votes, and uncertainty about Mexico, Chile and Pakistan.³⁰ If there were fewer than nine, the second resolution should not be put to the vote.

97. Mr Straw had responded that “he was increasingly coming to the view that we should not push the matter to a vote if we were going to be vetoed”; but that had not yet been agreed by Mr Blair.

98. When Mr Blair spoke to President Bush, they discussed the “seven solid votes” for the resolution.³¹ Mr Blair planned to speak to President Musharraf the following day. Mr Blair outlined the tests and his efforts to secure support from Chile and Mexico. They would not support a Spanish proposal simply to affirm resolution 1441.

99. In his account of the conversation, Mr Campbell wrote that Mr Blair had done most of the talking.³² President Bush thought that there were “seven votes solid ‘locked up’, but Pakistan and the Latins were difficult”; and that President Chirac was “trying to get us to the stage where we would not put [the resolution] to a vote because we would be so worried about losing”. Mr Campbell added that he “could sense in his voice and the manner of the discussion that [President] Bush was less emollient than yesterday”.

100. In answer to a question from President Bush about the timeframe for his proposal, Mr Blair had “said they [Chile and Mexico] would want to kick us back a few days as a way of showing they got something out of this”. Mr Blair had argued that if Chile and

²⁸ Letter Rycroft to McDonald, 10 March 2003, ‘Iraq: Prime Minister’s Phone Calls with Lagos, Bush and Aznar, 10 March’.

²⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

³⁰ Letter Straw to Manning, 11 March 2003, ‘Conversation with US Secretary of State, 10 March’.

³¹ Letter Rycroft to McDonald, 10 March 2003, ‘Iraq: Prime Minister’s Phone Calls with Lagos, Bush and Aznar, 10 March’.

³² Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

Mexico could be shifted, that would “change the weather”. If France and Russia then vetoed the resolution but the “numbers were right on the UN”, Mr Blair thought that he would “have a fighting chance of getting it through the Commons”. Subsequently, Mr Blair had suggested that a change in Chile and Mexico’s position might be used to influence Mr Vladimir Putin, the Russian President.

101. President Bush was “worried about rolling in more time” but Mr Blair had “held his ground”, arguing that Chile and Mexico would “need to be able to point to something that they won last minute that explains why they finally supported us”. President Bush “said ‘Let me be frank. The second resolution is for the benefit of Great Britain. We would want it so we can go ahead together.’” President Bush’s position was that the US and the UK “must not retreat from 1441 and we cannot keep giving them more time”; it was “time to do this” and there should be “no more deals”.

102. Mr Campbell wrote that Mr Blair concluded the conversation by saying “he was sure we were doing the right thing and we had to see it through, but it was going to be tough”. President Bush had replied: “Hang on in there friend.”

103. Mr Campbell wrote that he “felt a bit sick” about “the extent to which our problems were US-created, and our politics now so dominated by their approach”.

104. Sir David Manning sent the UK’s proposals for a revised deadline and a side statement identifying six tests on which Saddam Hussein’s intentions would be judged to Dr Rice and to President Lagos.

105. Reflecting some of the comments from Dr Blix and Mr Dowse, Sir David Manning wrote to Dr Rice setting out six proposed tests, with additional details in a “draft side statement”, which Mr Blair had “briefly described” to President Bush:

- a public statement in Arabic by Saddam Hussein announcing that:
 - Iraq had in the past sought to conceal its WMD and other proscribed activities but had taken a strategic decision not to produce or retain them;
 - Iraq would immediately yield all prohibited and proscribed material to the weapons inspectors;
 - Iraq would co-operate fully with UNMOVIC and the IAEA in immediately addressing and resolving all outstanding questions; and
 - all government personnel and citizens would cease any proscribed activity and provide items, documentation and information to the inspectors;
- undertakings to:
 - make at least 30 Iraqi scientists available for interview outside Iraq;
 - surrender all remaining anthrax and anthrax production capability (including growth media) and provide credible evidence to account for outstanding questions on production and destruction;
 - surrender all mobile bio-production laboratories for destruction;

- destroy all Al Samoud 2 missiles and components; and
- account for the purpose of all UAV and RPV programmes.³³

106. The draft side statement was also sent to President Lagos.

107. Sir David informed Dr Rice that Mr Blair was willing to consider a redraft of operative paragraph (OP) 3 of the draft resolution (tabled by the UK, US and Spain on 7 March), which “might read”:

“decides that Iraq will have failed to take the final opportunity unless by X date it shows that it has demonstrated that it is co-operating fully, unconditionally and immediately with its disarmament obligations under UNSCR 1441.”

108. The decision on Iraq’s co-operation would be taken on the basis of Iraq’s response to the six tests.

109. Mr Blair wrote in his memoir that President Bush and his military were concerned about delay:

“It [the proposal for tests/more time] was indeed a hard sell to George. His system was completely against it. His military were, not unreasonably, fearing that delay gave the enemy time – and time could mean a tougher struggle and more lives lost. This was also troubling my military. We had all sorts of contingency plans in place for what Saddam might do. He might set the oilfields on fire, release chemical, or worse, biological material, or attack Israel. His past record gave us no confidence in his trustworthiness or his humanity. There was both UK and US intelligence warning us of the risk.

“Nonetheless I thought it was worth a try ...

“I set out my case for delay in a Note to George. We then had a call. It was tricky but I laid it on the line and reluctantly he agreed. We got the document prepared with the Blix people. It had five crucial tests in it. It would, especially on the interview, have flushed out the regime thoroughly on what they were hiding and on whether they had any good faith.

“Chile and Mexico were prepared to go along, but only up to a point. Ricardo made it clear that if there was heavy opposition from France, it would be tough for them to participate in what would then be a token vote, incapable of being passed because of a veto – and what’s more, a veto not by Russia, but by France.

“Unfortunately, the French position had, if anything, got harder not softer. They were starting to say they would not support military action in any circumstances, irrespective of what the inspectors found ...”³⁴

³³ [Letter Manning to Rice, 10 March 2003, \[untitled\]](#).

³⁴ Blair T. *A Journey*. Hutchinson, 2010.

110. In a press conference on 10 March, Mr Annan reiterated the Security Council's determination to disarm Iraq, but said that every avenue for a peaceful resolution of the crisis had to be exhausted before force should be used.

111. Mr Annan also warned that if the Security Council failed to agree on a common position, and action was taken without the authority of the Council, the legitimacy and support for any such action would be seriously impaired.

112. During a press conference in The Hague on 10 March, Mr Annan made a short statement on the position on Iraq.³⁵

113. Mr Annan warned that the "atmosphere of crisis and great anxiety" was "affecting the whole world", and that:

"The question of Iraq's disarmament has brought the international community to a dangerous point of division and discord ...

"... the threat of weapons of mass destruction. It is an issue of the utmost gravity – by no means confined to Iraq. The whole international community needs to act together to curb the proliferation of these terrible weapons, wherever it is happening.

"The determination of the Security Council to disarm Iraq of such weapons is the most urgent issue – because Iraq has actually used such weapons in the past, and because it has twice committed aggression against its neighbours ... On this critical question, there are no divisions, no grounds for doubt, dispute or delay.

"... people want to see this crisis resolved peacefully. There is widespread concern about the long term consequences of war in Iraq for the fight against terrorism; for the Middle East Peace Process [MEPP]; and for the world's ability to address common concerns in the future if deep divisions are sowed today between nations and between people of different religions.

"Indeed, one must have no illusions about what war means. In certain circumstances the use of force may be necessary to secure a lasting peace. But the reality is that it would cause great human suffering, whether it is long or short; that it may lead to regional instability and economic crises; and it can ... lead to unintended consequences producing new threats and new dangers.

"War must always be a last resort – arrived at only if and when every reasonable avenue of achieving Iraq's disarmament by peaceful means has been exhausted. The United Nations ... has a duty to search till the very end for the peaceful resolution of conflicts."

³⁵ United Nations, 10 March 2003, *Secretary-General's press conference (unofficial transcript)*.

114. Mr Annan added:

“The members of the Security Council now face a great choice. If they fail to agree on a common position, and action is taken without the authority of the Security Council, the legitimacy and support for any such action will be seriously impaired. If, on the other hand, they can ... address this threat in a united manner and ensure compliance with their previous resolutions, then the Security Council’s authority will be enhanced, and the world will be a safer place.

“... Iraq does not exist in a vacuum. What happens there will have profound implications ... for other issues of great importance ... The broader the consensus on Iraq, the better the chance that we can come together again and deal effectively with other burning conflicts, starting with the one between Israelis and Palestinians. Only a just resolution of that conflict can bring peace and stability in the region.

“... the success or failure of the international community in dealing with Iraq will crucially affect its ability to deal with ... conflicts ...”

115. Mr Annan concluded:

“However this conflict is resolved, the United Nations will remain as important as it is today.

“We have seen in recent months what an immense significance States and people around the world attach to the legitimacy provided by the ... Security Council, and the United Nations, as the common framework for securing the peace. As they approach their grave decision, I must solemnly urge all members of the ... Council to keep this in mind, and to be worthy of the trust in them that the world’s peoples have shown.”

116. Asked whether an attack on Iraq without a second resolution would be a breach of the UN Charter, Mr Annan responded:

“... the Charter is very clear on circumstances under which force can be used. I think the discussion ... is to ensure that the ... Council, which is the master of its own deliberations, is able to pronounce itself on what happens. If the US and others were to go outside the Council and take military action it would not be in conformity with the Charter.”

President Chirac’s interview, 10 March 2003

117. Sir John Holmes, the British Ambassador to France, reported on 10 March that, after the debate in the Security Council on 7 March, France believed it had the momentum.³⁶ The press and public were firmly behind President Chirac. France was

³⁶ [Telegram 123 Paris to FCO London, 10 March 2003, ‘Iraq: French Reaction to 7 March Debate’](#).

“impervious” to the UK’s arguments, although that “could still change if it looks as if we might secure the nine votes and avoid Russian and Chinese vetoes”.

118. Sir John reported that France’s strategy remained:

“(a) to persuade us not to go for a vote, (b) if this did not work, to stop us from securing nine votes, and (c) if there are nine votes, to ensure that they have Russian and Chinese company in vetoing.”

119. France was “on the diplomatic offensive”. Mr Dominique de Villepin, the French Foreign Minister, was visiting Angola, Cameroon and Guinea and President Chirac was “canvassing support” for a Security Council meeting at Head of State level for a vote on Iraq.

120. Sir John commented:

“Although the French have still so far steered clear of saying in so many words that they will veto, it is hard to interpret their comments and approach in any other way ... It is getting increasingly difficult for the French to backtrack now, having built up so many expectations domestically and internationally. Whilst we are both fully engaged in our respective lobbying campaigns there is little we can say to them likely to have much impact ...

“I doubt that benchmarks and a little more time will do the trick ... That said, the dynamics may yet change this week ... In any case, going to a vote without at least some Prime Ministerial contact with Chirac would ... be odd. If it looks as though we have the nine votes and might persuade Russia and China not to vote, a serious phone call would be well worth a try – if only to ease the way for co-operation in the aftermath.”

121. In a television interview on the evening of 10 March, President Chirac made clear that France did not consider that the UN inspections had reached a “dead end” and warned of the adverse consequences of unilateral US military action.

122. Addressing the “most probable” scenario that evening, President Chirac said that the revised resolution tabled by the UK, US and Spain on 7 March would not secure the support of nine members of the Council. If, however, there was a majority, France would “vote no”.

123. Asked about his position, President Chirac replied that “regardless of the circumstances”, France would vote “no” because “this evening” there were no grounds for waging war to disarm Iraq.

124. President Chirac also stated that if the inspectors reported that they were not in a position to guarantee Iraq’s disarmament, war would become inevitable.

125. In a television interview on the evening of 10 March, President Chirac argued that a country with Iraq’s past and political structure was always dangerous, but it

was “genuinely dangerous only if it has the capabilities to commit aggression, if it has the capabilities to attack”.³⁷ The “problem was to make sure it no longer had those capabilities or ... that those capabilities could be controlled and destroyed”. The inspections regime between 1991 and 1998 had destroyed more weapons than the Gulf Conflict in 1991, and “resulted in the complete, almost complete eradication in all likelihood ... of Iraq’s nuclear programmes”. Iraq’s (Al Samoud 2) missiles with a longer than permitted range were “being destroyed”.

126. President Chirac acknowledged that there were “probably other weapons” but Dr Blix had told the Security Council that if Iraq stepped up co-operation, which was “never sufficient but which has improved”, weapons of mass destruction could be eliminated. It was for the inspectors to advise whether they could complete their task. If they reported that they were not in a position to guarantee Iraq’s disarmament, it would be:

“... for the Security Council alone to decide the right thing to do. But in that case ... regrettably, the war would become inevitable. It isn’t today.”

127. President Chirac stated that other regimes, such as North Korea, had nuclear weapons which were “not hypothetical”, but definitely existed.

128. President Chirac stated that the international community had unanimously chosen the path of disarming Iraq; it had not decided the objective was to change the Iraqi regime; and that:

“Today nothing tells us that this path is a dead end and, consequently, it must be pursued since war is always a final resort, always an acknowledgement of failure, always the worse solution ... And we don’t consider we are at that point. That is why we are refusing to embark on a path automatically leading to war so long as the inspectors haven’t told us: ‘we can’t do any more’ ... they are telling us the opposite.”

129. President Chirac argued that the “new resolution setting an ultimatum” represented a move from a course of action involving the pursuit of inspections in order to disarm Iraq to “a different one consisting of saying: ‘in so many days, we go to war’”. France would not accept “that solution”.

130. In response to a series of questions, President Chirac stated:

- “So the first scenario which is today, this evening, the most probable, is that this resolution won’t get a majority of nine members ...”
- “There will be nations who will vote ‘no’, including France ... But ... there won’t be a majority. So there won’t be a veto problem.”

³⁷ The Élysée, *Interview télévisé de Jacques Chirac, le 10 mars 2003*. A translation for HMG was produced in a [Note \[unattributed\], \[undated\], ‘Iraq – Interview given by M. Jacques Chirac, President of the Republic, to French TV \(10 March 2003\)’](#).

- “... the second scenario ... the views of a number of people change ... there may indeed be a majority ... in favour of the new resolution ... If that happens, France will vote ‘no’ ... when one of the five Permanent Members ... votes ‘no’, and even if there is a majority in favour ... the resolution isn’t adopted. That’s what’s called exercising a veto.”

131. Asked: “And, this evening, this is your position in principle?”, President Chirac responded:

“My position is that, regardless of the circumstances, France will vote ‘no’ because she considers this evening that there are no grounds for waging war in order to achieve the goal we have set ourselves, ie to disarm Iraq.”

132. Asked whether France would use its veto regardless of the position of China and Russia, President Chirac replied that if there was a resolution authorising war, they would adopt the same attitude as France.

133. President Chirac stated that it was possible to have a difference of view with the US. Principles and values should not be sacrificed because there was a crisis. France had warned the US that it could not:

“... be a standard bearer for democracy and dialogue and not use every possible method to avoid a war ... [I]f the international community didn’t give its approval, a dangerous precedent would be set if the United States bypassed the UN.”

134. President Chirac added that he had told President Bush that the US had “already won”. It was “highly probable” that “Iraq wouldn’t have provided the more active co-operation the inspectors demanded”, if the US and the UK had not deployed such significant forces.

135. President Chirac made clear that although France disagreed with military action, it would remain an ally of the US. It would not stop US overflights. But he warned that the consequences of war would be unpredictable. Reconstruction would be required which could only be done through the UN. The responsibility of restoring a viable situation in Iraq and the region could not be taken on by one country alone. France would have a part to play.

136. In response to a question about whether war would lead to a resurgence of terrorism and clashes between the different communities in France, President Chirac replied:

“It’s certain that, if there’s war, the first victors will probably be those seeking confrontation, the clash of civilisations, cultures and religions. In my opinion, a war of this nature can lead only to increased terrorism.”

137. President Chirac stated:

“... it seems to me that war is something which will break up the world coalition against terrorism ... we mustn't forget that a very great majority of the world's countries and peoples are against this war ... France isn't isolated ... So if there is a war there is indeed a risk of a new upsurge in terrorism.”

138. The headline in *Le Monde* the following day was “*Quelles que soient les circonstances, la France votera non*”.³⁸

139. Commenting on the interview the following day, Sir John Holmes wrote that, “Even if only in response to a question”, President Chirac had gone “out of his way to make his position categoric”.³⁹ He added:

“The French calculation is presumably that this makes it as hard as possible for the Russians and Chinese not to follow, and as easy as possible for the swing six to abstain, as an obvious middle course between the two opposing blocs. The only glimmer of encouragement that I can see for us is that he may have played this card too soon, apparently ruling out any flexibility even if the text of a resolution is amended ... We may be able to use this against the French in arguing with others. I suppose it is possible in theory that ... Chirac could change to an abstention. But this is clutching at straws, such is the limb he has deliberately put himself on.”

140. Sir John Holmes told the Inquiry that President Chirac had prepared his remarks and had decided at that stage that he was “fully in opposition to ... the invasion of Iraq”.⁴⁰

141. Sir John thought President Chirac had been saying: “The text, as we have it at this moment, is not one we can support and we will vote against it.”⁴¹

142. Sir John stated, “There was genuine ambiguity” about what President Chirac had meant: “There was scope for interpretation.”⁴²

143. Sir Jeremy Greenstock also told the Inquiry:

“The fact was that, although the words didn't surprise us, the fact that Chirac said it at that time, in that way, was politically aggressive by the French. That was the point.”⁴³

³⁸ *Le Monde*, 11 March 2003. [Taken from *Le Monde (international)*, 22 March 2003.]

³⁹ [Telegram 124 Paris to FCO London, 11 March 2003, 'Iraq: Chirac's TV Interview – France's Veto'](#).

⁴⁰ Public hearing, 29 June 2010, page 40.

⁴¹ Public hearing, 29 June 2010, pages 43-44.

⁴² Public hearing, 29 June 2010, page 49.

⁴³ Private hearing, 26 May 2010, page 35.

Events of 11 March 2003

144. In a press conference, Mr Blair stated that he hoped that France and Russia would not talk about vetoes but try to find common ground.

145. In a press conference following a meeting with Mr José Manuel Durao Barroso, the Portuguese Prime Minister, Mr Blair set out that there had been an attempt to unify people around a common position based on resolution 1441 to try to disarm Iraq peacefully, but if that became impossible, the international community had to be “prepared to take action”.⁴⁴ He also said that divisions between Europe and the US would be “very damaging” and that he was:

“... prepared to try and find common ground, but we need others to be equally willing to do so.”

146. In response to a question about what more could be given to find common ground with France and Russia, Mr Blair replied:

“... if France or any other country is simply going to say we will veto, no matter what, that is obviously a very difficult position ... [E]verybody, including France and Russia, accepts there is not full co-operation ... So I hope we won't talk about vetoes in any set of circumstances or in all sets of circumstances, but rather we will try and find the common ground that allows us a way through here ... And what we are trying to do in the Security Council now is to offer very, very clear ideas as to what Iraq has to do in order to demonstrate it is prepared to disarm voluntarily.

“But let us not be under any illusion, there is no way that Iraq will make any concession or co-operate in any way without the threat of force being there ... [M]y concern is that if countries talk about using a veto in all sets of circumstances, the message that sends to Saddam is you are off the hook ...”

MR STRAW'S MINUTE TO MR BLAIR

147. Mr Straw advised Mr Blair that the UK and the US should not push the second resolution to a vote if they could not secure nine votes and be certain of avoiding any vetoes.

148. Mr Straw suggested that the UK should adopt a strategy based on the argument that Iraq had failed to take the final opportunity offered by resolution 1441, and that the last three meetings of the Security Council “more than fulfil the requirement” for Security Council consideration of reports of non-compliance.

149. Mr Straw also identified the need for a “Plan B” in the event that the Government failed to secure a majority in the Parliamentary Labour Party for military action.

⁴⁴ The National Archives, 11 March 2003, *Press Conference: PM Blair and Portuguese PM Barroso*.

150. Mr Straw wrote to Mr Blair on 11 March setting out his conclusion that:

“If we cannot gain nine votes and be sure of no veto, we should not push our second resolution to a vote. The political and diplomatic consequences for the UK would be significantly worse to have our ... resolution defeated (even by just a French veto alone) than if we camp on 1441. Kofi Annan’s comments last evening have strengthened my already strong view on this. Getting Parliamentary approval for UK military action will be difficult if there is no second resolution: but in my view marginally easier by the strategy I propose.

“We also need to start working up a Plan B for our armed forces if we cannot be sure of Commons’ approval for their inclusion in the initial invasion of Iraq.”⁴⁵

151. Mr Straw set out his reasoning in some detail, making clear that it was predicated on a veto only by France. That was “in practice less likely than two or even three vetoes”. The points made included:

- The “upsides of defying a veto” had been “well aired”, including that it would “show at least we had the ‘moral majority’ with us”.
- In public comments, he and Mr Blair had kept their “options open on what we should do in the event that the resolution does not carry within the terms of the [UN] Charter”. That had “been the correct thing to do”. “In private” they had “speculated on what to do if we are likely to get nine votes, but be vetoed” by one or more of the five Permanent Members (P5).
- Although in earlier discussion he had “warmed to the idea” that it was worth pushing the issue to a vote “if we had nine votes and faced only a French veto”; the more he “thought about this, the worse an idea it becomes”.
- The intensive debate over Iraq in the past five months had shown “how much faith” people had in the UN as an institution; and that “far from having the ‘moral majority’ with us ... we will lose the moral high ground if we are seen to defy the very rules and Charter of the UN on which we have lectured others and from which the UK has disproportionately benefitted”.
- The “best, least risky way to gain a moral majority” was “by the ‘Kosovo route’ – essentially what I am recommending. The key to our moral legitimacy then was the matter never went to a vote – but everyone knew the reason for this was that Russia would have vetoed. (Then, we had no resolution to fall back on, just customary international law on humanitarianism; here we can fall back on 1441.)”
- The veto had been included in the UN Charter “for a purpose – to achieve a consensus”. The UK could not “sustain an argument (politically, leave aside legally) that a distinction can be made between a ‘reasonable’ and an ‘unreasonable’ veto”. That was “a completely subjective matter”.

⁴⁵ [Minute Straw to Prime Minister, 11 March 2003, ‘Iraq: What if We Cannot Win the Second Resolution?’](#)

- The “three recent meetings of the Council more than fulfil the requirement for immediate consideration of reports of non-compliance. So we can say convincingly that the process set out in 1441 is complete. If we push a second resolution to a veto, then the last word on the Security Council record is a formal rejection of a proposal that Iraq has failed to take its final opportunity.”

152. Mr Straw advised that it would be “more compelling in Parliament and with public opinion to take our stand on the basis of [resolution] 1441, and the overwhelming evidence that Iraq has not used the four months since then to co-operate ‘immediately, unconditionally and actively’”. The UNMOVIC “clusters” document would be “a material help in making that case”.

153. Mr Straw advised Mr Blair that he interpreted Mr Annan’s “important” statement on 10 March:

“... essentially as a gypsies’ warning not to try and then fail with a second resolution. If the last current act of the Security Council on Iraq is 1441, we can genuinely claim that we have met Kofi’s call for unity and for acting within (our interpretation of) the authority of the Security Council.”

154. There was no reference in Mr Straw’s minute to President Chirac’s remarks the previous evening.

155. Mr Straw advised Mr Blair that it would not be possible to decide what the Parliamentary Labour Party and the House of Commons would agree until deliberations in the Security Council had concluded. If a second resolution was agreed, it would be “fine”, but that was “unlikely”. He added:

“I sensed yesterday that sentiment might be shifting our way; but we would need to be very clear of the result before putting down a resolution approving military action. We could not possibly countenance the risk of a defeat ...

“But it need not be a disaster for you, the Government, and even more important for our troops, if we cannot take an active part in the initial invasion, provided we get on the front foot with our strategy.

“I am aware of all the difficulties of the UK standing aside from invasion operations, not least given the level of integration of our forces with those of the US. But I understand that the US could if necessary adjust their plan rapidly to cope without us ... [W]e could nevertheless offer them a major UK contribution to the overall campaign. In addition to staunch political support, this would include:

- intelligence co-operation;
- use of Diego Garcia, Fairford and Cyprus, subject to the usual consultation on targeting; and

- as soon as combat operations are over, full UK participation in the military and civilian tasks, including taking responsibility for a sector and for humanitarian and reconstruction work. We could also take the lead in the UN on securing the ... resolution to authorise the reconstruction effort and the UN role in it which the US now agree is necessary.”

156. Mr Straw concluded:

“We will obviously need to discuss all this, but I thought it best to put it in your mind as event[s] could move fast. And what I propose is a great deal better than the alternatives. When Bush graciously accepted your offer to be with him all the way, he wanted you alive not dead!”

157. Mr Straw’s minute was not sent to Lord Goldsmith or to Mr Geoff Hoon, the Defence Secretary.

158. Mr Straw’s Private Office replied separately on 11 March to a request from Sir David Manning for advice on the implications of the argument that a French veto would be unreasonable.⁴⁶

159. The FCO advised that there was “no recognised concept of an ‘unreasonable veto’”; and warned that: “In describing a French veto as ‘unreasonable’ we would therefore be inviting others to describe any future vetoes as ‘unreasonable’ too.” That could have implications in other areas “such as the Middle East”. In addition, “describing the veto as unreasonable would make no difference to the legal position”. There was “no implied condition” in the UN Charter that a veto was valid “only” if it was reasonable. There was “already pressure at the UN to abolish veto rights”. And pressure could be expected to increase “if the argument that certain vetoes were ‘unreasonable’ – and could therefore be ignored – gained ground”.

160. The UK was “on record as saying that the veto should only be used with restraint and in a manner consistent with the principles of the Charter”.

MINISTERIAL MEETING TO DISCUSS LEGAL ISSUES AND THE MILITARY PLAN

161. Ministers discussed legal issues, including holding the response to a US request for the use of UK bases for a few days, on 11 March.

162. They also discussed the viability of the military plan.

163. Mr Blair held a meeting to discuss the military plan and legal issues with Mr John Prescott (Deputy Prime Minister), Mr Hoon, Lord Goldsmith and Admiral Sir Michael Boyce (Chief of the Defence Staff (CDS)).⁴⁷ Mr Straw attended part of the meeting.

⁴⁶ [Letter Owen to Manning, 11 March 2003, ‘Iraq: Security Council: Use of Vetoes’.](#)

⁴⁷ Minute Rycroft to Prime Minister, 11 March 2003, ‘Iraq Military: 1300 Meeting’.

Sir Andrew Turnbull (Cabinet Secretary), Mr Powell, Mr Campbell, Baroness Morgan (Mr Blair's Director of Political and Government Relations), Sir David Manning and Mr Rycroft were also present.

164. Mr Blair had already had a bilateral discussion with Lord Goldsmith on 11 March on the legal basis for the use of military force early. That is addressed in Section 5.

165. Mr Straw's Private Office wrote to No.10 on 11 March, reporting that the US was pressing for a response "as soon as possible" to the letter delivered by the US Ambassador to London to Mr Straw on 5 March.⁴⁸ That had formally requested the British Government's agreement to the use of RAF Fairford, Diego Garcia and, possibly, other British bases for military operations against Iraq.

166. The FCO advised that "under international law, the UK would be responsible for any US action in breach of international law in which the UK knowingly assisted". The draft response was "premised on a decision that UNSCR [UN Security Council resolution] 1441 and other relevant resolutions" provided "the authority for action".

167. A minute from Mr Desmond Bowen, the Deputy Head of OD Sec, advised Sir David Manning that the request was to be discussed at Mr Blair's meeting with Lord Goldsmith, Mr Straw and Mr Hoon on 11 March.⁴⁹ He understood that Mr Straw and Mr Hoon had copies of Lord Goldsmith's advice of 7 March.

168. The briefing note for Mr Blair described confirmation of the viability of the overall military plan as the "main purpose of the meeting".⁵⁰

169. The record of the meeting on 11 March stated that Mr Blair had started by addressing the legal base for military action.⁵¹ He stated that Lord Goldsmith's "advice made it clear that a reasonable case could be made" that resolution 1441 was "capable of reviving" the authorisation of resolution 678, "although of course a second resolution would be preferable".

170. Other points recorded by Mr Rycroft included:

- Adm Boyce said he "would need to put a short paragraph [on the legal basis] in his directive to members of the Armed Forces".
- That "should be cleared with the Attorney General".
- The UK would send the US a positive reply on its request to use Diego Garcia and RAF Fairford "in a day or two, with the usual conditions attached".
- Mr Hoon and Adm Boyce advised that "once we had given our approval, the US might give very little notice before the start of the campaign".

⁴⁸ Letter Sinclair to Rycroft, 11 March 2003, 'US Request to use Diego Garcia and RAF Fairford for Possible Operations Against Iraq'.

⁴⁹ Minute Bowen to Manning, 11 March 2003, 'US use of British Bases'.

⁵⁰ Minute Rycroft to Prime Minister, 11 March 2003, 'Iraq Military: 1300 Meeting'.

⁵¹ [Letter Rycroft to McDonald, 11 March 2003, 'Iraq: Legal and Military Aspects'](#).

- Sir Andrew Turnbull asked whether a legal basis for military action was required for civil servants, as well as for members of the Armed Forces.
- Mr Hoon asked whether the Attorney General’s legal advice was ever disclosed.
- Mr Blair asked for a quick study into the precedents for that.
- Adm Boyce told the meeting that he was “confident that the battle plan would work”.
- Mr Blair stated that “we must concentrate on averting unintended consequences of military action. On targeting, we must minimise the risks to civilians.”

171. In his diaries, Mr Campbell wrote that:

- Mr Hoon had “said he would be happier with a clearer green light from the AG [Attorney General]”.
- Mr Blair had been “really irritated” when Sir Andrew Turnbull had “said he would need something to put round the Civil Service that what they were engaged in was legal”. Mr Blair was “clear we would do nothing that wasn’t legal”.
- Lord Goldsmith had provided “a version of the arguments he had put to TB, on the one hand, on the other, reasonable case”.
- Mr Hoon had advised that the response to the “US request for the use of Diego Garcia and [RAF] Fairford” should be that it was “not ... automatic but had to go round the system”. Mr Blair had said he “did not want to send a signal that we would not do it”.
- Mr Hoon and Mr Straw were telling Mr Blair that the US could act as early as that weekend, and “some of our forces would have to be in before”.⁵²

172. Following the meeting, Mr Peter Watkins, Mr Hoon’s Principal Private Secretary, provided an outline of the military plan for Iraq and the need for decisions on the development of the UK’s role to Sir David Manning.⁵³ That is addressed in Section 6.2.

173. Ms Short recorded that she had spoken to Mr Blair on the evening of 11 March about the fact that DFID had not been invited to attend the meeting “on the legality of military action”, which she understood was about “the use of UK bases by the US in war, but the fundamental question on whether there was legal authority for military action was presumably the same”.⁵⁴ Mr Blair had said she would “see all” and that it had been decided to defer the decision on basing. He was: “Hopeful on a second resolution.” Lord Goldsmith had “said 1441 enough. A bit later, 1441 enough if detail available to show SH [Saddam Hussein] had not complied.”

⁵² Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

⁵³ [Letter Watkins to Manning, 11 March 2003, ‘Iraq: The Military Plan’](#).

⁵⁴ Short C. *An Honourable Deception: New Labour, Iraq and the Misuse of Power*. The Free Press, 2004.

Secretary Rumsfeld's remarks, 11 March 2003

In a telephone call to Mr Donald Rumsfeld, the US Secretary of Defense, on 11 March about the timing of military action, Mr Hoon emphasised the importance of a few extra days to win over Chile and Mexico and the domestic politics in the UK.⁵⁵

The MOD reported that Secretary Rumsfeld had said Gen Franks was looking at how to “work around” a position in which the UK could not participate in military action which assumed that the UK would be available for post-conflict activities. Mr Hoon had responded that the UK would not want to be in that position and reiterated the case for waiting a few more days.

In a subsequent press briefing, Secretary Rumsfeld said that it was unclear what the UK role would be in the event that a decision was made to use force:

“... until we know what the resolution is, we won't know the answer to what their role will be ...”⁵⁶

Secretary Rumsfeld subsequently clarified his comments, saying he had “no doubt of the full support of the United Kingdom for the international community's efforts to disarm Iraq”.⁵⁷ Obtaining a second resolution was important to the UK, and the US was “working to achieve that”. He added:

“In the event that a decision to use force is made, we have every reason to believe that there will be a significant military contribution from the United Kingdom.”

In his memoir Mr Blair wrote that Secretary Rumsfeld had been “trying to be helpful”, but it had not helped and “by then the military were absolutely determined, rightly, that they would be part of the action from the outset, and took amiss any sense that we might be in the second rank”.⁵⁸

In the entry for 11 March in the edition of his diaries published in 2012, Mr Campbell wrote that the incident was “indicative of the difficulties” of working with the US.⁵⁹ Secretary Rumsfeld's clarification was the result of a further telephone call from Mr Hoon “making it clear that we were with them”.

TELEPHONE DIPLOMACY, 11 MARCH 2003

174. Mr Blair and Mr Straw met early on 11 March to take stock and agree a plan to make telephone calls lobbying contacts for support for the UK approach.⁶⁰

175. President Putin told Mr Blair that there were grounds for believing that Saddam Hussein understood the need for disarmament and had opted for

⁵⁵ Letter Watkins to Manning, 11 March 2003, ‘Iraq: Call to Donald Rumsfeld’.

⁵⁶ US Department of Defense, 11 March 2003, *DoD News Briefing – Secretary Rumsfeld and Gen. Myers*.

⁵⁷ *BBC News*, 12 March 2003, *Text of Donald Rumsfeld remarks*.

⁵⁸ Blair T. *A Journey*. Hutchinson, 2010.

⁵⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

⁶⁰ Letter Rycroft to McDonald, 11 March 2003, ‘Iraq: Gameplan for 11 March’.

maximum co-operation with the inspectors. Russia could not accept a proposition giving a green light to war.

176. President Putin also warned of the risks of military action.

177. Following Mr Blair's discussion with President Putin on 7 March (see Section 3.7), Sir Roderic Lyne, British Ambassador to Russia, had advised Mr Ricketts on 10 March that he had been considering whether there was "anything to be done at the 11th hour to turn the Russians on our current text".⁶¹ He had concluded that Russia would "only move if":

- “• the French moved;
- and/or major amendments were made to the resolution;
- or if the Americans had brokered a bilateral deal so heavily weighted towards Russian interests that it outweighed the downside of splitting from the French position.”

178. Sir Roderic added that "the Americans have now left it too late". President Putin did not "want a breach with the Americans, for well known reasons; and this explains the repeated Russian encouragement ... to just go ahead and do it in a way which does not involve Russia in approving war".

179. Stating that he was "deliberately over-simplifying", Sir Roderic advised that President Putin was not now going to "put himself out" or "take risks", because:

- The Americans had "not picked up Russian hints from mid-2001 onwards that there is a price tag attached".
- The Americans "... did not cut the Russians in on the discussion. They proclaimed the 'axis of evil', which worries the Russians mightily; they deployed their forces; they then demanded acceptance of their resolution within a tight time-frame and without a smoking gun or trigger. If the Russians buy into this, what else are they buying into? War on N. Korea or Iran? (It's not impossible that the Russians could be brought to subscribe to a tougher approach to proliferation, but they would need to be carried along stage by stage.) So the Russians are very susceptible to the French line of argument that the Americans are trying to drag us down a very dangerous road ... and the time to make a stand is now."
- Russia had "not been given its due reward for supporting the Americans on various issues, or for not opposing them on others".
- Russia wanted freedom to act on Chechnya.
- Russian domestic opinion thought France and Germany were right to stand firm against the US.

⁶¹ [Email Lyne to Ricketts, 10 March 2003, 'Iraq/Russia'](#).

180. In Sir Roderic's view, the "only way we are now likely to get them [the Russians] on board would be to drop the authorisation for war". The Russians were "convinced that the Americans are going to attack, come what may".

181. Sir David Manning put the email to Mr Blair on 11 March, commenting: "Good Rod Lyne analysis on Putin/Iraq."⁶²

182. Mr Blair spoke to President Putin who was ready to look for a way forward but made it clear that Russia could not accept any proposition which looked like a "green light for war".⁶³

183. President Putin told Mr Blair that, following the visit to Baghdad by the Speaker of the Russian Parliament, there were grounds to believe that Saddam Hussein understood the necessity for disarmament, and had opted for the maximum co-operation with the UN inspectors.

184. President Putin also said that the Iraqis had been robust and confident and were prepared to resist the Coalition; and that an initial military action might be over quickly but Iraq was a big country and guerrilla warfare could continue for some time.

185. Mr José Maria Aznar, the Spanish Prime Minister, told Mr Blair that he would not favour putting the resolution to a vote without a guarantee of success.

186. In a conversation with Mr Aznar, Mr Blair argued that the Spanish proposal for a simple resolution needed to be combined with tests for Saddam Hussein.⁶⁴

187. Mr Aznar identified a number of concerns about the risks with the approach, but he agreed to try. He was also reported to have said that without a guaranteed win, he would not favour putting the resolution to a vote.

188. Mr Blair also spoke to:

- President Musharraf,⁶⁵
- Mr Silvio Berlusconi, the Italian Prime Minister,⁶⁶ and
- Mr Göran Persson, the Swedish Prime Minister,⁶⁷

to seek support for his approach.

189. Mr Blair warned Mr Annan that the US timeframe was "days not weeks" and it was in "no mood to negotiate further".

⁶² [Manuscript comment Manning to PM, 11 March 2003, on Email Lyne to Ricketts, 10 March 2003, 'Iraq/Russia'](#).

⁶³ Letter Cannon to Owen, 11 March 2003, 'Iraq: Prime Minister's Conversation with Putin, 11 March'.

⁶⁴ Letter Cannon to Owen, 11 March 2003, 'Iraq: Prime Minister's Conversation with Aznar, 11 March'.

⁶⁵ Letter Cannon to Owen, 11 March 2003, 'Iraq: Prime Minister's Conversation with President of Pakistan, 11 March'.

⁶⁶ Letter Rycroft to Owen, 'Prime Minister's Conversation with Berlusconi, 11 March'.

⁶⁷ Letter Lloyd to Owen, 11 March 2003, 'Iraq: Prime Minister's Conversation with Persson'.

190. Mr Blair sought Mr Annan’s support for the proposals he was discussing with Chile, and through them Mexico, to construct “clear and specific tests that would allow us to assess whether Saddam was going to come fully into compliance and had genuinely changed his mind”.⁶⁸

191. Mr Blair stated that the tests would be tough but achievable and the timeframe could be short: “The US were only prepared to accept a timeframe of days not weeks. If Saddam did demonstrate his seriousness by complying with the tests then a full work programme would ensue.”

192. Mr Blair added that President Chirac’s comments “that he would veto a second resolution in any circumstances would cause a real difficulty if they were proved true. If the UN could not reach an agreement and military action took place the UN would be seriously weakened.” It would be hard to achieve a compromise and the US “were in no mood to negotiate further”.

193. Mr Straw told Secretary Powell that, if Iraq delivered, the UK and US “might have to take ‘yes’ for an answer”, and that he was reviewing whether to push for a vote if it would be unsuccessful.

194. Secretary Powell expressed concern about the perceived shift in the UK’s position given Mr Blair’s assurances that the UK would proceed if there were nine votes for a resolution but a French veto.

195. In the first of six conversations with Secretary Powell on 11 March, Mr Straw said that he had sent him the latest version of the UK’s six tests, and that Mr Blair thought there was a chance it would secure votes.⁶⁹ He and Mr Blair would be making a series of phone calls making the point that: “We’ve moved twice and won’t move again.”

196. Secretary Powell was reported to have said that Ms Ana Palacio, the Spanish Foreign Minister, “was concerned that the Iraqis could do something with the tests: they could, for example, produce 30 scientists”. Mr Straw responded that if Iraq delivered “we might have to take ‘yes’ for an answer”. Secretary Powell said that “was easier for ... [Mr Straw] to say than for him to accept”.

197. Mr Straw said Mr Blair’s plan was to get President Lagos “in the bag then get him to sell the latest draft to Fox”.

198. Raising the question of pushing for a vote “if we knew that would not get a result”, Mr Straw warned Secretary Powell that he was “increasingly of the view that ... would not be in the interests of international solidarity and respect for the UN”.

⁶⁸ Letter Lloyd to Owen, 11 March 2003, ‘Iraq: Prime Minister’s Conversation with Kofi Annan’.

⁶⁹ [Letter McDonald to Manning, 11 March 2003, ‘Foreign Secretary’s Conversation with US Secretary of State, 11 March’](#).

199. Secretary Powell responded that that would be “a brand new element”: Mr Blair had “always said that if we had nine votes but a French veto he could work with it”.

200. Mr Straw reminded Secretary Powell of their conversation the previous day, adding that “he was not at all sure that here would be only one veto: two vetoes would be heavy; it was better not to vote”. Mr Blair had not yet made up his mind, but his “concern was which course of action would be easier to get through the House of Commons: no resolution because of a veto, or no resolution because of an expected veto”.

201. President Lagos told Mr Blair he needed more time to think about the proposals.

202. In the first of three conversations on 11 March, President Lagos confirmed that Mr Blair’s proposed approach could work but he wanted more time and was still thinking about the precise terms.⁷⁰ Mr Blair emphasised US concerns about delay and the risk of an unworkable compromise. They agreed to talk again later that day.

203. Mr Straw told Secretary Powell that Mr Blair had made clear that the proposal was the UK’s “bottom line”, and there was little flexibility in timing.

204. Ms Palacio expressed scepticism about any French suggestion that with more time it could be supportive.

205. In a conference call with Secretary Powell and Ms Palacio, Mr Straw reported that Mr Blair thought President Lagos had “bought the language on tests” in the proposed “Side statement”, but “might try to share the language with President Chirac”.⁷¹ Mr Blair had made clear that the proposal “was our bottom line and also that there was no flexibility on timing of the deadline (beyond 24 hours or so)”. Neither Mr Blair nor Mr Straw expected any Chilean approach to France “to bring acceptable results”. Secretary Powell and Ms Palacio had agreed.

206. Ms Palacio was reported to have said that France had been working on the assumption that nine votes would not be achieved. If that looked closer, the French would “change tack and instead play for time they knew the UK, US and Spain didn’t have”. Chile was convinced it “could bridge the gap” and was “likely to come back ... with a French offer”. France would probably try to persuade Chile (and Mexico) that it “might be able to sign up to our approach, providing” there was “a little more time”. But France had “absolutely no intention of signing up to anything we produced”. Any French “offer” to Lagos was “highly unlikely to be anything useful”. Mr Straw and Secretary Powell had agreed.

⁷⁰ Letter Cannon to Owen, 11 March 2003, ‘Iraq: Prime Minister’s Conversation with President of Chile, 11 March’.

⁷¹ [Telegram 112 FCO London to Washington, ‘Iraq: Foreign Secretary’s Conference Call with US Secretary of State and Spanish Foreign Minister, 11 March’.](#)

207. Secretary Powell told Mr Straw that the US message to President Fox would be that it was “not interested in another series of negotiations”.

208. In a subsequent bilateral conversation, Secretary Powell and Mr Straw discussed the position of Mexico and Chile.⁷²

209. Secretary Powell told Mr Straw that President Lagos had not yet spoken to President Chirac. President Bush would tell President Fox that Mr Blair’s “offer was all he was going to get”. The US was “not interested in another series of negotiations. Any modifications would have to be made tomorrow for a vote on Thursday.”

210. Reporting that Dr Rice was “showing some interest in ditching OP3” (the provision that Iraq had to demonstrate it was co-operating by a defined date), Secretary Powell stated that he had pointed out that President Chirac would “veto anything, explaining that the simplest language was being used as a pretext for war”.

211. The FCO asked Ambassadors in Arab countries to make clear that little time was left to persuade Saddam Hussein to stand down.

212. In a telegram on the afternoon of 11 March, the FCO stated:

“If the Arabs are still serious about pressing Saddam to stand aside, they need to get going now without waiting for a second UN SCR. If they delay there may not be time for Arab diplomacy.”⁷³

213. The FCO added:

“We are now approaching the end game on Iraq. A vote on the current draft Security Council resolution is now likely this week. If this includes, as at present, a deadline for Iraqi action, our assumption is that that is the end point for Arab efforts. If the resolution does not pass, the window for Arab action may be very short, and might not be explicit.”

214. Mr Straw told Secretary Powell that they should not put the draft resolution to a vote if there would be a French veto. He was considering whether the UK strategy needed to be adapted, but had not yet agreed that with Mr Blair.

215. Secretary Powell suggested that Mr Blair should make plain to President Bush the UK’s problems if the second resolution failed.

216. Mr Straw and Secretary Powell spoke again at 6.45pm to discuss the difficulties with securing nine votes in the Security Council and the timing of military action.⁷⁴

⁷² [Letter McDonald to Manning, 11 March 2003, Foreign Secretary’s Conversation with US Secretary of State, 11 March’.](#)

⁷³ Telegram 31 FCO London to Riyadh, 11 March 2003, ‘Iraq – Pressure on Saddam from other Arab Governments’.

⁷⁴ Letter McDonald to Manning, 12 March 2003, ‘Foreign Secretary’s Conversation with US Secretary of State, 11 March’.

217. Discussing whether it would be wise to go ahead with a vote without the support of Mexico and Chile, and the different views within the US Administration, Mr Straw told Secretary Powell that:

“... he was clear that if we did not have nine votes we should go nowhere near the Security Council. Even if we did have nine votes we should not go if we knew the French would veto. Annan had signalled yesterday his unhappiness with the possibility of the last act of the Security Council showing it divided and fractured ... [H]e knew that some people in the [US] Administration did not give a fig for the UN, but the US and President Bush needed the UN across a range of subjects. The President could make a better speech about the negotiating history of 1441 and French failure to insert a provision for a second resolution than about why we were ignoring a Security Council veto.”

218. Secretary Powell asked that Mr Blair should make plain to President Bush the UK's problems with a failed second resolution.

219. Mr Straw said that in his opinion we would “need to adapt our strategy” and that the “Kosovo model might be useful. In some ways our position was now stronger: in Kosovo we had relied on customary international law, whereas here we had a string of resolutions culminating in 1441”. Mr Straw stressed that was his opinion and had not yet been agreed with Mr Blair.

220. In a conversation with Mr Blair that evening, President Lagos confirmed he was still working on a draft resolution.

221. When Mr Blair and President Lagos spoke for a second time, President Lagos confirmed that he was still working on a draft Mexican/Chilean resolution.⁷⁵

222. In response to a warning from Mr Blair that President Bush would not agree a deadline “beyond 24 March”, President Lagos was reported to have commented that he would put his preferred deadline in the draft and there could then be a negotiation.

223. In the absence of nine votes for the resolution, Mr Straw and Secretary Powell discussed not putting the resolution to a vote. They agreed the decision to pull out of a vote could be explained by blaming France.

224. Mr Straw stated that in four successive meetings of the UN, no-one had said Iraq had fully complied. “Iraq was therefore in material breach.”

225. When Mr Straw and Secretary Powell spoke again at 9pm, Secretary Powell stated that the US and UK had “just about convinced President Lagos and President Fox; their objections were fading away.”⁷⁶ Mr Straw said that President Lagos “seemed to be biting”.

⁷⁵ Letter Rycroft to Owen, 11 March 2003, ‘Iraq: Chile, 11 March’.

⁷⁶ [Letter Sinclair to Manning, 12 March 2003, ‘Foreign Secretary’s Conversation with US Secretary of State, 11 March’.](#)

226. Mr Straw told Secretary Powell that Mr Blair was “coming round to the view that if the nine votes weren’t there, then we should not push it to a vote”. Secretary Powell responded that President Bush was on the same wave-length.

227. Mr Straw added that “the situation was less clear if we had nine votes but faced a veto”. Secretary Powell suggested that his answer to the question of how to explain pulling out of a vote in that situation would be to “blame Paris and leave”.

228. Mr Straw agreed, stating they could:

“... point to France signing [resolution] 1441. That resolution had demanded ‘immediate’ co-operation, but here we were four months later. The resolution had demanded ‘active’ co-operation, but Blix could not confirm that. And, in four successive meetings at the UN, not one of the 15 ... members had said that Iraq had fully complied. Iraq was therefore in material breach.”

229. Secretary Powell added that the US and UK “had worked hard to obtain a second resolution, but Chirac had clearly said on 10 March that he would veto a resolution in any circumstances”. Mr Straw said they could also point to Mr Annan’s statement.

230. In a subsequent conversation at 10.45pm, Mr Straw and Secretary Powell discussed the indications that Chile and Mexico were thinking about a timeline of 45 days and the remarks made earlier that day by Secretary Rumsfeld.⁷⁷

231. **When Mr Blair and President Bush discussed the position late on 11 March, it was clear that President Bush was determined not to postpone the start of military action.**

232. **Mr Blair stated that President Chirac’s remarks gave “some cover” for ending the UN route.**

233. Mr Blair spoke to President Bush late on 11 March.⁷⁸

234. They discussed Secretary Rumsfeld’s comments about the UK, the continuing problems in securing support for the resolution and the impact of President Chirac’s “veto threats”. Mr Blair considered that President Chirac’s remarks “gave some cover” for ending the UN route.

235. President Bush wrote in his memoir that, at Mr Blair’s request, he “had made one last effort to persuade Mexico and Chile ... to support the second resolution”.⁷⁹ President Fox did not give him an answer. President Lagos had “talked about giving Saddam an additional two to three weeks”. President Bush “told him a few more weeks would make

⁷⁷ Letter Straw to Manning, 12 March 2003, ‘Conversation with US Secretary of State, 11 March’.

⁷⁸ Letter Cannon to McDonald, 11 March 2003, ‘Iraq: Prime Minister’s Conversations with Bush and Lagos, 11 March’.

⁷⁹ Bush GW. *Decision Points*. Virgin Books, 2010.

no difference. Saddam had already had years to comply.” Asked “one last time how he planned to vote”, President Lagos had “said no”.

236. Mr Campbell wrote that President Bush had apologised for Secretary Rumsfeld’s comments, describing them as “one of those attempts to be helpful that wasn’t very helpful”.⁸⁰

237. Mr Campbell added that President Bush had described his latest telephone calls with President Fox and President Lagos as “difficult”; that they “had to give us their votes”; and that “we had to get this over with”. President Bush was “determined we could not let the date slip”.

238. The record of the conversation confirms Mr Campbell’s account.⁸¹

239. Mr Campbell also wrote:

- When Mr Blair had “said we needed to hold their feet to the fire”, President Bush had responded that he was “waiting your instructions. If it falls apart I’m going to make a speech to the American people saying I tried, and now Saddam has forty-eight hours to leave the country.”
- Mr Blair “still felt Chile would come round and not walk away”.
- President Bush “felt seven days was too big a stretch to give them ... Congress was getting restless and all the polls were showing criticism of the UN for inaction. ‘We just got to go.’”
- Mr Blair had “said we had to do something to change the diplomatic weather and get on the front foot but if we can’t get anything, we’re in real trouble and there is no point in pushing the UN beyond what it will take”.
- President Bush said “We know he’s not going to disarm. We already had benchmarks.” He had told President Lagos “it was time to stand up and be counted. I want your vote. He said no.”
- Mr Blair said he would speak to President Lagos again, and that “a week’s delay was the top end for us”. If we were “on the front foot” it would be possible to gain altitude again.
- President Bush “said these guys [Presidents Fox and Lagos] were just playing for time. He felt maybe we stand up on Thursday [13 March] and say there could be no new UNSCR, that it had failed in its mission ...”

⁸⁰ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

⁸¹ Letter Cannon to McDonald, 11 March 2003, ‘Iraq: Prime Minister’s Conversations with Bush and Lagos, 11 March’.

- Mr Blair felt that there had been “a bit more give” from President Putin in their last call; and that “the problem was that the Chiles and Mexicos were not used to making decisions as big as these ...”⁸²

240. Mr Campbell commented that President Bush “did not feel the need to buy more time” and that he was “more impatient than ever”. He was “not really listening”.

241. Mr Tony Brenton, Chargé d’Affaires at the British Embassy Washington, reported that Mr Richard Armitage, the US Deputy Secretary of State, told him on 11 March, before Mr Blair’s conversation with President Bush, that he was “unsure whether Chile and Mexico were moving in the right direction”.⁸³ President Bush had spoken to President Fox, who had “bid for a 45-day deadline”. When President Bush had “said no way”, President Fox “had retreated, saying he would study the papers further”. President Bush “was still trying to speak” to President Lagos.

242. In response to a question from Mr Armitage about whether if it looked as though there would be nine positive votes but “one or two vetoes” the UK would want to go for a Security Council vote “or pull the resolution”, Mr Brenton had said that “would depend crucially on calculations of how it would play in Parliament”. Mr Armitage “thought that President Bush’s instinct would be to go for a vote, though the impact on the UK would weigh heavily with him”.

243. Mr Stephen Hadley, the US Deputy National Security Advisor, had been “more direct”. President Bush’s “instinct would be to go for a vote on 12 March, or 13 March at the latest, whatever the situation”.

244. Mr Kurt Volker, the US National Security Council (NSC) Director for NATO and West Europe, had separately told UK officials that President Bush had rejected a suggestion from Mr Aznar that the resolution might be pulled; he wanted, and had promised the American people, a vote. Mr Aznar had also proposed that those supporting the resolution might be asked to co-sponsor it “to act as a disincentive to France and Russia to veto”. Mr Brenton and Mr Volker “agreed co-sponsorship seemed a bridge too far right now”.

245. Mr Brenton reported that he had also been asked by both Mr Armitage and Mr Hadley whether Mr Hoon’s comments to Secretary Rumsfeld meant that the UK’s “determination to go in alongside the US was diminishing”. He had said “not”; the UK “remained confident that we would go alongside the US” and he “assumed” that Mr Hoon “had simply been setting out the Parliamentary realities” to Secretary Rumsfeld.

⁸² Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

⁸³ [Telegram 325 Washington to FCO London, 11 March 2003, 'Iraq: US views, 11 March'. \[Contents suggest that date of telegr\]am should be 12 March.\]](#)

246. Following three conversations with Mr Blair, President Lagos remained adamant that more time was needed and that nobody would view a deadline of 24 March as serious.

247. After his conversation with President Bush, Mr Blair spoke again to President Lagos to say that one last effort was needed to get Saddam Hussein to comply: “Ten days was adequate for him [Saddam Hussein] to make the right statements, get the interviews going and produce the hidden anthrax.”⁸⁴

248. President Lagos was not convinced; in his view, even 24 March looked too short a deadline, and that nobody would believe it was serious. He wanted to talk to other Security Council members.

CONSULTATIONS IN NEW YORK

249. After consultations on 11 March, Sir Jeremy Greenstock reported that the draft resolution tabled by the UK, US and Spain on 7 March had “no chance of adoption” and that avoiding providing the US “with a new basis for the use of force” was “a major criterion for most members of the Council”. The UK now faced “a choice between a number of hard options”.

250. Dr Blix had questioned whether it was right to describe failure to co-operate, and in particular to take part in interviews, as “a very serious crime”.

251. Sir Jeremy Greenstock was given authority to circulate the UK’s “language” to Security Council colleagues.⁸⁵ A decision on whether to speak to the French would be subject to consultation with Sir Jeremy and a conversation should take place “only at the end of the New York day”.

252. Reporting discussions in New York on 11 March on the draft resolution and details of a possible “side statement”, Sir Jeremy Greenstock advised that he had discussed the proposed tests with Dr Blix and Dr Dimitri Perricos, the UNMOVIC Director of Planning and Operations.⁸⁶

253. They had raised a number of questions about the tests, the timelines for assessing Iraqi actions and who would judge compliance. Dr Blix was:

- “concerned” about the statement that Iraq should yield proscribed items “immediately” for destruction, “without delay” would be “more realistic”. In addition “he wondered whether it was right to refer to a failure to co-operate with UNMOVIC/IAEA, and in particular to take part in interviews, as a ‘very serious’ crime”; and

⁸⁴ Letter Cannon to McDonald, 11 March 2003, ‘Iraq: Prime Minister’s Conversations with Bush and Lagos, 11 March’.

⁸⁵ Letter Rycroft to McDonald, 11 March 2003, ‘Iraq: Gameplan for 11 March’.

⁸⁶ [Telegram 417 UKMIS New York to FCO London, 12 March 2003, ‘Personal Iraq: Side Statement and End Game Options’](#).

- “nervous about the concept of requiring interviewees and their families to leave Iraq, but equally recognised the dangers – in terms of undue pressure – of letting families remain in Iraq. He seemed to realise there was little way round this, and said he would say in the Council only that this was a dilemma.”

254. Dr Perricos:

- “was not keen on London’s suggestion of asking for the list of all personnel currently and formerly associated with Iraq’s WMD programmes ... Iraq had provided names and had said they were willing to provide more in particular areas on request”. While it would be “possible to get the interviewees out of Iraq in the timescale we envisaged, it would be difficult to interview them as well”;
- “did not expect anything new to arise” from the test on anthrax;
- “was nervous” that the inclusion of mobile laboratories “made the whole package a bit too heavy for the envisaged 7-10 day timetable” and “thought little would come of it – i.e. Iraq would present legitimate facilities”. He thought that if the test was kept, “it should also refer to chemical facilities and to the sites that could support such mobile facilities”;
- “preferred to stick with the language” in Dr Blix’s letter to Dr Amir al-Sa’adi, the Scientific Adviser to the Iraqi Presidency, on missile destruction, which he “thought would cover all Volga engines” and “agreed our inclusion of the destruction of equipment designed for the production and testing of the Al Samoud 2”;
- “wondered whether the benchmarks would lead to a strategic shift in Iraq’s behaviour though they would certainly ‘burn’ Iraq”;
- “underlined that while action in the time period proposed was possible, there would need to be some time afterwards to assess the action taken”; and
- “asked a number of pertinent questions” including: “Who would judge compliance? Would we want to specify whether the information should go to UNMOVIC and/or the Council? What would we do if Iraq gave straight denials?”

255. Sir Jeremy had discussed the draft with Mr Inocencio Arias, the Spanish Permanent Representative to the UN, who made “few comments”, and Ambassador John Negroponte, US Permanent Representative to the UN, who was “very concerned that the statement should not be part of the resolution”. Another US official had commented that Washington was “intensively discussing the benchmarks ideas, but he had heard no one in State or the NSC who favoured them”, thought that “it would be relatively easy for the Iraqis to satisfy the tests”, and they “would not lead to the US feeling any safer”.

256. Sir Jeremy had also briefed Ambassador Negroponte “in general terms” on possible fallback options. Ambassador Negroponte thought the side statement “would not go anywhere. Mexico and Chile were asking for a lot more than we had in mind,

including on time.” He subsequently told Sir Jeremy that President Lagos had told President Bush that “he wanted 45 days and a second Council decision”.

257. Sir Jeremy concluded that the draft resolution tabled by the UK, US and Spain on 7 March had “no chance ... of adoption”. The UK now faced “a choice between a number of hard options”:

- A “light” resolution without the deadline for a decision on whether Iraq had failed to take the final opportunity and no benchmarks. That would “allow each Council member to interpret the text as they see fit” but had “considerable legal risks ... as well as appearing too obviously as cover for US military action”.
- A “light” resolution accompanied by “Blix-cleared benchmarks” while saying “we were going the last mile for peace”. But Dr Blix and Dr Perricos “did not think the benchmarks would necessarily be strong enough to amount to a ‘strategic change’ by Iraq”. There would be a “difficult choice of what to do if the benchmarks were met ... especially if we believed ... that Iraq was still not serious about complete disarmament”.
- A “light” resolution accompanied by “stronger benchmarks”. Sir Jeremy thought that Dr Blix might regard the UK list as “unreasonable for completion in the timescale that we envisage”. He was inclined to choose a “Blix-approved version if (if) we can bring the US along”.
- No resolution with or without national benchmarks.

258. Sir Jeremy commented that the FCO would:

“... wish to consider the legal implications of each of these options. If we won an adopted resolution under [the second or third] options ... we would have to live with the (improbable?) consequences of Saddam meeting the requirements, even if the US was not in the same position.”

259. Sir Jeremy added:

“If we do not look like winning adoption, it might be easier to make our legal case if no resolution is put to the vote ... we could presumably still argue that 1441 had found Iraq to be in material breach and offered it a final opportunity; that it was now objectively clear on the basis of the Blix reports and other emerging evidence, that Iraq had failed to take the final opportunity; and that therefore the authorisation in 678 [1990] was revived.

“To the objection that we should have tested the Council we would reply (a) that a Council decision was not needed under 1441 ... and (b) that putting the text to the vote would have been futile in the circumstances, in particular because of publicly stated French intransigence.

“If a resolution was put to the vote and defeated, or adopted with a majority of antagonistic EOVs [Explanations of Vote], it would seem harder (than it already

is) to assert plausibly that our intended action carried, in any sense, the implicit authorisation of the UN on the basis of the revival doctrine.”

260. Sir Jeremy suggested that “it was difficult to gauge, with all the fluid dynamic of current telephone calls, where anyone might be on a new proposal”. The “middle ground [countries]” were “constantly cross-checking with each other”. His “best judgement” was that it would be worth trying the second and third options during informal discussions the following afternoon. Avoiding providing the US “with a new basis for the use of force” was a “major criterion for most members of the Council, and he would need to make clear that the options proposed did not do that. If that revealed opposition which could not be overcome, that would leave the fourth option “leaving our benchmarks out there if this has better political resonance”.

261. The open debate on Iraq in the Security Council on 11 and 12 March is addressed later in this Section.

262. By the end of 11 March, it was clear that Mr Blair’s efforts to persuade President Bush to extend the deadline for military action, while he tried to secure support from other members of the Security Council for a second resolution determining that Iraq had failed to take the final opportunity offered by resolution 1441, had almost reached the end of the road.

263. There were also concerns that if a majority in the Council supported the resolution, France, Russia and China might all exercise their veto.

264. Mr Campbell wrote that on 11 March there was a “Growing sense of crisis”, and that:

“We desperately need some change in the diplomatic weather. The best thing may in the end be to go in without a vote because of the timings, and that once troops are in there the mood changes. But short of that, which was risky enough, it was hard to see how the dynamic changed.”⁸⁷

265. Mr Cook wrote that on 11 March he had asked Mr Powell to press on Mr Blair his view that, without a second resolution, Mr Blair could not have military action.⁸⁸ If Mr Blair went “to the House with no UN resolution he may well be defeated if he persists in going to war”.

⁸⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

⁸⁸ Cook R. *The Point of Departure*. Simon & Schuster UK Ltd, 2003.

266. Mr Cook also wrote that Mr Straw had been “genuinely worried” when they had discussed possible dates for the debate on Iraq. When asked if Mr Blair understood that he could not go for military action without a second resolution, Mr Straw had replied:

“Tony is just focused on getting a second resolution. He is not thinking about what we do if it fails.”

267. Mr Campbell also recorded that Mr Blair had taken a telephone call on 11 March from Mr Rupert Murdoch “who was pressing on timings, saying how News International would support us, etc”.⁸⁹ Mr Campbell and Mr Powell “felt it was prompted by Washington, and another example of their over-crude diplomacy. Murdoch was pushing all the Republican buttons, how the longer we waited, the harder it got.”

268. The Government has been unable to find any records in the No.10 files of conversations between Mr Blair and Mr Rupert Murdoch, Chairman and CEO of News Corporation, Mr James Murdoch, Director/CEO BSkyB, or Lord Black of Crossharbour (Chairman of The Daily Telegraph) in early 2003.⁹⁰

Events of 12 March 2003

MR STRAW’S MEETING WITH MR BLAIR

269. When he discussed the options with Mr Straw early on 12 March, Mr Blair decided that the UK would continue to support the US.

270. Mr Straw agreed.

271. In response to a question about consideration of alternative options on the eve of conflict, Mr Straw initially told the Inquiry that he had:

“... submitted formal minutes to him [Mr Blair]. This was far too serious to make suggestions to him. So I thought about this a very great deal. I talked to my officials and advisers in the Foreign Office and the agencies about this. I prepared a paper for Mr Blair. I talked to him about it.”⁹¹

272. The Inquiry was told by a witness it agreed not to identify that, in a meeting on 12 March, with officials from No.10 present, Mr Straw had advised Mr Blair that he had “the final opportunity to decide on a different track”.⁹² Mr Straw had suggested to Mr Blair that he had a “way out and why don’t you take it”. The witness had been “struck” by “the speed” and the “absolute insistence” of Mr Blair’s response: “he had got his arguments all marshalled and all laid out”. The witness did not think there was a risk of Mr Straw resigning.

⁸⁹ Blair T. *A Journey*. Hutchinson, 2010.

⁹⁰ Minute Cabinet Office [junior official] to Iraq Inquiry, 13 October 2014, ‘Records of Conversations between Mr Blair and Mr Rupert Murdoch; and Mr Blair and Mr Conrad Black’.

⁹¹ Public hearing, 21 January 2010, page 105.

⁹² Evidence given to the Inquiry on condition of anonymity.

273. Officials in No.10 “decided, after careful consideration, that the meeting should not be recorded because it didn’t change anything ... it was a very personal meeting and a very personal discussion and that in operational terms ... the track ... was unchanged”.⁹³

274. Asked specifically in the light of that evidence if he had discussed whether Mr Blair should go ahead with committing British troops to military action when the second resolution failed, Mr Straw told the Inquiry that his minute of 11 March “set out for Mr Blair the different routes open to him in the event of us not getting the second UNSCR and my judgements on those various courses of action”.⁹⁴ In the meeting on 12 March, he had “made clear” to Mr Blair that he “had options other than committing to the invasion, and that these were still open to him, should he want to take them”.

275. The Inquiry asked Mr Blair if Mr Straw or any of his Cabinet colleagues had tried to dissuade Mr Blair from taking military action in Iraq, and, if so, when.⁹⁵

276. In his statement Mr Blair wrote:

“It was clear following 1441 that if Saddam did not comply fully and unconditionally, military action was likely. No-one tried to persuade me not to take this course, other than those who publicly and openly declared themselves, like Robin Cook and certain ministers, who later resigned over the absence of a second resolution.

“It is correct that Jack, shortly before we were due to go in, warned me of the political perils of doing so. I was well aware of them. But for me the issue was straightforward: we had got the US to go down the UN route and give Saddam a final chance; he had not taken it; such co-operation as there was, was under the duress of military action; if we backed away now, it would have disastrous consequences for a tough stance on WMD and its proliferation; and for our strategic relationship with the US, our key ally.”⁹⁶

277. Asked whether his position was one of advocating to Mr Blair that he should not commit British troops to military action, Mr Straw told the Inquiry that was “probably putting it too strongly”.⁹⁷

278. Mr Straw added that he:

- had “never wanted to give the false impression that when it came to it over the weekend [of 15 to 16 March] and then the decision on 17 [March] my position was anything [other] than thoroughly to endorse the decision we did come to, which was in favour of military action”;

⁹³ Evidence given to the Inquiry on condition of anonymity.

⁹⁴ Statement, 19 January 2011, page 17.

⁹⁵ Inquiry request for a witness statement, 13 December 2010, Qs11a and 11b, page 7.

⁹⁶ Statement, 14 January 2011, page 16.

⁹⁷ Public hearing, 2 February 2011, page 105.

- was certainly aware by 12 March that there was a “clear prospect” [of military action] and he did not “think anybody was keen on military action”;
- was “anxious that we should explore all possible alternatives”; and
- “owed” Mr Blair the “best and most robust advice I could give him”.

279. Mr Straw confirmed that the anonymous witness had given “a fair summary” of both his and Mr Blair’s positions.

280. Mr Straw also stated:

“The interesting thing ... was that from an early stage it was the Chief of the Defence Staff who had argued very strongly that if we were going to get involved in the military action, the Army had to be there, because they would be unhappy and cross if they weren’t. I don’t trivialise the way it was put across ... So we could have provided facilitation and then go[ne] in afterwards ... which would not have meant standing down the troops we had in theatre and it was essentially what the Spanish and the Italians did.”⁹⁸

281. Section 6.1 concludes that none of the key decision-takers regarded the question of whether the Army would be unhappy if it did not participate in combat operations as a decisive factor in the decision on 31 October 2002 to offer ground forces to the US for planning purposes.

282. Describing the circumstances in which he had sent the minute of 11 March, Mr Straw wrote in his memoir, that, after his speech in the Security Council on 7 March, he had been:

“... convinced that unless there was a last-minute change of attitude by Saddam, for which I hoped and prayed, war was inevitable. Whether the UK would be part of the invasion was still unclear though ... it was still far from certain that we could win a vote on war in the Commons.”⁹⁹

283. Mr Campbell recorded the concerns about the US approach which were discussed in the meeting.

284. Describing the discussion with Mr Straw in the edition of his diaries published in 2012, Mr Campbell wrote that he and Mr Powell had concluded that Mr Rumsfeld’s comments and the telephone call from Mr Murdoch on 11 March had “effectively been a pincer movement”. The former had “forced” the UK “to come out strong” in support of the US in the event of military action.¹⁰⁰

⁹⁸ Public hearing, 2 February 2011, pages 105-106.

⁹⁹ Straw J. *Last Man Standing: Memoirs of a Political Survivor*. Macmillan, 2012.

¹⁰⁰ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

285. Mr Campbell added that:

- Mr Straw had said “we were victims of hopeless bullying and arrogant diplomacy” and that the UK “was being driven by the US political strategy”.
- Sir David Manning also thought the actions had been “a rather crude attempt to shaft us” and had “felt we should say to the Americans they could only use our troops after the first effort and also on humanitarian duties”.
- Mr Blair “did not want to go down that route, no matter how much he agreed the Americans were not being helpful”.

286. In his daily conference call with the White House, Mr Campbell told the US that it should not comment on UK politics and, in a later call he told Mr Dan Bartlett, President Bush’s Communications Director, that the US was doing real damage.

PRIME MINISTER’S QUESTIONS, 12 MARCH 2003

287. In Prime Minister’s Questions (PMQs) on 12 March, Mr Blair focused on efforts to secure a second resolution and the importance for the UN of being seen to act in response to Saddam Hussein’s failure to co-operate as required by resolution 1441 and of achieving unity in the international community.

288. In a clear reference to President Chirac’s statement on 10 March but without naming France, Mr Blair drew attention to the difficulties created by countries saying that they would veto a resolution “whatever the circumstances”.

289. Mr Blair also stated that:

- the UK would not do anything which did not have a proper legal basis; and
- it was the Government’s intention to seek a vote on a second resolution “in a way that most upholds the authority of the UN”.

290. Mr Rycroft sent an urgent email to Mr Powell, Sir David Manning and other No.10 officials at 11.48am, informing them that the French Ambassador to the UK (Mr Gérard Errera) had called “on the instructions of the Elysée”.¹⁰¹

291. Mr Rycroft reported that Mr Errera had told him that President Chirac’s comment about a veto:

“... needed to be read in the context of what had been said immediately before about two hypotheses – either our resolution gets nine votes or it doesn’t. In other words, the Ambassador claims that it is not the case that he [President Chirac] said that he would vote no against any resolution.”

292. Most of the questions raised during PMQs on 12 March related to Iraq.¹⁰²

¹⁰¹ [Email Rycroft to No.10 officials, 12 March 2003, ‘French veto – urgent’.](#)

¹⁰² House of Commons, *Official Report*, 12 March 2003, columns 280-290.

293. In relation to the policy the questions included:

- Mr Peter Bradley (Labour) asked Mr Blair which was the lesser evil, allowing more time for disarmament or dividing the international community “particularly in view of the French President’s commitment to exercise his veto”. He also asked for an assurance that he would resist US pressure while there was a prospect of rebuilding the international coalition under the authority of the UN.
- Mr Iain Duncan Smith, Leader of the Opposition, asked whether there would be a vote in the UN and whether the US would go to war without the UK if there was no second resolution.
- Mr Barry Sheerman (Labour) asked Mr Blair to use all his efforts to tell President Bush that we needed another UN resolution and that there was “no need for an unseemly haste to war”.

294. The points made by Mr Blair included:

- He was doing “everything” he could “to make sure that the international community stays united and that we achieve a second resolution”.
- Although he had not complied for “many months”, there was still time for Saddam Hussein to avert conflict.
- The “worst thing that could happen” was for Saddam Hussein to defy the clearly expressed will of the UN and for no action to follow.
- It was the Government’s intention to seek a UN vote on a second resolution “in a way that most upholds the authority of the UN”.
- The UK “should not take military action unless it is in our interests to do so. It is the British national interest that must be upheld at all times.”
- In working “flat out” for a second resolution, Mr Blair said the UK was “looking at whether we can set out a clear set of tests for Iraq ... to demonstrate that it is still in compliance – not partial compliance ...”
- “... not one Iraqi scientist has been interviewed outside Iraq”.
- “Iraq should produce the unmanned aerial vehicles, which can spray chemical and biological poison ...”
- “If we set out those conditions clearly, and back them with a will of a united UN, we have a chance even now of averting conflict. What we must show, however, is the determination to act if Saddam will not comply fully.”
- Military action had been “delayed precisely in order to bring the international community back round the position ... set out in 1441”.
- The “heart of the agreement” of the US “to take the multilateral path of the United Nations” was that the “other partners inside the United Nations agreed that, if Saddam did not fully comply and was in material breach, serious consequences and actions would follow”.
- It would “be a tragedy for the UN” if it failed “to meet the challenge”.

- Everyone accepted that Saddam Hussein was not co-operating fully with the United Nations: “[N]ot a single person ... in Europe; not a single person in the rest of the world – believes that he is co-operating either fully or unconditionally, and certainly not immediately.”

295. Mr Charles Kennedy, Leader of the Liberal Democrats, asked if the Attorney General had advised that a war in Iraq would be legal in the absence of a second resolution authorising force; Mr Richard Shepherd (Conservative) asked why a UN resolution was required; and Mr John Randall (Conservative) asked if Mr Blair would publish the legal advice.

296. In response, the points made by Mr Blair included:

- As he had “said on many occasions ... we ... would not do anything that did not have a proper legal basis”.
- Resolution 1441 provided the legal basis and the second resolution was “highly desirable to demonstrate the will of the international community”.
- It was not the convention to publish legal advice but it was “the convention to state clearly that we have a legal base for whatever action we take, and ... we must have such a base”.

297. In response to a question from Mr Kennedy about whether Mr Annan had said that action without a second resolution would breach the UN Charter, Mr Blair stated that Mr Annan had said that it was “important that the UN comes together”. Mr Blair added that it was:

“... complicated to get that agreement ... when one nation is saying that whatever the circumstances it will veto a resolution.”

298. Mr Alan Howarth (Conservative) asked whether Mr Blair agreed that:

- divisions in the international community only gave “comfort and opportunity to Saddam Hussein”;
- that “a deadline receding into the summer haze was not a serious interpretation of ‘serious consequences’” as the Security Council had unanimously agreed in November 2002; and
- given Saddam Hussein’s motive and capacity to equip terrorists with chemical and biological weapons, there was an urgent necessity to disarm him whether there was a second resolution or not.

299. Mr Blair replied that Mr Howarth had set out “precisely why we need to take action”. Leaving troops in the region “for months on an indefinite time scale, without insisting that Saddam disarms, would send not only a message of weakness ... to Saddam, but a message of weakness throughout the world”.

300. Mr Blair added:

“I hope that even now those countries that are saying they would use their veto no matter what the circumstances will reconsider and realise that by doing so they put at risk not just the disarmament of Saddam, but the unity of the United Nations.”

301. Mr Duncan Smith also asked, in the light of Ms Short’s comments on 9 March, whether the doctrine of Cabinet responsibility applied to the option of committing British forces without a second resolution. Mr Blair replied: “Yes of course it does.”

302. In response to a question from Mr Elfyn Llwyd (Plaid Cymru), about whether the House of Commons would have a vote on whether to commit troops, Mr Blair replied that it was:

“... subject to the security and safety of our troops ... it is right that this House has a say on this issue. People will then be able to see the stand that we take, and people will then have to make up their minds as to the stand that they take.”

303. In response to a question from Mr James Gray (Conservative) asking if Mr Blair felt he needed the support of the Parliamentary Labour Party, the House of Commons and the country as a whole, as well as the majority support he commanded in Cabinet, before committing the UK to war, Mr Blair replied that as well as a vote in the House of Commons it was:

“... important that I set out, as Prime Minister, what I believe to be right in this country’s national interest. I have tried to do that over the past few months ...”

SIR JEREMY GREENSTOCK’S PROPOSAL TO REVISE THE DRAFT RESOLUTION OF 7 MARCH

304. Sir Jeremy Greenstock suggested early on the afternoon of 12 March that in the Security Council that day the UK should:

- table a revised draft resolution explaining that the UK was “setting aside the ultimatum concept” in operative paragraph 3 of the draft of 7 March “because it had not attracted Council support”;
- distribute the side statement with tests for Saddam Hussein, “explaining that the text was a national position to which the UK wanted as many Council Members as possible to adhere to maintain the pressure on Saddam”; and
- state that the 17 March date was “being reviewed”.¹⁰³

305. Sir Jeremy favoured using the open debate in the Security Council later that day to explain the UK move, adding: “At no point will I signal, in public or in private, that there is any UK fallback from putting this new text to a vote within 24-36 hours.”

¹⁰³ [Telegram 419 UKMIS New York to FCO London, 12 March 2003, ‘Iraq: Second Resolution’.](#)

306. Sir Jeremy reported that he had explained the gist of the plan to Ambassador Negroponte who was briefing Secretary Powell for a conversation with President Bush.

SIR JEREMY GREENSTOCK'S MEETING WITH MR ANNAN

307. Sir Jeremy reported that Mr Annan had asked how it could be right, when the Council had not yet reached a decision to authorise force, for some Member States to take the right to use force into their own hands.

308. At Mr Annan's request, Sir Jeremy Greenstock called on him on 12 March.¹⁰⁴

309. Mr Annan was reported to have told Sir Jeremy that he had an idea from his telephone calls with Mr Blair about the UK efforts to unite the Security Council around compromise text (for a resolution), but how would France and Russia react? Sir Jeremy explained the UK concept of a side statement and tests which Saddam Hussein could meet "within the tight deadline we would offer (ideally 10 days)" if he "was serious about disarming". Council members "should be able to agree the concept we were offering as a way out of the current impasse".

310. Sir Jeremy reported that he had stressed that the UK's objective "was the disarmament of Iraq by peaceful means if possible". The "aim was to keep a united Security Council at the centre of attempts to disarm Iraq", but calls for "grace period for Iraq" of 45 days or longer were "out of the question". The UK would not amend the draft resolution tabled on 7 March:

"... until it was clear that the new concept had a chance of succeeding. If the Council was interested, we might be able to move forward in the next day or so; if not, we would be back on the 7 March text and my instructions were to take a vote soon."

311. Sir Jeremy and Mr Annan had also discussed press reporting, on 11 March, of Mr Annan's comments, "to the effect that military action without a Council authorisation would violate the UN Charter". Mr Annan said that he had been:

"... misquoted: he had not been attempting an interpretation of 1441 but merely offering, in answer to a specific question, obvious thoughts about the basic structure of the Charter. Nevertheless the Council was seized of the Iraq problem and working actively on it. It had not yet reached a decision to authorise force; how ... could it be right for some Member States to take the right to use force into their own hands?"

312. Sir Jeremy reported that he had "remonstrated that the Council was in paralysis: at least one Permanent Member had threatened to veto 'in any circumstances'. The Council was not shouldering its responsibilities."

¹⁰⁴ [Telegram 427 UKMIS New York to FCO London, 13 March 2003, 'Iraq: Call on the Secretary-General, 12 March'](#).

313. Mr Annan “had agreed ruefully”, but asked what the UK would do if we failed to get even nine votes. Sir Jeremy said:

“... we would have to consider the next steps; but we believed we had a basis for the use of force in existing resolutions (based on the revival of the 678 authorisation by the material breach finding in OP1 of 1441, coupled with Iraq’s manifest failure to take the final opportunity offered to it in that resolution) ... OP12 ... did not in terms require another decision. This was not an accidental oversight: it had been the basis of the compromise that led to the adoption of the resolution.”

314. Sir Jeremy reported that he had “urged” Mr Annan “to be cautious about allowing his name to be associated too closely with one legal view of a complicated and difficult issue”.

315. At Mr Annan’s suggestion, Sir Jeremy subsequently gave the UN Office of Legal Affairs a copy of Professor Christopher Greenwood’s (Professor of International Law, London School of Economics) memorandum to the Foreign Affairs Committee (FAC) of October 2002 and Mr Straw’s evidence to the FAC on 4 March 2003.

316. Sir Jeremy concluded that Mr Annan had said “several times” that he “understood” what Mr Straw and Mr Blair “were trying to do, and expressed sympathy for the tough situation you found yourselves in”. Mr Aznar was “in a similar predicament”. The “US did not always realise how comments intended by US politicians for US domestic audiences seriously damaged the position of their friends in other countries”.

317. Sir Jeremy also reported that, in a conversation with President Chirac on 12 March, Mr Annan had “found him ‘tough but not closed’ to possible compromises”.

MR STRAW’S CONVERSATION WITH MR IGOR IVANOV

318. Mr Straw informed Mr Igor Ivanov, the Russian Foreign Minister, that the UK was about to table a revised resolution, omitting the paragraph from the 7 March draft which contained the deadline of 17 March for Iraq to demonstrate that it had taken the final opportunity offered in resolution 1441 to comply with its obligations.

319. Mr Straw telephoned Mr Ivanov to inform him that Sir Jeremy Greenstock was about to table a “much lighter draft second resolution”, which omitted the third operative paragraph from the draft of 7 March.¹⁰⁵ Mr Straw explained that the UK “did not want the last act of the UN on Iraq to be a deeply divided one”; the “imperatives” in resolution 1441 had not been met; and that neither Mr Blair nor Mr Straw “wanted military action, nor did Powell or Bush”. The US and the UN inspectors had “agreed” the tests the UK would propose in a side statement. The format of the tests would be for the UN to decide.

¹⁰⁵ Telegram 46 FCO London to Moscow, 12 March 2003, ‘Iraq: Foreign Secretary’s Conversation with Russian Foreign Minister, 12 March’.

320. Mr Ivanov agreed to analyse the proposals and respond.

MR BLAIR'S CONVERSATION WITH PRESIDENT BUSH, 12 MARCH 2003

321. Mr Blair decided not to seek to extend the deadline of 17 March. In a telephone call with President Bush on 12 March, he proposed only that the US and UK should continue to seek a compromise in the UN, while confirming that he knew it would not happen. He would say publicly that France had prevented a resolution.

322. Mr Blair sought President Bush's help in handling the debate in the House of Commons planned for Tuesday 18 March, where he would face a major challenge to win a vote supporting military action.

323. Mr Blair wanted:

- to avoid a gap between the end of the negotiating process and the Parliamentary vote in which France or another member of the Security Council might table a resolution that attracted support from the majority of the Council; and
- US statements on the publication of a Road Map on the MEPP and the need for a further resolution on a post-conflict Iraq.

324. On the afternoon of 12 March, Mr Blair and President Bush discussed the latest position and the difficulties with Chile and Mexico.¹⁰⁶

325. In preparation for the call, Mr Rycroft advised Mr Blair that he needed "to decide if you want to ask for the further week".¹⁰⁷ If he did, Mr Blair could "make the case for trying over the next 24 hours to secure a UN resolution based on the Blix agreed tests with the revised deadline of 24 March (or whatever he [President Bush] accepts)".

326. If Mr Blair decided not to make the case for more time or it was rejected by President Bush, Mr Rycroft advised Mr Blair to set out a "fallback":

- He had "not given up hope of trying to secure a second resolution" and he knew that President Bush "wanted to get out of the UN morass", but he needed "a further 24 hours" to see if he could "get the Chileans to put forward a serious proposal".
- It was "important" that the US did not "publicly lose interest in the UN route" because of concerns that an alternative resolution with a "long, e.g. 45-day, time-line" could be put forward which "could attract 11 votes".

¹⁰⁶ Letter Rycroft to McDonald, 12 March 2003, 'Iraq: Prime Minister's Telephone Conversation with President Bush, 12 March'.

¹⁰⁷ [Minute Rycroft to Prime Minister, 12 March 2003, 'Bush Call'](#).

- He had publicly set out the “Blix-agreed tests” and “also argued that because of President Chirac’s threat of a veto in any circumstances, it is difficult to see how the UN can uphold 1441”.
- He planned to put the issue to a vote in Parliament.

327. Mr Rycroft suggested that Mr Blair should ask President Bush for help to win the vote in Parliament by stating publicly that he would publish the Road Map for the Middle East and make a commitment to further UN resolutions, establishing a UN role in reconstruction and humanitarian issues and in running the Oil-for-Food programme post-conflict.

328. In the discussion with President Bush, Mr Blair argued that the US and UK should continue to seek a compromise in the UN and show that they were reasonable by setting out the tests, but he knew it would not happen.¹⁰⁸ Mr Blair would say publicly that the French had prevented them from securing a resolution, so there would not be one.

329. Mr Blair and President Bush discussed continuing the diplomatic route until Sunday, 16 March and then closing it down.

330. Mr Blair said he wanted to avoid a gap between the end of the negotiating process and the House of Commons vote planned for the following week; and to minimise the risk of an unhelpful French initiative. He would “have to pull out all the stops to win the vote”.

331. Mr Blair and President Bush also discussed:

- a US ultimatum to Saddam to leave;
- the military timetable;
- the need for a communications strategy with an initiative each day before the start of military action;
- the need for initiatives on the Road Map; and
- a US statement on the need for a further UN resolution on post-conflict Iraq.

332. Sir David Manning would pursue the details with Dr Rice.

333. Mr Campbell wrote in his diaries:

“Bush said his people had watched TB at PMQs and said he was brilliant. TB said he had spoken to Lagos and the Chileans ... Bush said Fox had told him he would get back to him within an hour and then went off to hospital ... TB laid it on the line that we had to have a vote in the Commons. He said we couldn’t pull the plug on UN negotiating because the bigger the gap between the end of the negotiation and the Commons motion, the worse it was for us. We had to keep trying.

¹⁰⁸ Letter Rycroft to McDonald, 12 March 2003, ‘Iraq: Prime Minister’s Telephone Conversation with President Bush, 12 March’.

“Bush said when do you anticipate a vote? TB said we had pencilled in next Tuesday. Bush: ‘Erm.’ Long pause. TB: ‘You want to go on Monday?’ Correct. TB: ‘My military have given me formal advice re the full moon.’ It’s not a problem, said Bush ... TB said he would have to check it out. There was a clear tension between Bush wanting sooner and TB wanting later.

“Bush was clear that the French position meant no UNSCR. But we were still trying to be reasonable. He felt that on withdrawal of the resolution he would give a speech saying the diplomatic phase is over, issue a 48-hour ultimatum to Saddam, say late Friday, which takes us to Sunday.

“TB went over the politics here, how we were pulling out every stop. TB said the Tories would see this as their chance to get rid of him, support us on a war motion, but not a confidence motion.

“Bush said they would make it clear to the Tories that if they moved to get rid of TB ‘we will get rid of them’...

“The French had definitely allowed themselves to be presented as the unreasonable ones, which was probably swinging opinion our way a bit, but it was still very difficult. TB said it was important we still showed we were trying to be reasonable. But he said if Bush could delay his broadcast till after our Commons vote, it would help. Sunday, say you’ve tried, the French are being impossible, we are working the phones. Monday, we take it to Parliament and say we must bring this to a conclusion. Vote Tuesday. Forty-eight hours you go to their people and say war. The best argument we had is that we don’t want our foreign policy decided by the French, though TB was clear again that Rumsfeld’s comments had given us a problem.

“He [Mr Blair] then started to press on the Middle East and said if Bush would commit to publishing the Road Map, that would be a big breakthrough. We needed a fresh UNSCR on the humanitarian situation post-conflict. Nobody doubts us on the tough side of things, but it’s Middle East, humanitarian, democracy in Iraq, that people want to hear about.

“TB spelled out the symbolism in the Road Map. Bush didn’t quite get it but he was willing to do it ... But TB really pressed on him and he got it in the end. Bush said that we had to watch out for the French, that they would be worried they had got themselves into a ridiculous position.”¹⁰⁹

334. Sir David Manning and Mr Campbell discussed the next steps and news management with their counterparts in the White House.

¹⁰⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

335. A meeting on 15 March was proposed before the UK withdrew the draft resolution on 17 March. The US would issue a 48-hour ultimatum to Saddam Hussein to leave.

336. After the conversation between President Bush and Mr Blair, Mr Campbell and Sir David Manning each spoke to the White House.

337. Reporting his conversation with Mr Bartlett, Mr Campbell advised that the US would need to respond quickly with a “we’re going in” message once it was clear that the UN process had collapsed.¹¹⁰ Given the potential impact on opinion in the Parliamentary Labour Party, Mr Campbell asked that the UK should be consulted about the US message.

338. Mr Campbell also reported a suggestion for a meeting on neutral territory on Saturday (15 March) to “show continued efforts on the diplomatic front, and tactically, to forestall any French ruse. The plan would be to indicate continued strategising around the draft UNSCR.” That would “fill the void” and “would mean that any UN talks collapse would be delayed to Monday”.

339. Mr Campbell’s view was that the perception that Mr Blair and President Bush were “making a ‘last push for peace’ was fine; ‘Council of War’ was less so”. He feared it would be seen as the latter. Dr Rice would discuss the idea with Sir David Manning. Ending the process on 14 March, with a debate in the House of Commons on 15 March, was also a possibility.

340. Sir David Manning told Dr Rice that publishing the Road Map that weekend was “critical” for the UK; “it had huge symbolic significance in the Middle East” and in the UK.¹¹¹ “It might be worth 50 votes to the Government” which “could make all the difference” in the Parliamentary debate.

341. Sir David and Dr Rice discussed the UK intention to withdraw its draft resolution on Monday, 17 March; “news management would be critical in the next four or five days”.

342. Sir David told Dr Rice that:

“... we could fill a lot of column inches in the next 36 hours with the activity at the UN. Jeremy Greenstock would be making great play today with our six tests ... This should get us through today, and with any luck comment and follow-up would carry us through tomorrow. Friday might be a short day at the UN anyway. But it would be good to publish the Road Map then.”

343. The US proposed a meeting. Sir David and Dr Rice also discussed the timings of a US ultimatum to Saddam Hussein to leave, the UK Parliamentary debate and the beginning of military action.

¹¹⁰ Minute Campbell to Manning, 12 March 2003, ‘Re Dan Bartlett Call’.

¹¹¹ Letter Manning to McDonald, 12 March 2003, ‘Iraq: Conversation with Condi Rice’.

344. The record of the discussion was sent to Mr Straw's and Mr Hoon's Private Secretaries.

US CONCERNS ABOUT UK DIPLOMATIC ACTIVITY

345. Secretary Powell subsequently contacted Mr Straw to express concerns about the UK's activity in New York.

346. Mr Straw told Sir Jeremy Greenstock not to table the UK's revised draft resolution, only a "non-paper" setting out "six tests".

347. After Mr Blair's conversation with President Bush, Mr Straw spoke three times to Secretary Powell.

348. In their first conversation at 4.30pm, Secretary Powell asked for clarification of Sir Jeremy Greenstock's instructions in the light of his activity on a new resolution. Mr Straw explained that Secretary Rumsfeld's intervention had "complicated matters" in the UK:

"We now had to go even further to show we were pursuing an alternative to automatic war. Greenstock's instructions came from himself and the Prime Minister. He had already spoken to Ivanov and Alvear [Mrs Soledad Alvear, the Chilean Foreign Minister] about the new draft."¹¹²

349. Following further discussion about the US position that the UN route was exhausted and their concerns about the UK activity in the UN, Mr Straw told Secretary Powell that "nonetheless it was important to go through the motions". The chance of success was "one per cent" but "if Jeremy succeeded we would have to go for it". Mr Straw added: "But there was a ninety nine per cent chance that this would simply be for PR."

350. The letter reporting the conversation was sent to Sir David Manning and copied to Sir Jeremy Greenstock, Mr Brenton, Sir Michael Jay, FCO Permanent Under Secretary (PUS), and Mr Ricketts.

351. The Government has been unable to find any record of the second conversation.¹¹³

352. In a third conversation at 6pm, Secretary Powell reiterated concern about Sir Jeremy Greenstock's activity at the UN and the risks if people thought a real effort was under way which was then brought to an abrupt end on 17 March.¹¹⁴

¹¹² [Letter McDonald to Manning, 12 March 2003, 'Foreign Secretary's Conversation with US Secretary of State 12 March'](#).

¹¹³ Minute Cabinet Office to Iraq Inquiry, 14 March 2014, 'Declassification: 3.6B-MA-4'.

¹¹⁴ [Letter McDonald to Manning, 12 March 2003, 'Foreign Secretary's Conversation with US Secretary of State 12 March'](#).

353. Mr Straw reassured Secretary Powell that, since their first conversation, Mr Simon McDonald, his Principal Private Secretary, had spoken to Sir Jeremy “to ask him to push but not too hard”. In the light of Secretary Powell’s continuing concern, Mr Straw “repeated that there was only a one percent chance of success but it gave us room to make the case here”.

354. Separately, Mr Straw spoke to Sir Jeremy Greenstock, who was with Ambassador Negroponete, to ask him “not formally to introduce anything this afternoon but to say that we were consulting about the six tests which had already been made public”.

355. Mr Brenton reported that the US Administration’s “impatience” was “growing over the delay at the UN”, and that:

- “However much they want to help us obtain UN backing, they are equally determined to get on with the job of tackling Saddam. Minds are increasingly moving in the direction of abandoning the diplomatic pursuit of the ‘undecided six’, and focusing instead on firming up a coalition of the willing.”
- The latest opinion polls showed “increased impatience with the UN process, with some 55 percent ... prepared to support a war without a new UNSCR. Chirac in particular is seen as the villain of the piece for threatening an unreasonable veto under all circumstances.”
- A White House spokesman had told the daily press conference that President Bush “was confident that the UK would be with the US in the endeavour to disarm Saddam from a military point of view”.¹¹⁵

356. Mr Brenton had been told by senior US officials that President Bush would have washed his hands of the Security Council long ago, but he was determined that, whatever, “within reason”, Mr Blair needed, he should get. That included the possibility of UN discussions continuing into the following week if necessary. It did not, however, extend to movement on the operational timetable. He had been advised that there was no US willingness to shift the dates to assist a process which seemed to be going nowhere.

SECURITY COUNCIL OPEN DEBATE, 11 AND 12 MARCH 2003

357. At the request of Malaysia, representing the Non-Aligned Movement (NAM), the Security Council held an open debate on the “situation between Iraq and Kuwait” on 11 and 12 March.¹¹⁶ More than 50 speakers contributed to the debate, but no member of the Council spoke.

¹¹⁵ Telegram 328 Washington to FCO London, 12 March 2003, ‘US/Iraq’.

¹¹⁶ UN Security Council, ‘4717th Meeting Tuesday 11 March 2003’ (S/PV.4717).

358. Mr Mohamed Aldouri, Iraqi Permanent Representative to the UN, who spoke at the beginning and end of the debate, stated that:

- The US and UK had propagated “falsehoods and untrue allegations” about “Iraq’s compliance and implementation of the relevant Security Council resolutions”.
- Ninety-five percent of the disarmament tasks had been completed between 1991 and 1994.
- Dr Blix had reported on 7 March that Iraq was “proactively co-operating”.
- There were “no obstacles” to inspections, which were “serious, effective and immediate”.
- Iraq had recently unilaterally declared its missile programme and was destroying the Al Samoud 2 missiles which UNMOVIC had deemed to be proscribed.
- None of the “allegations” presented to the Council by Secretary Powell on 5 February had “proved to be true”.
- The most recent “intelligence report produced by the UK” (the No.10 dossier ‘Iraq – Its Infrastructure of Concealment, Deception and Intimidation’ – see Section 4.3), contained previously published information.
- It was important for Iraq to view the “clusters” document presented on 7 March “in order to implement” the main tasks required “as soon as possible and to study such questions and answer them”.
- Recent allegations about RPVs were unfounded. They were small experimental aircraft which had been examined by the inspectors.

359. In both his opening and closing statements, Mr Aldouri stated that Iraq had “taken the strategic decision” to rid itself of weapons of mass destruction. In his concluding statement, he warned that war would bring “incalculable catastrophe”, and asked for time to provide what evidence Iraq could to the international community to prove it had no weapons of mass destruction. He appealed to the Security Council not to “stand idly by” in the face of the “clear, present and serious” threat to Iraq.

360. A number of states supported the draft resolution tabled by the US, UK and Spain, giving Iraq a deadline, including Kuwait, Australia and Japan. The majority, however, argued that inspections should be given more time in an effort to avoid war.

PRESENTATION OF THE UK’S POSITION

361. UK diplomatic posts were informed that the UK was “working flat out for a second resolution”, and there was a possibility of a short extension of the deadline of 17 March.

362. On the evening of 12 March, Mr Edward Chaplin, FCO Director Middle East and North Africa, sent out a personal telegram to Heads of UK Missions, informing them that:

“All efforts from the Prime Minister downwards are focused on securing at least nine positive votes for a second SCR. To help the middle ground of the Council, we have amended our original draft [resolution] to include an ultimatum (currently 17 March, with a possibility of further softening) and are discussing some tests designed to show whether Iraq is prepared to make a strategic decision to comply fully with the Security Council’s demands.”¹¹⁷

363. The telegram summarised the tests and stated:

“The hope is that these objective tests, plus a short extension of the 17 March deadline, might deliver positive votes from Mexico and Chile. With their support, plus positive votes from Bulgaria (certain), the three Africans (reasonably secure), Pakistan (not so certain) we would have the nine positive votes required ...

“The threat of vetoes by France, Russia and perhaps even China is real. It remains to be seen if they will take this step if they are convinced that nine positive votes are in the bag. But Chirac has virtually committed himself to a veto in any circumstances, and the Russian line is firmly against any automatic recourse to force. The final denouement in New York will be before the end of the week ...”

364. The telegram stated that decisions on UK participation in military action would “depend on the outcome in New York and a debate and vote in the House of Commons, likely to be on 17 March”.

365. Heads of Mission were told that the telegram was for “background”; and that:

“... in any private conversation, even with trusted interlocutors, you should not speculate but rest for the moment on the fact that we are working flat out for a second resolution which reunites the Council and puts the pressure back where it belongs, on Iraq.”

366. Mr Chaplin added that if the resolution passed “and assuming the Iraqi regime fails the tests set for it (there is absolutely no sign of Saddam Hussein preparing a U-turn), we can assume military action would follow quickly after the expiry of the ultimatum”. If the resolution did not pass, the timetable was “much more uncertain”. The Americans would “not want to delay long”. Mr Straw had decided that the UK “would not want to get ahead of US travel advice” which would “squeeze the time available for UK citizens [in the region] who want to get out”.

367. Mr Chaplin commented that Heads of Mission had been receiving “plenty of guidance in the form of ministerial statements and reports from UKMIS New York on

¹¹⁷ [Telegram 33 FCO London to Riyadh, 12 March 2003, ‘Personal for Heads of Mission: Iraq: The Endgame’.](#)

the negotiations” on the second resolution, but they “might like a bit more of the flavour as we enter the end game”. Events were “moving pretty fast” and they should not be “surprised” if the guidance was “a little out of date by the time you read it”.

CONSULTATIONS ON UK PROPOSALS TO IDENTIFY KEY TESTS FOR IRAQ

368. As agreed by Mr Blair and Mr Straw, the UK’s draft tests were circulated in a meeting of Security Council members late on 12 March where they attracted a mixed response. It was recognised that the UK was making “a real effort” to find a way forward; but there was “no breakthrough”.

369. France, Germany and Russia focused on UNMOVIC’s identification of key disarmament tasks and a work programme, as required by resolution 1284 (1999).

370. Dr Blix said UNMOVIC would be seeking comments on its proposals on 14 March.

371. The UK circulated its draft side statement setting out the six tests to a meeting of Security Council members in New York on the evening of 12 March.¹¹⁸ The draft omitted an identified date for a deadline and included the addition of a final clause stating that:

“The United Kingdom reserves its position if Iraq fails to take the steps required of it.”

372. Sir Jeremy Greenstock told Council members that the UK “non-paper”, setting out six tasks to be achieved in a 10-day timeline, responded to an approach from the undecided six (U-6) looking for a way forward.¹¹⁹

373. Sir Jeremy said he had consulted Dr Blix and Dr Perricos, but the list was the responsibility of the UK, which was:

“... anxious to preserve the possibility of a peaceful solution and had been distressed by the failure of the Security Council to find a formula around which the Council could group without vetoes.

“I was asking all Council members without exception if this was an opportunity we could take. If there was traction we would be willing to consider dropping OP3 of our draft resolution. But if the Council did not see this as a way through, the co-sponsors would stick with the current draft and the package was null and void.

“There was a placeholder in the non-paper for a date – 17 March remained and I had no other date to offer. But clearly 17 March was approaching fast and was not consistent with a 10 day timeline for the tests if the idea was taken up. The discussion of dates would have to be set against the realities – there was no great scope for moving to the right.

¹¹⁸ [Telegram 429 UKMIS New York to FCO London, 13 March 2003, ‘Iraq: UK Side-Statement’.](#)

¹¹⁹ [Telegram 428 UKMIS New York to FCO London, 13 March 2003, ‘Iraq: UK Circulates Side-Statement’.](#)

“I suggested a further session the following day to get more considered reactions.”

374. Sir Jeremy reported that the points made by the representatives of the other Permanent Members of the Council were:

- Mr Sergei Lavrov, Russian Permanent Representative to the UN, said that “Russia had not changed its position: they could not accept automaticity or ultimata” and the “10-day deadline was too short”. He “questioned how the UK’s tasks” related to the “key remaining disarmament tasks and the work programme” required by resolution 1284 which would be issued the following week.
- Ambassador Negroponte “said it was clear the UK was going the extra mile to find a basis for an agreed approach. The proposal should be seriously considered especially if it strengthened the prospects for Council unity.”
- Mr Wang Yingfan, Chinese Permanent Representative to the UN, “felt confused”. Would the UK approach “wipe the slate – and material breach – clean for Iraq?” He “doubted the timeline was feasible”.
- Mr Jean-Marc de La Sablière, French Permanent Representative to the UN, “said France had always been interested in an approach based on benchmarks – but this had to be in the context of the work programme and key remaining tasks” required by resolution 1284. “Benchmarks also had to be completely separate from any ultimatum.” He “thought we could have disarmament in a limited time without inspections” but “the UK approach did not allow” Council unity to be preserved.

375. Points raised by the representatives of other members of the Council included:

- Mr Gunter Pleuger, German Permanent Representative to the UN, “pleaded for time to discuss the proposal in detail”, and asked about the status of the paper, what would be the purpose of the draft resolution without OP3 and whether it “made sense to set some tasks now when the 1284 key remaining tasks would be issued soon and subsume them”.
- Mr Aguilar Zinser, Mexican Permanent Representative to the UN, was “effusive” about the initiative. He said that the Council “would have to devote time to studying the proposal”. He questioned the “relationship with the 1284 tasks; the timeframe ... proposed; the role of UNMOVIC and IAEA in verifying compliance; whether the tests would be collectively assessed; the connection with the resolution; and whether the use of force would be conditioned”. He had been asked to set out his Government’s reservations. “They still did not see a way out of the difficulties in the Council nor elements allowing consensus and understanding. They still did not have a final position on the draft resolution.”
- Mr Mamady Traoré, Guinean Permanent Representative to the UN and President of the Council, was “happy” that the UK “had made this attempt to reach consensus”.

- Mr Mikhail Wehbe, Syrian Permanent Representative to the UN, said the UK's "non-paper made matters even worse as it included warnings over and above those in 1441 as well as multiple ultimata".
- Mr Stefan Tafrov, Bulgarian Permanent Representative to the UN, "felt this was a genuine effort at consensus that would need some time to digest".
- Mr Martin Belinga Eboutou, Cameroonian Permanent Representative to the UN, "thought this might open a path to bringing forward the different viewpoints".
- Mr Munir Akram, Pakistani Permanent Representative to the UN, asked "a host of questions" and said "he had always envisaged a 'credibility test' that would show peaceful disarmament was possible"; but Pakistan had seen that as the "first instalment and as deriving from the 1284 key tasks".
- Mr Ismael Gaspar Martins, Angolan Permanent Representative to the UN, "saw value in the paper and liked the idea of disarmament in instalments".
- Mr Juan Gabriel Valdés, Chilean Permanent Representative to the UN, "welcomed this effort addressing the concerns many had recently expressed". He would divulge his country's views the following day.
- Mr Arias said the approach "was a positive way of achieving consensus". He "supported the concept and content".

376. Dr Blix said UNMOVIC would be sending its draft of the key tasks required by resolution 1284 to the College of Commissioners that evening for comment by 14 March. The tasks would be ready the following week. It was for the Council to decide whether it agreed with the tasks selected.

377. Sir Jeremy reported that Dr Blix had:

"... said there had been recent discussion of how to continue exerting pressure, of which military pressure was the most important element. There was the concept of a "strategic decision" by Iraq ...

"He understood the UK was asking for a commitment from Iraq along with a down-payment. While they might not be formulated identically, all the questions raised by the UK figured in the key remaining disarmament tasks ... The statement by Saddam Hussein was none of UNMOVIC's business while interviews outside Iraq was an element of the work programme. Progress on missiles could be speeded up.

"How far Iraq would be able to do the rest, he did not know. UNMOVIC's judgement was that these tasks were doable. This was not possible in two days. As for 10 days, he did not think he could guarantee Iraq would do it but UNMOVIC would report on what had been done in the time set by the Council but not offering a judgement.

"As we reached the end of the period, there might be another batch of tests so to continue and renew the pressure on Iraq to deliver the fastest disarmament possible."

378. Sir Jeremy stated that the Council “had to be clear that the ship of the Security Council was heading for an iceberg”. The UK’s proposal:

“... was a repair job ... The whole point was to avoid military action. We could not go blindly on with 1284 without the crucial missing ingredient – Iraq’s full and willing co-operation.”

379. Addressing specific questions that had been raised, the points made by Sir Jeremy included:

- “The UK would take yes for an answer if the tests were completed in their totality. The tests were not impossible and would make it blindingly obvious if Iraq had taken a strategic decision to disarm ...”
- “[W]e might not have to vote as early as 14 March if there was traction ... If there was no traction we would likely vote on 14 March on the current text.”
- “The co-sponsors ... had agreed on the package and wanted to see the Council’s response.”
- “[T]he more people who joined us the more the judgement of compliance would be a collective one. We valued the judgement of the inspectors, but it was for the members who signed up to the statement ... to assess whether the tests had been satisfied. 1441 did not specify who would make the judgement on compliance – that was one of its ambiguities – but if the tests were collective, the UK had no problem with the judgement being collective”.
- “[W]ithout OP3 our resolution would not be an ultimatum ...”
- “[I]f there was traction on this idea, the UK would be committed to getting maximum time. But it was not possible at this stage to give a firm date and the flexibility for extra time was very limited ...”

380. France, Germany and Russia had all responded that the draft resolution, “even without OP3”, would still authorise force. Sir Jeremy replied that:

“... without OP3, the resolution would be a restatement of resolution 1441 ... There was no way out of the dilemma ... unless we delivered Iraqi co-operation. We were trying to offer a means of doing that. We had to rally, not to camp on national positions.”

381. Sir Jeremy commented that the initiative had resulted in:

- genuine expressions of warmth from the U-6 for taking them seriously;
- recognition that the UK had made a real effort to find a way through for the Council;
- discomfiture of the negative forces, who sounded plaintive and inflexible in their questioning;
- reasonable support from Blix, who did more than not disown us (though he could have been more helpful on the timeline); and

- finally, a bit of time. I can keep this going at least until the weekend.”

But:

- the UK had not achieved “any kind of breakthrough. The French, Germans and Russians will undoubtedly home in on the preambular section of the draft resolution and on the whiff of ultimatum in the side statement”; and
- there were “serious questions about the available time”, which the US would “not help us to satisfy”.

382. Sir Jeremy concluded that informal consultations would resume the following afternoon. He did “not think he needed detailed instructions if we continue down this track for a further day or two, but grateful for comments and telling arguments on where we have reached so far”.

FRENCH CONCERNS ABOUT THE UK PRESENTATION OF PRESIDENT CHIRAC'S REMARKS

383. France registered its concerns about the way in which the UK Government was describing President Chirac's comment about a veto.

384. In addition to his conversation with Mr Rycroft that morning (described earlier in this Section), Mr Errera called on Mr Ricketts on the evening of 12 March for “a private talk on where things stood” between the UK and France on Iraq.¹²⁰

385. Mr Ricketts reported to Sir John Holmes that Mr Errera had remonstrated “about how British Ministers had misconstrued President Chirac's comments”, and that he [Ricketts] had responded by pointing out the prominence of the quote on the front page of *Le Monde*. He and Mr Errera had:

“... agreed fairly quickly that the immediate crisis would play out with France and the UK on different positions, and that the more productive thing was to look ahead, and consider what lessons we should learn from recent events ...”

386. Mr Errera had assumed “that the UK would not want to go through again what we had been put through in recent weeks by the Americans”; “nor would it be so easy for the UK to claim that our policy of close alliance gave us real traction over US policy”.

387. Mr Ricketts responded that Iraq had shown up:

“... very starkly a difference of threat perception, with the UK, Spain, Italy and some others ... genuinely believing that the threat of WMD in the hands of a regime like Iraq, in a world inhabited by the likes of Al Qaida, was a worse prospect than the risks of military action to deal with it ... Ministers were genuinely convinced of the rightness of the policy, it was not poodleism ...”

¹²⁰ [Letter Ricketts to Holmes, 13 March 2003, 'France and Iraq'](#).

388. In response to Mr Ricketts' attempt to focus on issues after the conflict and wider US/European relations, Mr Errera stated that "the Americans were determined to divide and rule"; and that they expected "unquestioning support for whatever was their policy objective of the moment".

389. Mr Ricketts "disputed the model", commenting that "a bit more modesty" in European ambitions for a common foreign and security policy "might not be a bad thing". Mr Errera "did not have any new thoughts on how a different transatlantic relationship could be constructed in the light of Iraq beyond the need to strengthen Europe".

390. Mr Ricketts concluded that Mr Errera was "keen to keep channels open despite the difficulties"; and that he had given the same message.

391. A copy of the letter from Mr Ricketts was sent to Sir David Manning.

JIC ASSESSMENT, 12 MARCH 2003

392. The Joint Intelligence Committee (JIC) continued to warn in March that the threat from Al Qaida would increase at the onset of military action against Iraq.

393. The JIC also warned that:

- **Al Qaida activity in northern Iraq continued; and**
- **Al Qaida might have established sleeper cells in Baghdad, to be activated during a US occupation.**

394. On 12 March, the JIC produced a further update on the implications for international terrorism of military action in Iraq.¹²¹

395. In its Key Judgements, the JIC stated:

- The threat from Al Qaida will increase at the onset of military action against Iraq. Attack plans in the time-frame of a potential conflict are probably now going ahead under the control of lower-level operational leaders, but Khalid Sheikh Muhammad's capture may lead to postponement or abandonment of at least some terrorist plans.
- The greatest threat to Western interests from Islamist terrorists is in the Middle East. South-East Asia and East Africa are the most likely regions for attack outside the Middle East, although Al Qaida retains a strong determination to mount attacks in the US and UK.
- Al Qaida and sympathisers may well attempt chemical or biological terrorist attacks in the Gulf, including against UK civilian targets there, in the event of war with Iraq.

¹²¹ [JIC Assessment, 12 March 2003, 'International Terrorism: War with Iraq: Update'](#).

- Al Qaida terrorists in the Kurdish Autonomous Zone (KAZ) previously noted testing and producing chemical and biological substances remain active and are likely to attack Coalition forces.
- Senior Al Qaida associated terrorists may have established sleeper cells in Iraq, to be activated during a Coalition occupation.
- Iraq continues to prepare for terrorist attacks against Western interests in the Middle East, Europe, South-East Asia and elsewhere, although the regime's capability remains limited, especially beyond the Middle East."

396. Other key elements from the Assessment are set out in the Box below.

**JIC Assessment, 12 March 2003:
'International Terrorism: War with Iraq: Update'**

Islamist terrorists

- There was "a substantial body of reporting of plans by Al Qaida and other Islamist terrorists for attacks in the Middle East".
- "Arrests of extremists involved in chemical/biological (CB) attack plans in Bahrain may have reduced the threat of an attack there linked to conflict with Iraq. But the full distribution of instructions for making CB devices has yet to be uncovered [...]"
- "A substantial body of reporting (much of which is also uncorroborated) suggests targeting against UK and US interests."
- Al Qaida retained "a strong determination to mount attacks in both countries".

Islamist terrorists in Iraq

- Reporting since 10 February had suggested that the senior Al Qaida associate, Abu Musab al-Zarqawi, had "established sleeper cells in Baghdad, to be activated during a US occupation of the city".
- It was "possible" that the sleeper cells had "received CB materials from terrorists in the KAZ".
- "Whatever the precise relationship between al-Zarqawi and his DGI [Directorate of General Intelligence] contacts", it was "unlikely that he could conduct activities in Iraq without the knowledge (and probably the support) of the regime".

Conclusion

- "Despite serious setbacks for Al Qaida, and some disruption of terrorist activity, especially in the Middle East, the threat from Islamist terrorism in the event of war with Iraq remains high, with continuing evidence of attack planning. We can expect Al Qaida to persist with plans for at least one major attack to coincide with an outbreak of hostilities, as well as widespread attempts at low-level attacks by extremist groups and individuals worldwide, especially in the Middle East, Africa and South-East Asia."
- The JIC judged that the threat from Al Qaida remained "greater than any terrorist threat from Iraq".

Events of 13 March 2003

397. Mr Blair saw both Mr Cook and Ms Short before Cabinet on 13 March to discuss their concerns.

398. Mr Campbell wrote in his diaries that, in the context of preparations for meetings with Mr Cook and Ms Short:

“JP [John Prescott] emphasised how important it was to make clear today was not the final Cabinet before any action, that there would be another one if the UN process collapsed. The political argument that we needed now was that the French had made it more not less likely that there would be conflict. This was the way some of our MPs could come back ... Jack [Straw] agreed to go out and do clips [for the media] on the French.”¹²²

399. Mr Cook wrote in his memoir that he told Mr Blair before Cabinet on 13 March that his mind was made up (to resign if the UK went ahead without a second resolution), but he would not make a public move while Blair was “still working for a result at the UN”.¹²³

400. Mr Cook wrote that his impression was that Mr Blair was “mystified as to quite how he had got into such a hole and baffled as to whether there was any way out other than persisting in the strategy that has created his present difficulties”.

401. In relation to press reports that Mr Blair had told Mr Duncan Smith that he now thought a second resolution “very unlikely”, Mr Cook also wrote:

“Since the fiction that Tony still hopes to get a second resolution is central to his strategy for keeping the Labour Party in check, it is not welcome news that IDS has told the world that not even Tony believes this.”

402. Following Ms Short’s interview with the *BBC’s Westminster Hour* on 9 March, Mr Chakrabarti had written to Sir Andrew Turnbull on 11 March to explain Ms Short’s position.¹²⁴

403. Mr Chakrabarti described Ms Short’s concerns as:

- The process of trying to obtain the second resolution “prior to military action should be fair and transparent”. “That would include no undue pressure on the smaller SC members; allowing enough time (perhaps until the end of March) after voting on a new resolution for the process of an ultimatum to run its course; an objective judgment about whether Iraq had complied with any ultimatum

¹²² Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹²³ Cook R. *The Point of Departure*. Simon & Schuster UK Ltd, 2003.

¹²⁴ [Letter Chakrabarti to Turnbull, 11 March 2003, ‘Iraq’](#).

(which the proposed tests would help with); and a clear legal opinion about the circumstances under which military action without a further resolution could meet the UK Government's commitment to respect international law."

- "Early and public agreement with the USA on a UN SC mandate for the civil administration and reconstruction of Iraq", which would "almost certainly require" Mr Blair's personal involvement with President Bush. DFID understood that "it would be illegal for us, the UN and many other donors to get involved in the reform of Iraqi institutions and reconstruction of the country (beyond what is needed for the delivery of immediate humanitarian assistance under our Hague and Geneva Convention obligations) without a further ... UNSC mandate. The absence of agreement with the US on this is holding up international planning and the prospects of burden sharing."
- It would be "highly desirable" for Mr Blair to meet Mr Annan "soon and more often". That "would send a clearer signal of the certainty we attach to the UN role".
- The Quartet Road Map "should be published before any military action". Ms Short felt "strongly that now is the time" for Mr Blair to get President Bush to "sign up" to publication. Progress would "reduce the hostility to the West and tensions in the Arab world which our actions in Iraq risk provoking".

404. In relation to the need for a legal opinion, Mr Chakrabarti added:

"I know DFID is not alone in wanting to see written advice from the Attorney General and/or Ministerial discussion about the legality of military action without the second UNSCR. It would be strongly desirable for the legal opinion, to cover the range of possible voting outcomes, to be put to Ministers before the end of the week. If that legal opinion gave backing to US/UK military intervention in the absence of a second resolution, Clare believes the Government would still need a discussion on the political merits of taking that course of action."

405. Mr Chakrabarti suggested that the Government's communications strategy might "make clearer the UK's concerns for the Iraqi people and the centrality of the UN in resolving the crisis, including through a strong role for the UN after any conflict".

406. Mr Chakrabarti also suggested that "more frequent and systematic discussion of these issues between senior ministers would be helpful". He understood that Mr Blair might ask senior ministers to meet more regularly if conflict started, but advised starting sooner, "given the scale and significance of the decisions being taken". In addition, Mr Blair and Ms Short needed "to talk more often, probably on a daily basis until negotiations on the second resolution are concluded". "Most of her concerns" were "agreed government policy", but she needed to be reassured that they would be "taken fully into account".

407. In her memoir, Ms Short wrote that when she arrived in her office on 11 March, Mr Chakrabarti and senior officials had “obviously been instructed by No.10 to try to get me in line”.¹²⁵ They had also “been asked to find out what it would take to make me stay”. After discussion, they agreed that the conditions were:

- “1. Publish Road Map [for the Middle East]
2. Absolute requirement UN mandate for reconstruction
3. UN mandate for military action.”

408. Ms Short added that her diary also recorded:

“Briefing from No.10 I had not raised these issues before. Shocking! Raised at every Cabinet and at a series of private meetings with TB.”

409. Mr Blair told Ms Short that President Bush had “promised a UN mandate for reconstruction” and that her position on the Road Map might help him with President Bush. In response to a request from Ms Short that he should “try a process at UN that treats UN with respect not just forcing US timelines”, Mr Blair “said he could get more time”.

CABINET, 13 MARCH 2003

410. Mr Blair told Cabinet on 13 March that work continued in the UN to obtain a second resolution and, following the French decision to veto, the outcome remained open.

411. Mr Blair indicated that difficult decisions might be required and promised a further meeting at which Lord Goldsmith would be present.

412. Mr Straw told Cabinet that Iraq continued to be in material breach of resolution 1441 and set out his view of the legal position.

413. Mr Straw told Cabinet that there was “good progress” in gaining support in the Security Council and described President Chirac’s position as “irresponsible”.

414. The position presented to Cabinet by Mr Blair and Mr Straw did not acknowledge the reservations expressed by the non-permanent members of the Council. The limited time available for a decision, dictated by US decisions on the military timetable, meant that it would be very difficult to secure nine votes in support of the UK proposals.

415. Nor did Mr Blair and Mr Straw acknowledge the concern that, if there were nine votes in support of the resolution, China and Russia, as well as France, might exercise their vetoes.

¹²⁵ Short C. *An Honourable Deception: New Labour, Iraq and the Misuse of Power*. The Free Press, 2004.

416. Cabinet was not informed of the strategy Mr Blair had agreed with President Bush to manage the issue until 17 March.

417. There was no discussion of the options available to the UK if the attempt to secure a second resolution failed.

418. Mr Gordon Brown, the Chancellor of the Exchequer, and Ms Short, whose responsibilities were directly engaged, had not seen Lord Goldsmith's legal advice of 7 March.

419. Mr Blair told Cabinet on 13 March that work continued in the UN to obtain a second resolution.¹²⁶ The UK had presented proposals for six “tests”, “endorsed by Dr Blix”, to judge whether Saddam Hussein had decided to commit himself to disarmament. Satisfying those tests would not mean that disarmament was complete, but that the first steps had been taken. The non-permanent members of the Security Council were uncomfortable with a situation where “following the French decision to veto”, the Permanent Members were “not shouldering their responsibilities properly”. The “outcome in the Security Council remained open”. If the United Nations process broke down, difficult decisions would be required and there would be another Cabinet meeting at which the Attorney General would be present.

420. Mr Blair also stated that the MEPP needed to be “revived”; and that “the reconstruction of Iraq after a conflict would need a United Nations Security Council resolution”. The US had “now agreed” to that, which would “help to bring countries with divergent views on military action back together again”.

421. Mr Straw said that although there were differences between members of the Security Council, “none was saying that Iraq was complying with its international obligations”; and that it “followed that Iraq continued to be in material breach” of those obligations.

422. On the legal basis for military action, Mr Straw said that he “was already on record setting out the position to the Foreign Affairs Committee” on 4 March. Mr Straw rehearsed the negotiating history of resolution 1441 (2002), stating that:

- “the French and Russians had wanted a definition of what would constitute a material breach, but had settled for the facts being presented to the Security Council”;
- “they had also wanted a statement that explicit authorisation was required for military action and instead had settled for further consideration by the Security Council ...”; and
- failure by Iraq to comply with resolution 1441 “revived the authorisations existing” in resolutions 678 (1990) and 687 (1991).

¹²⁶ [Cabinet Conclusions, 13 March 2003.](#)

423. Mr Straw noted that the Government's supporters had "a clear preference" for a second resolution but that "had not been seen as an absolute necessity". There had been "good progress" in New York in "gaining the support of uncertain non-permanent members of the Security Council, including Mexico and Chile".

424. Mr Straw described Mr Chirac's public assertion that "France would veto in any circumstances" as "utterly irresponsible"; and that Mr Annan was "equally unhappy" with that development.

425. Mr Straw's sense was that there was "growing understanding for the Government's case" in the House of Commons.

426. In the discussion, the points made included:

- the integrity of the UN process should be respected and enough time allowed for Saddam Hussein to meet the tests;
- the French veto was significant because "it implied that France would never be prepared to use force"; its approach "amounted to dismissing the evidence and insisting on indefinite delay". The French position had "undermined the unity" of the Security Council;
- a majority of the members of the European Union supported the UK line;
- a "balance had to be struck between striving" for a second resolution and "being prepared to do without it if that was the outcome of negotiations". It would be "easier" to make the "political, moral and legal case" if such a resolution could be achieved;
- although the rhetoric used by the US leadership was "sometimes unpopular", that "did not mean that their policy was wrong". President Bush had made more use of the UN than his predecessor and he had publicly committed the US to a two-state solution in the Middle East;
- the "atmosphere in the Middle East and more generally would be transformed for the better" if the United States could be persuaded to publish the Road Map for the MEPP; and
- UN authority for the reconstruction of Iraq was "essential so that all countries and international institutions could contribute".

427. Summing up the discussion, Mr Blair said that there had been welcome progress in the Middle East with the appointment of a Palestinian Prime Minister. That called for a positive response by the US. The French position "looked to be based on a calculation of strategic benefit". It was "in contradiction of the Security Council's earlier view that military action would follow if Iraq did not fully and unconditionally co-operate with the inspectors". The UK would "continue to show flexibility" in its efforts to achieve a second resolution and, "if France could be shown to be intransigent, the mood of the Security Council could change towards support for the British draft".

428. Cabinet: “Took note.”

429. Mr Cook wrote in his memoir:

“When we began, Gordon launched a long and passionate statement of support for Tony’s strategy. The contribution was rather marred by an outspoken attack on France: ‘the message that must go out from this Cabinet is that we pin the blame on France for its isolated refusal to agree in the Security Council’.”¹²⁷

430. Mr Cook added that he had reminded colleagues that “when this is over, the first priority must be to repair the divisions in Europe” and that the Government should not make that job more difficult by sending out messages that attack France or any other European country”. He had “applauded” the “ingenuity” of Mr Blair, Mr Straw and Sir Jeremy Greenstock in finding new initiatives but stated that “the intensity of our efforts to get agreement in the Security Council means that we cannot now pretend that it does not really matter if we fail to get agreement”. Mr Cook had warned that the Government “should avoid saying that we will take military action even if we fail to get a resolution, as we need some flexibility to consider what we do if we find ourselves in that position”.

431. Ms Short wrote that she had asked for “a special Cabinet with the Attorney General present” and that had been agreed.¹²⁸ She had also said, “if we have UN mandate, possible progress on Palestine /Israel and try with the second resolution process, it would make a big difference”. She was “hopeful of progress”.

432. Ms Short added:

- “GB spoke animatedly about what France was saying – no to everything.”
- “Jack Straw also anti-France.”
- “David Blunkett [the Home Secretary] said we must stand by the PM and Chirac was reckless ...”

433. Ms Short had been advised by Mr Chakrabarti that she should focus her intervention in Cabinet on the need for “a proper decision making process”, which would be “important both in substance and ... for the politics”. In his view, there were two key points to make:

- “Cabinet needs to discuss now the legal opinion of the Attorney General and how to make it public. This is vital for Ministers, our armed services and the civil service.”

¹²⁷ Cook R. *The Point of Departure*. Simon & Schuster UK Ltd, 2003.

¹²⁸ Short C. *An Honourable Deception: New Labour, Iraq and the Misuse of Power*. The Free Press, 2004.

- “As soon as we are clear on the second resolution (whether it fails to get the necessary votes or is not put to a vote), Cabinet should meet again for a discussion on the politics and to put a proposition to Parliament for immediate debate.”¹²⁹

434. Mr Campbell wrote in his diaries that:

- Lord Williams of Mostyn, the Leader of the House of Lords and Attorney General from 1999 to 2001, had “said there would be a debate [in Cabinet] on the legality”, and Ms Short had said Lord Goldsmith should be present. Mr Blair had “said of course he would”.
- Mr Blair “said that the French had exposed fully how intransigent they were. Chirac’s ‘whatever the circumstances’ was a mistake, and the wrong approach, and people were angry about it. They had also now rejected the basis of the tests we were proposing without any discussion or consideration. He felt Chirac’s desire for a ‘bipolar world’ was leading him to turn away from discussion of any kind on this. He promised another discussion before a vote.”
- Mr Brown “came in very strongly later on, on the French in particular”.
- Mr Cook “said we should not ‘burn our bridges’ with the French, made clear that there must be a legal base for action, there was no political case without a second resolution and we must keep working for it”.
- Ms Short “said we needed the Road Map published, lambasted the ‘megaphone diplomacy’ but as ever gave the impression that it was just us and the Americans who engaged in it. She said the world community was split because the Americans were rushing. We should not be attacking the French but coming up with a different kind of process. ‘If we can get the Road Map, we can get the world reunited behind it.’”¹³⁰

435. Mr Campbell commented that Mr Cook had spoken “very deliberately” and his intervention was “a very clear marker” that he would resign “if there was action without a second resolution. He felt we did not have the moral, diplomatic or humanitarian cover.”

436. Ms Short told the Inquiry that the “strategy was: blame the French and claim that they’d said they would veto anything. And they said it at the Cabinet ...”¹³¹

437. Sir Stephen Wall, Mr Blair’s Adviser on European Issues and Head of the Cabinet Office European Secretariat 2000 to 2004, told the Inquiry that at Cabinet on 13 March:

“As Tony Blair came into the room John Prescott stood up and saluted. It was a sort of funny moment but in I think in a rather characteristic way John Prescott was doing something quite clever. He was saying ‘You are the Commander in Chief and

¹²⁹ [Minute Chakrabarti to Secretary of State \[DFID\], 12 March 2003, ‘Cabinet 13 March 2003: Iraq’.](#)

¹³⁰ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

¹³¹ Public hearing, 2 February 2010, page 103.

this is the time to rally to the flag'. People laughed but interestingly the atmosphere changed. Sitting at the back I had thought to myself 'This is going to be a difficult Cabinet', and it wasn't."¹³²

438. Asked by the Inquiry why he had decided to continue the negotiations and whether that was "not in particularly good faith", Mr Blair replied:

"No. It was very simply this, that obviously this was a second best thing now ... but what we decided was ... even if you can't get the resolution because they have said they will veto, nonetheless you would have some greater, if you like, political authority if you could at least get a majority of members of the Security Council to say they would agree such a resolution even vetoed."¹³³

439. Asked whether a vetoed resolution would have undermined the authority for military action in resolution 1441, Mr Blair said:

"No, it would not have undermined that because we were saying that we accept that we believed we had authority in 1441, but it would have allowed us politically to say we had the majority of the Security Council. So had we ended up in a situation where Chile and Mexico had said 'We are with you'. We would probably have put this resolution down, had it vetoed."¹³⁴

FRANCE'S POSITION

440. In a statement on 13 March, Mr de Villepin rejected the UK's tests.

441. In a statement issued on 13 March, Mr de Villepin said that the UK proposals did "not address the issues raised by the international community".¹³⁵ The aim was "not to grant Iraq a few extra days before embarking on a path leading to the use of force, but to move resolutely forward on the peaceful disarmament route". Inspections were "a credible alternative to war" and were "producing results" as Dr Blix and Dr ElBaradei had "pointed out in the 7 March report". In the "spirit" of resolution 1441, France wanted "a realistic timeframe in which to achieve effective disarmament". Success would "demand" Iraq's "full and wholehearted co-operation".

442. In subsequent interviews for French media, Mr de Villepin stated that the UK proposal embraced "the idea of an ultimatum, of the automaticity of the recourse to force" which for France "was unacceptable".¹³⁶ He pointed out that the US had "a determining role" as it was "maintaining that the die is cast" and was "intent on moving towards a military intervention".

¹³² Public hearing, 19 January 2011, page 25.

¹³³ Public hearing, 21 January 2011, page 106.

¹³⁴ Public hearing, 21 January 2011, pages 106-107.

¹³⁵ Embassy of the Republic of France in the UK, *Iraq – Statement by M. Dominique de Villepin, Minister of Foreign Affairs, Paris 13.03.2003*.

¹³⁶ Embassy of the Republic of France in the UK, *Iraq – Interview given by M. Dominique de Villepin, Minister of Foreign Affairs, to French radio stations, Paris 13.03.2003*.

443. Mr Straw characterised France’s position as “extraordinary”.

444. In remarks to the press in Downing Street, Mr Straw said that he found it “extraordinary” that France had rejected the UK’s proposals “without even proper consideration”.¹³⁷ That made a peaceful resolution of the crisis “more difficult”.

445. On 13 March, Sir David Manning asked Mr Rycroft for the full text of President Chirac’s remarks of 10 March, which was circulated within No.10.¹³⁸

446. President Chirac’s Diplomatic Adviser, Mr Maurice Gourdault-Montagne, complained about the UK Government’s “increasingly polemical approach”, its interpretation of President Chirac’s remarks out of context, and the difficulties with the UK tests.

447. Sir John Holmes robustly defended the UK position.

448. Mr Gourdault-Montagne telephoned Sir John Holmes at lunch time on 13 March “to complain about the increasingly polemical approach” the UK was taking.¹³⁹

449. Mr Gourdault-Montagne stated that the UK approach “ran counter to the understanding hitherto that we should try to minimise the bilateral fall-out and avoid mutual or personalised criticism”. France was “particularly upset by our repeated taking out of context ... the President’s remarks on the veto in all circumstances”. The UK “must be well aware that he had been talking about the particular circumstances that evening ... It was not reasonable to distort what he had said in this way.” Mr Straw’s reaction to Mr de Villepin’s statement “had also seemed excessively sharp”.

450. Sir John Holmes reported that he had responded that France:

“... could hardly be surprised if it became harder to avoid criticism of the French position when they had spelled out their intention to veto the draft of their allies, apparently whatever it said. The French were doing everything they could to block us, not least in our attempt to give a last chance to Saddam to disarm peacefully and to achieve the second resolution which would reunite the international community and make international participation in the next stage easier. Villepin’s statement ... this morning attacking our proposals had been particularly hard to take.”

451. Sir John stated that the UK “conditions” were taken from the UNMOVIC report and “were precisely the questions which needed answering if we were to conclude that Saddam Hussein had taken a strategic decision to disarm”.

452. Mr Gourdault-Montagne responded by saying that the requirement that Saddam Hussein should appear on TV to apologise was “a nonsense”. The UK “knew the Arab

¹³⁷ *The Independent*, 13 March 2003, *Britain furious at ‘extraordinary’ French statement*.

¹³⁸ Manuscript comments Manning to Rycroft, 13 March 2003, on [Email Rycroft to No.10 officials, 12 March 2003, ‘French veto – urgent’](#).

¹³⁹ [Telegram 127 Paris to FCO London, 13 March 2003, ‘France: Iraq’](#).

world better than that”; and the UK was “still on the line of an ultimatum with an absurdly short deadline”. France’s position had been “consistent and coherent throughout”, and it had “warned” the UK “not to underestimate” its “determination to carry this position to its logical conclusion”.

453. Sir John stated that he “respected the French right to have a different position, but there had been no need to go as far as a veto, and a deliberate move to declare it in advance to try to influence others against our ideas”. He added that:

“France seemed to be forgetting what was in 1441 – Saddam had to make an immediate and accurate declaration and co-operate fully and immediately ... or face the consequences. He had done neither of these things. We could not simply let things drift.”

454. Mr Gourdault-Montagne replied that “the inspectors had made clear that the process was working, even if co-operation was not total. In these circumstances, it was not right to rush to war.” He repeated “in a spirit of friendship” that what the UK was doing “was against what the French had ... thought was agreed between us. The French had been very careful to avoid any such thing ...”

455. Sir John concluded that Mr Gourdault-Montagne “should appreciate the extent to which France had pushed her position against her closest allies was hard to understand”. The UK “had offered to try to find common ground several times but to no avail”.

456. Sir John also recorded that he had been told by the US Ambassador to France that “he had seen Mr de Villepin the previous evening to enquire what lay behind the President’s words on the veto”. Mr de Villepin “had claimed US and French positions were really quite close, but the problem was the lack of flexibility in the US stance”. The Ambassador had advised him to speak to Secretary Powell and they had subsequently “spoken at length” but their “positions were too far apart ... on timescale and automaticity” to reach agreement: “Like us, the Americans judged that Chirac was not really looking for a way out.”

457. Sir John commented that it was:

“Predictable that the French would react in this way. There is a clear danger of an upward spiral of polemics which could make working together afterwards harder. But our position can hardly surprise the French, nor the fact that we are using Chirac’s words against him when the stakes are so high – he did say them, even if he may not have meant to express quite what we have chosen to interpret.”

458. Mr de Villepin told Mr Straw that France was willing to look at an ultimatum as long as the Security Council was responsible for the final decision on action.

459. Mr Straw responded that France had made life very difficult for the UK.

460. In response to a suggestion that France and the UK should look for a point of compromise, Mr Straw replied that “the key decision had to be made in the Security Council” and “no one on 10 March had said that Saddam Hussein was complying with his obligations. He was therefore in further material breach.”

461. Mr de Villepin also telephoned Mr Straw on 13 March. The record stated that he:

“... said France was still willing to consider any new proposals ... ready to discuss any solution based on benchmarks ... [and] any timetable, even a reduced one, if that was ‘satisfactory for you and the US’. His bottom line focused on automaticity. France could work on any mechanism which contained an ultimatum as long as it was the Security Council which took full responsibility at the end of any deadline.”¹⁴⁰

462. Mr Straw said that President Chirac’s statement on 10 March that “France would vote against a second resolution ‘whatever the circumstances’ had caused great difficulties. It was clear that France would veto.”

463. Mr de Villepin responded that President Chirac had “never said that”; he “had not meant that France would not try to find common ground”; nor “that, whatever happened, France would vote no”. His comments had been “only in the context of text [of the draft resolution] on the table” on 10 March.

464. Mr Straw replied that:

“... he had read the comments differently. It had made life very difficult in the US. They had assumed France would vote no in any circumstances. As a result they were now falling back on UNSCR 1441. The UK had, however, managed to keep dialogue going through the weekend. The UK had never said that 1441 contained automaticity ... But the UK did not want Iraq stringing things out. If things went on too long, the military threat was degraded.”

465. In response to a request from Mr de Villepin that they should look for “a point of compromise” with a meeting of the Security Council following a further report from the inspectors “perhaps in one month, two months or perhaps just three weeks”, Mr Straw pointed out:

“The key decision had to be made by the Security Council. The inspectors’ role was to provide evidence, although others could too. It was clear that Iraq was in material breach. Though there were many different positions in the Security Council, no one on 10 March had said that Saddam Hussein was complying with his obligations. He was therefore in further material breach.”

¹⁴⁰ [Telegram 53 FCO London to Paris, 13 March 2003, ‘Iraq: Foreign Secretary’s Conversation with French Foreign Minister, 13 March’.](#)

466. Later in the conversation, Mr Straw:

“... briefly described the importance of the UK’s new benchmarks. Unless Iraq realised it was facing its final, final chance, the international community would not get Iraq to face reality. Put bluntly, delay played into the hands of those in the US who said we should not go down the UN route. That said, he was happy to see new propositions at any time.”

467. Mr de Villepin concluded that “a way forward could be found”. Mr Straw replied that “there would have to be discussion of these issues at Heads of Government level, though not in New York”.

468. The UK Embassy in Paris reported that Mr de Villepin had followed his rejection of the UK’s proposals on 13 March with a briefing emphasising France’s wish to find a solution leading to consensus in the Security Council and referring to his conversation with Mr Straw.¹⁴¹

469. Asked to confirm that France did not exclude an ultimatum, a senior French Foreign Ministry official had, however, been “adamant: any ultimatum that did not leave the final decision to the Security Council constituted a red line ... The French were open to any solution that enabled inspections to continue.” The official had claimed that a failed attempt to get a second resolution would annul the effects of the first resolution; the Council would have refused to authorise military intervention and any intervention would be outside the Charter and “at the limit of aggression”.

470. The Embassy concluded that Mr de Villepin’s position was “a tactical move intended to deflect criticism” of President Chirac’s announcement of a veto “whatever the circumstances”: “It was too little, too late – and the French know it.”

MINISTERIAL MEETING TO DISCUSS THE MILITARY PLAN

471. Mr Blair agreed the military plan later on 13 March.

472. On 13 March, Mr Blair held a meeting, with Mr Prescott, Mr Straw, Mr Hoon and Adm Boyce to discuss the timing of the start of the military campaign and formal approval of the military plan set out in Mr Watkins’ letter of 11 March (see Section 6.2).¹⁴² There was “a discussion about the timing of the end of the UN process ... and the start of military action”. It was agreed that Mr Blair would pursue the timing issues with President Bush.

¹⁴¹ Telegram 130 Paris to FCO London, 14 March 2003, ‘Iraq: Quai Views’.

¹⁴² [Letter Rycroft to Watkins, 13 March 2003, ‘Iraq: Military Planning’](#).

473. Adm Boyce advised that:

“... the full moon meant that a later start date [...] would certainly be preferable, but that the projected date was not a show stopper. The US military shared the preference for a later date, but had been told to accept the earlier date.”

474. Sir David Manning confirmed Mr Blair’s approval for the plan in a letter to Mr Watkins the following day.¹⁴³

475. Reflecting discussion at the JIC on 12 March, the Assessments Staff produced a JIC Note on Saddam Hussein’s plan to defend Baghdad, on 13 March.¹⁴⁴ The detail of the JIC Note is addressed in Section 6.2.

MR BLAIR’S CONVERSATION WITH PRESIDENT BUSH, 13 MARCH 2003

476. Mr Blair and President Bush discussed withdrawing the resolution on 17 March followed by a US ultimatum to Saddam Hussein to leave within 48 hours. There would be no US military action until after the vote in the House of Commons on 18 March.

477. Mr Blair continued to press President Bush to publish the Road Map because of its impact on domestic opinion in the UK as well as its strategic impact.

478. Mr Blair also suggested their meeting in the next few days should produce “something” on the UN “angle” addressing post-conflict issues.

479. Mr Campbell spoke to Mr Bartlett about the proposed meeting between President Bush and Mr Blair.¹⁴⁵ President Bush was prepared to come to London but Mr Campbell (and Mr Blair) considered that was “not what we needed”.

480. Sir David Manning told Dr Rice that Mr Blair was keen to have a meeting with President Bush and Mr Aznar but the weekend might be very difficult. The political situation in the UK:

“... remained extremely tense ... Condi [Dr Rice] should not underestimate the political pressure we were now under. There might be resignations from the Cabinet ... We had a huge fight on our hands. We needed all the help we could get.”¹⁴⁶

Sir David emphasised the importance of the US publishing the Road Map to influence opinion in the UK.

481. Sir David and Dr Rice also agreed the need for experts to discuss the UK’s proposals for the role of the UN in a post-conflict Iraq. The main area of debate was

¹⁴³ [Letter Manning to Watkins, 14 March 2003, ‘Iraq: The Military Plan’.](#)

¹⁴⁴ [Note JIC, 13 March 2003, ‘Saddam’s Plan for Baghdad’.](#)

¹⁴⁵ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

¹⁴⁶ Letter Manning to McDonald, 13 March 2003, ‘Iraq: Conversation with Condi Rice’.

likely to be the relationship between a UN Co-ordinator and the military authorities. Sir David reported that “Washington wanted something that was more or less the reverse of the situation in Afghanistan where Brahimi [Mr Lakhdar Brahimi, Special Representative of the UN Secretary-General for Afghanistan and Head of the UN Assistance Mission in Afghanistan, October 2001 to December 2004] was pre-eminent and the military were subordinate”.

482. Mr Blair and President Bush discussed the prospects for a vote in the House of Commons and a Road Map for the Middle East.¹⁴⁷ Mr Blair said that it would have considerable impact on political opinion in the UK. Later he commented on its “totemic significance” in the Middle East.

483. On the UN, Mr Blair commented that the “haggling over texts in New York was frustrating and muddied the waters. But it was buying the vital time we needed this weekend.”

484. Mr Blair and President Bush also discussed the possibility of a meeting in the next few days. Mr Blair said that it would be useful if something on aftermath issues could emerge from that meeting “with a UN angle”.

485. A discussion on the military timetable was reported separately.¹⁴⁸ That envisaged the withdrawal of the resolution on 17 March followed by a speech from President Bush which would give Saddam Hussein an ultimatum to leave within 48 hours. He (President Bush) would call for freedom for the Iraqi people and outline the legal base for military action.

486. There would be no military action before a vote in the UK Parliament on 18 March. President Bush would announce the following day that military action had begun. The main air campaign was planned to begin on 22 March.

487. In a conversation after the telephone call between Mr Blair and President Bush, Mr Bartlett advised Mr Campbell that the meeting had been postponed to 16 March, and they had agreed on the Azores as the venue.¹⁴⁹

488. Mr Campbell wrote:

“Bush said they could do the Road Map, give it to the Israelis and Palestinians once Abu Mazen [about to become Palestinian Prime Minister] accepts the position.

“TB said that would make a big difference, anything up to fifty votes. ‘It’ll cost me 50,000’, said Bush. TB said he had seen a group of ‘wobbly MPs’ who were all clear the Road Map would help. TB said it might also help him hang on to a couple of

¹⁴⁷ Letter Cannon to McDonald, 13 March 2003, ‘Iraq and MEPP: Prime Minister’s Conversation with Bush, 13 March’.

¹⁴⁸ Letter Cannon to McDonald, 13 March 2003, ‘Iraq: Military Timetable’.

¹⁴⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

Cabinet Ministers. GWB [President Bush] suggested he might be better off without them. He clearly could not fathom why the Road Map mattered so much. He had been reluctant because of Arafat. He then said ‘Tell Alastair, like I’m telling my boys, that I don’t want to read a word about this until I’ve said it. It is in our interests that I come out and say this, and it’s clear I mean it.’

“TB said the French thought they had lost the initiative and were getting worried. He felt we had to keep in very close touch with Mexico and Chile over the weekend. He was worried the French would come up with a counter-proposal and win them over.”

489. Mr Campbell wrote:

“They kept going back to the Parliamentary arithmetic. TB said it was knife edge ... He said I know you think I have gone mad about the Road Map but it really will help.

“Bush said that Rumsfeld had asked him to apologise to TB.

“He [Bush] said ... After our vote, if we win, the order goes to Rumsfeld to get their troops to move. Ops begin. He said he would not be doing a declaration of war. Wednesday 8pm in the region ... ‘They go ...’ He intended to wait as long as possible before saying the troops were in action.”¹⁵⁰

490. In his memoir, Mr Blair wrote that he and President Bush were due to meet in the Azores on 16 March “partly to bind in Spain and Portugal who were both supportive and both of whose Prime Ministers were under enormous heat from hostile parliamentary and public opinion”, and that:

“It was clear now that action was inevitable barring Saddam’s voluntary departure. George had agreed to give him an ultimatum to quit. There was no expectation he would, however.”¹⁵¹

DEVELOPMENTS IN NEW YORK, 13 MARCH 2003

491. Reporting developments in New York on 13 March, Sir Jeremy Greenstock warned that the UK tests had attracted no support, and that the US might be ready to call a halt to the UN process on 15 March.

492. Sir Jeremy Greenstock reported overnight on 13/14 March that:

- In a meeting with the “undecided six” he had hosted, the “Latin[s] [had] come down hard against the UK compromise package”. The main objections had included the “perceived authorisation of force in the draft resolution” and a desire to wait for UNMOVIC’s own list of key tasks which would issue early the following week.

¹⁵⁰ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹⁵¹ Blair T. *A Journey*. Hutchinson, 2010.

- Mr Lavrov had argued that the resolution was not necessary given that the inspections were making progress; the side statement was based on an unproven premise that Iraq had WMD; contained an arbitrary timeframe (shorter than Blix's months); and unacceptably left the decision on whether Iraq fulfilled the tests with the member states. The Council should wait until the inspectors submitted the list of key tasks the following week.
- Mr de La Sablière had taken a similar position. France had "suspicions" that Iraq had WMD but it could not hand over weapons that did not exist.¹⁵²

493. Sir Jeremy reported that he had "explained again":

"There had to be a test of Iraqi willingness to comply. I did not think anyone thought that Iraqi compliance had been immediate, unconditional and active. We therefore needed a 'downpayment' or the contract of inspections could not continue. We were trying to create an alternative to the 'serious consequences' in 1441 ... In the next 24 hours I would wish to discuss with all members of the Council ... We had to maintain the two essential elements of 1441: pressure and the effective use of inspections. The pendulum had swung too far to inspections only. The intention of the draft was not to provide authorisation for the use of force. We already had sufficient authorisation in 1441 and related resolutions provided the conditions in 1441 were met."

494. In subsequent discussion, Sir Jeremy stated:

- the "tests were a 'downpayment' on whether Iraqi co-operation would be forthcoming";
- resolution "1441 was deliberately ambiguous on whether the Council or Member States would judge Iraqi compliance. We would want the inspectors to report on the facts"; and
- "the timeframe had to reflect the realities on the ground and the need for pressure on Iraq ..."

495. In comments to the press after the meeting, Sir Jeremy emphasised the need for a strong signal of strategic change from Iraq and strict time limits based on resolution 1441 not resolution 1284.

496. In a subsequent telegram, Sir Jeremy commented that the US thought the benchmark process was "running out of steam", and that support from London would be needed. That:

"... might take us through to the end of Friday. But by 15 March (if not before), I suspect that Washington will be ready to call a halt to the UN process, no doubt with some strong words about France and Russia."¹⁵³

¹⁵² Telegram 438 UKMIS New York to FCO London, 14 March 2003, 'Iraq: 13 March'.

¹⁵³ Telegram 439 UKMIS New York to FCO London, 14 March 2003, 'Iraq: 13 March'.

497. Dr Blix wrote that on 13 March Sir Jeremy had:

“... tried desperately to win support for the British benchmark paper. If he got ‘traction’ on it, he could be flexible on a number of points, even altogether dropping the draft operative paragraph 3 or, indeed the whole draft resolution, which looked like an ultimatum. Although this step was presented as a last concession, the political signal of the benchmark paper standing alone would probably be seen as an ultimatum. It would be understood that if the declaration was not made and/or the benchmarks not attained, serious consequences could be expected.”¹⁵⁴

498. Asked by the Inquiry if he was aware in the second half of the week beginning 10 March that the Prime Minister and the President had decided on 12 March that the game was up; and that the UK would, for appearances’ sake, continue negotiations in New York for a couple more days, and then withdraw the resolution, Sir Jeremy Greenstock replied “No”.¹⁵⁵

499. Sir Jeremy added that activity had “really stopped after Wednesday [12 March]” and that:

“On Thursday morning, which was probably my most difficult day, I suspected that somebody would put down an alternative resolution, saying that the use of force should not be allowed, because we knew that the Mexicans and the Chileans were beginning to draft that ...

“... By Friday morning there was an eerie silence. Nothing was happening. We were not negotiating. Nobody was putting down anything against us. We knew that the allies were going to meet ... at the weekend, and there was no negotiating going on in New York.”

THE DIVISIONS IN THE SECURITY COUNCIL

500. Although there had been unanimous support for a rigorous inspections and monitoring regime backed by the threat of military force as the means to disarm Iraq when resolution 1441 was adopted, there was no such consensus in the Security Council in March 2003.

501. Although the Security Council had unanimously agreed resolution 1441 on 8 November, there were marked differences in the positions of the members of the Council, particularly between the five Permanent Members – China, France, Russia, the US and the UK, reflecting the history of the Security Council’s role in relation to Iraq since 1991.

¹⁵⁴ Blix H. *The Search for Weapons of Mass Destruction: Disarming Iraq*. Bloomsbury Publishing Plc, 2005.

¹⁵⁵ Private hearing, 26 May 2010, pages 35-36.

502. As the preceding Sections of the Report show:

- France and Russia had consistently expressed reservations about US and UK policy on Iraq and the consequences of military action. In particular, they were concerned about the use of force without clear evidence that Iraq had weapons of mass destruction and without an explicit authorisation by the Security Council.
- Members of the Security Council had differing views of Iraq's position and whether or not its actions indicated a strategic decision to co-operate with the requirements of resolution 1441.

503. In his statement for the Inquiry, Sir Jeremy Greenstock wrote that:

- he had been in no doubt that France and Russia, accompanied consistently by Germany, would be fighting the UK all the way on the proposed second resolution;
- the US, the UK, Spain and Bulgaria were a “reasonably solid quartet”;
- China and Syria “could not be expected to support the UK”; and
- much of the resistance in the Security Council to the UK's arguments revolved around the question “What is the hurry when the inspectors are just getting down to business again?”¹⁵⁶

504. Sir Jeremy judged “with hindsight that most members of the Security Council would have opposed the use of force ... on almost any timing unless the inspectors had succeeded in exposing Iraq's deception with the discovery of an active chemical or biological weapon”.

505. Sir Jeremy told the Inquiry, “I never felt that we got close to having nine positive votes in the bag” and that when he was asked by London how many votes he felt were sure, he would say four:

“I would never report it back to London that I had more than four sure votes.”¹⁵⁷

506. Sir Jeremy said that President Chirac's remarks on 10 March:

“... made my life more difficult, because it made the ‘undecided six’, for instance, believe that we were now going through the motions of something that was not going to produce a result; therefore why should they do something unpopular with their public opinions at home in siding with the United States on attacking an Islamic country like Iraq, or whatever the reasons were domestically, when clearly the Security Council was not going to reach anything if a Permanent Member had pre-declared a veto?

“So it did rather undercut the ground that we were on, yes.”¹⁵⁸

¹⁵⁶ Statement, November 2009, pages 14-15.

¹⁵⁷ Public hearing, 27 November 2009, page 71.

¹⁵⁸ Public hearing, 27 November 2009, page 88.

507. Asked whether President Chirac’s statement was “simply saying what everybody already knew, and what to a degree had already been said by the French in public”, Sir Jeremy replied:

“Yes, but saying it at Presidential level very publicly changed the political effect of the French position on the rest of the Security Council.”¹⁵⁹

508. Sir Jeremy subsequently told the Inquiry that the effect of the statement had “considerably lessened” the chances of turning the middle-ground six round and “therefore it was quite an important turning point in the public politics”.¹⁶⁰ President Chirac’s statement had an impact “on the little tiny bit of momentum we still had in the Security Council with the middle ground”.

509. Sir Jeremy stated that:

“... we knew we had only a minority chance of achieving a second resolution ... but with the United States in the game pulling out all the stops, you never quite know when countries opposing them may be pulled into another position.”¹⁶¹

510. Asked what, at the beginning of the negotiation, he had thought the chances of success in the second resolution were, Sir Jeremy Greenstock told the Inquiry: “Less than 50 percent.”¹⁶² Sir Jeremy added that hindsight discoloured his recollection but, “in my mind, between a quarter and a third of a chance that we might do this”. He “wasn’t advising London that we were likely to succeed”.

511. Asked about his statement that the UK never had more than four firm votes, Sir Jeremy Greenstock replied:

“Right at the end. We knew we had four. We were after those six to make it ten, the middle-ground members. Each of those six at some point during February, as they were being chased round by Baroness Amos and others, trying to persuade them in their capitals to follow us, said that they might do it or were going to follow us, and then backed off when they saw that the others weren’t following. So we were herding cats unsuccessfully in that respect, and never got all six together to have confidence in each other’s preparedness to do it.”¹⁶³

512. Sir David Manning did not think that the middle-ground six would have supported action in the timeframe that was under discussion:

“... if there had been more time, I think that the six in the UN – their minds weren’t necessarily closed ... if you had got a different dynamic going in February, March, April between the leaders on the basis of whatever Blix was saying, and there

¹⁵⁹ Private hearing, 26 May 2010, page 33.

¹⁶⁰ Private hearing, 26 May 2010, page 34.

¹⁶¹ Private hearing, 26 May 2010, page 30.

¹⁶² Private hearing, 26 May 2010, page 32.

¹⁶³ Private hearing, 26 May 2010, page 32.

seemed to be more common ground, then it was possible that you could have found some kind of common resolution.”¹⁶⁴

513. Asked whether Ministers had been over-optimistic in tabling the second resolution, thinking that France and Russia would agree to it, Sir John Holmes told the Inquiry:

“It was always an optimistic approach to think you would get a second resolution and you would get nine votes for it, as the struggle to get those votes demonstrated very clearly in the weeks that followed.”¹⁶⁵

514. Sir John Holmes stated that France thought the timelines and tests in the draft resolution were “deliberately impossible” for Saddam Hussein to pass and were “not a way of actually avoiding war but was simply a way of legitimising it”.¹⁶⁶ That was why it was “so strongly opposed”.

515. Asked if there were any circumstances in which France might have supported a second resolution authorising the use of force, Sir John said that, by that stage, “it would have taken something pretty dramatic”, such as a find by the inspectors or reckless behaviour by Saddam Hussein, to change the mind of France.¹⁶⁷

516. Mr Straw told the Inquiry that, before President Chirac’s statement of 10 March, the UK had “got the three African states on board, we thought we had the Chileans and the Mexicans” although the negotiations were finely balanced.¹⁶⁸ The moment when he did not think it would be possible to achieve a second resolution was when he had “turned on the television” and seen “President Chirac saying that, whatever the circumstances, France would veto a second resolution”.

517. Later, Mr Straw took a more qualified view:

“... our judgement was that we thought that the three African states were highly likely to support a resolution. The problem was between ... Chile and Mexico and President Fox and President Lagos [each] looking over [his] ... shoulder at the other one. My own view is – not that – in the absence of the Chirac ‘veto’ statement on 10 March, we would have got their support, but it would have been much more probable.”¹⁶⁹

518. Mr Straw also stated:

“... the great danger, which we felt we faced, was that, if you didn’t bring this to a conclusion one way or the other quite quickly, then the whole strategy of diplomacy

¹⁶⁴ Private hearing, 24 June 2010, page 86.

¹⁶⁵ Public hearing, 29 June 2010, page 38.

¹⁶⁶ Public hearing, 29 June 2010, pages 42-43.

¹⁶⁷ Public hearing, 29 June 2010, pages 43-44.

¹⁶⁸ Public hearing, 21 January 2010, page 83.

¹⁶⁹ Public hearing, 8 February 2010, page 88.

backed by the threat, and if necessary, the use of force, would fall away and that's what Saddam wanted."¹⁷⁰

519. Mr Stephen Pattison, Head of the FCO UN Department, told the Inquiry:

"I am not sure that the American Administration was ever formally committed to a second resolution ... I think ... they were willing to let us have a go at trying ... They certainly did not see a legal necessity for it and they, I think, obviously feared that it could only result in more complication at the UN Security Council."¹⁷¹

520. Asked whether that was his understanding, Mr Straw replied:

"That was, of course, the downside. That it might expose divisions rather than resolve them. I still with the benefit of hindsight think it was worth attempting the second resolution. We were elusively close, in my judgement, to getting those magic nine votes and no veto but it didn't happen. That was their concern. That said, the Americans, certainly Secretary Powell, were very assiduous in seeking to build up support for the second resolution. There are records that you will have seen where he reports he worked the phones with various people."¹⁷²

521. In his memoir, Mr Straw wrote that the leaders of the African nations, Chile and Mexico "would not put their heads above the parapet knowing that France would veto 'whatever the circumstances'. The resolution was dying."¹⁷³

522. Mr Blair told the Inquiry that the UK had come "pretty close" to a majority of votes; and that, "we could have got Chile and Mexico actually if the French position had been less emphatic".¹⁷⁴

Events of 14 March 2003

523. In a minute of 14 March, Mr Jonathan Powell recorded that Mr Blair had agreed that he would start holding meetings of a "War Cabinet" from 19 March.¹⁷⁵

524. The composition of the War Cabinet is addressed in Section 2.

PRESIDENT CHIRAC'S CONVERSATION WITH MR BLAIR

525. President Chirac asked Mr Blair on 14 March if Mr Straw and Mr de Villepin could discuss whether there was sufficient flexibility to find an agreed way forward. Mr Blair agreed.

¹⁷⁰ Public hearing, 8 February 2010, pages 72-73.

¹⁷¹ Public hearing, 31 January 2010, page 58.

¹⁷² Public hearing, 2 February 2011, pages 92-93.

¹⁷³ Straw J. *Last Man Standing: Memoirs of a Political Survivor*. Macmillan, 2012.

¹⁷⁴ Public hearing, 21 January 2011, pages 94-95.

¹⁷⁵ [Minute Powell to Prime Minister, 14 March 2003, 'War Cabinet'](#).

526. Mr Blair had “insisted that it must be the Security Council” which decided whether Saddam Hussein had co-operated, not the inspectors.

527. President Chirac asked to speak to Mr Blair on 14 March.¹⁷⁶

528. Drawing the report of Mr Straw’s conversation with Mr de Villepin on 13 March to Mr Blair’s attention before the telephone call with President Chirac, Sir David Manning wrote:

“No surprises: will probably complain we are misrepresenting him; will offer new effort based on the shorter time line but no automaticity. You can certainly point to his frenetic efforts to block us at every turn.”¹⁷⁷

529. President Chirac told Mr Blair that France was “content to proceed ‘in the logic of UNSCR 1441’; but it could not accept an ultimatum or any ‘automaticity’ of recourse to force”.¹⁷⁸ He proposed looking at a new resolution in line with resolution 1441, “provided that it excluded these options”.

530. Mr Blair “said that we needed clear, specific ‘tests’ to measure whether Saddam was co-operating”. Of the six tests proposed by the UK, “five were from the Blix ‘clusters’ report and the sixth had been proposed by the inspectors and was intended to provide a mechanism for junior Iraqi officials and scientists to co-operate with the inspectors”.

531. President Chirac “suggested that the UNMOVIC work programme might provide a way forward. France was prepared to look at reducing the 120 day timeframe it envisaged.”

532. Mr Blair responded that “still did not get round the problem that if Saddam was found to be in breach, all the [sic] followed was more discussion and we were back where we started. It must be clear that ... action would ensue.”

533. In response to a question from President Chirac about whether it would be the inspectors or the Security Council who decided whether Saddam had co-operated, Mr Blair “insisted that it must be the Security Council”.

534. President Chirac agreed, “although the Security Council should make its judgement on the basis of the inspectors’ report”. He “wondered whether it would be worth” Mr Straw and Mr de Villepin “discussing the situation to see if we could find some flexibility”; or was it “too late”?

535. Mr Blair said “every avenue must be explored”.

¹⁷⁶ [Letter Cannon to Owen, 14 March 2003, ‘Iraq: Prime Minister’s Conversation with President Chirac, 14 March’.](#)

¹⁷⁷ [Manuscript comment Manning to Prime Minister on Telegram 53 FCO London to Paris, 13 March 2003, ‘Iraq: Foreign Secretary’s Conversation with French Foreign Minister, 13 March’.](#)

¹⁷⁸ [Letter Cannon to Owen, 14 March 2003, ‘Iraq: Prime Minister’s Conversation with President Chirac, 14 March’.](#)

536. President Chirac concluded that “talking direct was better than via TV and radio broadcasts”. He had told Mr Blair that he did not want “disagreements over Iraq to have an impact on the UK and France’s joint interests in Europe” and they should talk before the European Council on 20 March.

537. Mr Blair “said that he too did not want things to become more difficult”. He “wanted to ensure the strength of the UK/France relationship was not affected”.

538. Mr Campbell suggested that Mr Straw was “instructed” to “concede nothing” when he spoke to Mr de Villepin.

539. Mr Campbell wrote that the discussion was “a lot friendlier than it might have been” but President Chirac had been:

“... straight on to the point TB expected, namely he could see a way of co-operating on the tests but it must be the inspectors who decide if Saddam is co-operating. He said he could not support an ultimatum or anything taken as a support for military action.

“TB said the problem with that was that it meant he could have as many last chances and as much time as he [Saddam] wanted. There had to be automaticity [trigger for attack].

“Chirac said there could not be automaticity.”¹⁷⁹

540. Mr Campbell added that Mr Blair and President Chirac had agreed Mr Straw and Mr de Villepin should talk, but Mr Blair “issued instructions” to Mr Straw “to concede nothing. There was intelligence suggesting the French were seeking to get the undecided six to go for tests plus more time.” Mr Blair suspected President Chirac “would move to a position of automaticity but inspectors are the sole judges of compliance”.

541. Asked whether the UK had been told by France that it was misrepresenting President Chirac’s position, Mr Blair told the Inquiry that he had spoken to President Chirac on 14 March and:

“The French position was very, very clear. It wasn’t that they would veto any resolution, it is that they would veto a resolution that authorised force in the event of breach.”¹⁸⁰

542. Mr de Villepin stated that no country had shown any support for the UK proposals.

¹⁷⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹⁸⁰ Public hearing, 29 January 2010, pages 124-125.

543. In an interview with *BBC Newsnight* on 14 March, Mr de Villepin asked what game was being played and whether there was a search for a “scapegoat in order to accuse one country of being irresponsible”.¹⁸¹ He stated that: “We should present the real position of both countries.”

544. Mr de Villepin pointed out that “no country ... had shown any support” for the UK proposals tabled in the Security Council late on 12 March.

MR BLAIR’S CONVERSATION WITH PRESIDENT BUSH

545. In a conversation with President Bush about the French position and what to say when the resolution was pulled, Mr Blair proposed that they would need to show that France would not authorise the use of force in any circumstances.

546. When Mr Blair and President Bush spoke on 14 March they discussed the French position and what to say about the French position when the decision was taken to pull the resolution.¹⁸²

547. Mr Blair stated that:

“... we would need to do so as the reasonable party, showing that France would not authorise the use of force in any circumstances, and demonstrating that we were sticking to 1441.”

548. Mr Blair said that at some point we needed to set out our views on post-conflict, including humanitarian issues; a joint statement at the Azores Summit would be welcome.

549. Mr Campbell wrote:

“Bush said he was predicting a ‘landslide, baby!’

“TB said it was too close to call.

“Bush ... The Azores was on.

“TB said we had to be seen striving all the way even if we felt the French made it impossible.

“Bush said it was a ‘moment of truth’ meeting ...

“TB said we must not let it be built up as a council of war. The more we talk about the UN and the aftermath the better ...

¹⁸¹ Embassy of the Republic of France in the UK, *Interview given by M. Dominique de Villepin, Minister of Foreign Affairs, to BBC Newsnight, Paris 14.03.2003.*

¹⁸² Letter Rycroft to McDonald, 14 March 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 14 March’.

“TB briefed on the Chirac call, said the divide was between those prepared to consider military action and those who were not, who would give him [Saddam?] as much time as he wanted.

“Bush said that he did not trust the French but we had to do a slow waltz with them in the next few days. He felt they thought America was more guilty than Saddam.

“TB said that the French appearing to be so unreasonable had been a big mistake by Chirac.”¹⁸³

550. Asked whether he had agreed with President Bush on 14 March that “the game was up”, Mr Blair said:

“The game was up in the sense that we were not going to get a resolution. This was the second best ... Our preference was to have got a resolution that passed the Security Council ... I was very conscious that I had Cabinet members who were unhappy about this ... that it might give us some political weight, I mean not much frankly, but some if we could say at least we have a majority of members on our side, even though we knew we were not going to get the resolution.”¹⁸⁴

551. Mr Blair added:

“It is simply a political point. If you can say, ‘Well we didn’t get the resolution because France vetoed but nonetheless we got the majority of the Security Council in our favour,’ it would allow us to say that ... It would have helped me. I would have definitely used this in terms of the presentation of the case ...”

MR BLAIR’S CONVERSATIONS WITH PRESIDENT LAGOS

552. President Lagos initially informed Mr Blair on 14 March that the UK proposals did not have Chile’s support and that he was working on other ideas.

553. Later President Lagos informed Mr Blair that he would not pursue his proposals unless Mr Blair or President Bush asked him to.

554. No.10 reported that President Lagos told Mr Blair on 14 March that the “elected six” had been working on some ideas which they planned to announce at “noon” (New York time).¹⁸⁵ Those ideas were “based on reasonable benchmarks and timing, but also the use of force if Saddam did not comply”.

555. President Lagos also told Mr Blair that the draft resolution tabled on 7 March did not have Chile’s support and he “had the impression that France and Russia were now

¹⁸³ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹⁸⁴ Public hearing, 21 January 2011, pages 107-108.

¹⁸⁵ [Letter \[Francis\] Campbell to Owen, 14 March 2003, ‘Iraq: Prime Minister’s Conversation with President Lagos of Chile, 14 March’.](#)

looking for a real solution” in the Security Council. There was “a slim chance that war could be avoided within the next 3-4 days”. He would be holding a press conference in three hours.

556. Mr Blair had responded that it was not clear how things would develop. The Security Council “did not want to vote on a resolution that would be vetoed. Both France and Russia were very clear that they would not allow a resolution which authorised the use of force.”

557. Sir Jeremy Greenstock reported at 5.50pm on 14 March that the US, UK and Spanish Permanent Representatives had met early that morning to discuss how to react to the new proposal forming amongst the “middle-ground six (U-6)”. They had agreed:

- the proposal that “the Council would meet at the end of an ultimatum period to decide on Iraq’s co-operation towards compliance with the tests was completely unacceptable”; and
- to “major on the primacy of 1441” and tell contacts that “if any of the U-6 abandoned that baseline, they would do huge damage to the Security Council”.¹⁸⁶

558. President Lagos telephoned No.10 that evening and, in the absence of Mr Blair, spoke to Mr Rycroft to draw attention to the key points in his statement, including the benchmarks proposed by the UK and a deadline of three weeks, not longer, reflecting Mr Blair’s advice.¹⁸⁷

559. Mr Rycroft also reported that President Lagos would not push the proposal further unless President Bush or Mr Blair wanted him to; and that he [Lagos] had not received any reaction from other Security Council members.

560. An unofficial translation of President Lagos’ statement produced by the British Embassy Santiago reported that it expressed “full understanding of the United States concern for the threats posed to its security”, which were “also threats to world security”.¹⁸⁸ It also stated that Chile continued to make “best efforts to avert war” while fully supporting the “UN decision aimed at bringing to full and verified compliance the Iraqi disarmament process” mandated in resolution 1441. President Lagos referred to “a special co-operative bond”, which Chile had established with the UK.

561. The proposal was “for the Security Council to impose ... five critical conditions” derived from the inspection process which should be fulfilled “within a realistic time period not later than three weeks as from the date on which they are approved by the Security Council”. Verification of compliance was to be reported by inspectors with the Security Council controlling the decisions that followed.

¹⁸⁶ Telegram 441 UKMIS New York to FCO London, 14 March 2003, ‘Iraq: End Game’.

¹⁸⁷ Letter Rycroft to Owen, 14 March 2003, ‘Iraq: Chile: 14 March’.

¹⁸⁸ [Letter British Embassy Santiago to No.10, 14 March 2003, ‘Statements by President Lagos’.](#)

562. The Chilean proposal omitted the demand for a public statement by Saddam Hussein but repeated the UK proposal for interviews outside Iraq. The remaining tests were a subset of the UK proposals, requiring Iraq to:

- disclose any remaining warhead with mustard gas or mustard gas bombs or any documentation to prove their destruction;
- disclose the 10,000 litres of anthrax or account for its destruction;
- destroy any Al Samoud 2 missiles and their components; and
- disclose any information stating that “Remote Control” vehicles do not carry chemical weapons.

563. President Lagos also stated that the “great powers” had “unfortunately failed to include” the “delicate equilibrium” between “reasonable goals and realistic deadlines” in their proposed resolutions. Chile would “not concur with a resolution” that failed “to exhaust all the means available to complete Iraqi disarmament and preserve world peace”. It was “still possible to reach an understanding and strengthen international unity”; and that unity would be “the only guarantee of a stable, fair peace”. Chile believed that Iraqi disarmament could “still be done while preserving and strengthening the international institutional framework afforded by the United Nations and its Charter, and seeking any other alternative for the rule of law to prevail over force”.

564. Dr Blix wrote that the Chilean proposal replaced the requirement for a televised speech from Saddam Hussein with a less humiliating letter from the Iraqi leadership and extended the time given for attainment of the benchmarks to three weeks or 30 days and for Council collectively to assess if Iraq had attained the benchmarks and to decide on further action.¹⁸⁹ Chile was “not willing to let the Council abdicate this prerogative. The US on the other hand were not ready to drop the claim of a right to go it alone.”

DEVELOPMENTS IN NEW YORK, 14 MARCH 2003

565. Sir Jeremy Greenstock reported that US pressure on Chile had contributed to its decision to stop work on its proposal.

566. Sir Jeremy told his colleagues in New York that the UK would continue to look for agreement on its proposals. Key decisions would be made at the Azores Summit.

567. Reporting on developments on 14 March, Sir Jeremy Greenstock wrote that the U-6 had “made no further efforts to achieve consensus” and their proposal had been “confirmed dead”.¹⁹⁰

¹⁸⁹ Blix H. *The Search for Weapons of Mass Destruction: Disarming Iraq*. Bloomsbury Publishing Plc, 2005.

¹⁹⁰ [Telegram 451 UKMIS New York to FCO London, 15 March 2003, ‘Iraq: 14 March’](#).

568. Sir Jeremy commented that the process had “ground to a halt” because the text leaked and the leaked version did not resemble the final draft and because President Lagos had spoken out too soon, “alerting the US who then put on great pressure to kill it”. A Chilean official had told the UK Mission that the US pressure on Chile in particular had been “more ... than that put on them to support the UK/US/Spain resolution”.

569. When the EU Heads of Mission met to take stock on 14 March, Sir Jeremy Greenstock told them “discussions were continuing” and he had made clear to the African and Latin American members of the Council that he was “ready to talk at any stage. But there remained differences on substance and procedure.” In response to a comment from the German Ambassador that “both the British and U-6 proposals were dead in the water”, Sir Jeremy replied that the UK “would keep going”; the Azores Summit “represented a final opportunity”.

570. A scheduled meeting of the P5 was cancelled because there was “little to talk about”.

571. Sir Jeremy also spoke to Dr Blix, and to Mr Annan about “the leading role” he (Mr Annan) could play in the event of conflict “in healing wounds and reinserting the UN into the post-conflict situation”.

572. Sir Jeremy concluded:

“The fact of the Azores Summit, the collapse of the U-6 compromise under our combined pressure and general exhaustion here in New York, have all added up to a less troublesome day than we might have expected.

“Clearly key decisions on the resolution will be made at the Summit. In addition to any other instructions, grateful if you could consider whether it is worth giving UNMOVIC/IAEA and the UN advance notice of any announcement on next steps so that they can make the earliest possible preparations to evacuate staff from Iraq ...”

573. Mr Campbell wrote that on 14 March “the diplomatic scene was going nowhere but we kept going with the line we were working flat out for a second resolution”.¹⁹¹

The UK decision that Iraq had committed further material breaches

THE EXCHANGE OF LETTERS OF 14 AND 15 MARCH 2003

574. Resolution 1441 decided:

- that Iraq had been and remained “in material breach of its obligations under relevant resolutions”, in particular through its “failure to co-operate” with the

¹⁹¹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

UN inspectors and the IAEA and to complete the actions required by operative paragraphs 8 to 13 of resolution 687 (OP1);

- to afford Iraq “a final opportunity” to comply with its obligations (OP2);
- that Iraq should provide “a currently accurate, full, and complete declaration of all aspects of its programmes” within 30 days of the resolution (OP3); and
- “that false statements or omissions in the declarations submitted by Iraq pursuant to this resolution 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 and will be reported to the Council for assessment ...” (OP4).

575. On 14 March, Lord Goldsmith asked for confirmation of Mr Blair’s view that Iraq had “committed further material breaches as specified in [operative] paragraph 4 of resolution 1441”.¹⁹²

576. Mr David Brummell, Legal Secretary to the Law Officers, wrote to Mr Rycroft on 14 March:

“It is an essential part of the legal basis for military action without a further resolution of the Security Council that there is strong evidence that Iraq has failed to comply with and co-operate fully in the implementation of resolution 1441 and has thus failed to take the final opportunity offered by the Security Council in that resolution. The Attorney General understands that it is unequivocally the Prime Minister’s view that Iraq has committed further material breaches as specified in [operative] paragraph 4 of resolution 1441, but as this is a judgment for the Prime Minister, the Attorney would be grateful for confirmation that this is the case.”

577. Mr Rycroft replied to Mr Brummell’s letter the following day, stating:

“This is to confirm that it is indeed the Prime Minister’s unequivocal view that Iraq is in further material breach of its obligations, as in OP4 of UNSCR 1441, because of ‘false statements or omissions in the declarations submitted by Iraq pursuant to this resolution and failure to comply with, and co-operate fully in the implementation of, this resolution’.”¹⁹³

578. It is unclear what specific grounds Mr Blair relied upon in reaching his view.

579. Following receipt of Mr Brummell’s letter of 14 March, Mr Blair neither requested nor received considered advice addressing the evidence on which he expressed his “unequivocal view” that Iraq was “in further material breach of its obligations”.

580. The significance of Lord Goldsmith’s request and Mr Blair’s response are addressed in Section 5.

¹⁹² [Letter Brummell to Rycroft, 14 March 2003, ‘Iraq’.](#)

¹⁹³ [Letter Rycroft to Brummell, 15 March 2003, ‘Iraq’.](#)

581. The preparation of a Written Answer on 17 March, setting out Lord Goldsmith's view of the legal basis for military action, is also addressed in Section 5.

THE FCO PAPER OF 15 MARCH, 'IRAQI NON-COMPLIANCE WITH UNSCR 1441'

582. A paper for publication providing examples of Iraq's failure to comply with the obligations imposed by the UN was produced by the FCO on 15 March.

583. The question of what would constitute a further material breach as specified in OP4 of resolution 1441 (2002) was the subject of considerable debate within the UK Government in late 2002 (see Section 3.6).

584. In January 2003, Mr Blair said that, if the inspectors' reports established a pattern of non-compliance, they would, in the absence of other evidence that Iraq had concealed WMD (a "smoking gun"), be sufficient to secure Security Council support for a second resolution stating that Iraq was in further material breach of resolution 1441.¹⁹⁴

585. Mr Blair proposed that the US and UK should seek to persuade others, including Dr Blix, that this was the "true view" of resolution 1441.

586. By the end of January, Mr Blair had taken a public position that Iraq was failing fully to comply with resolution 1441, and that that was a further material breach (see Section 3.6).

587. In his advice of 7 March, Lord Goldsmith said that the views of UNMOVIC and the IAEA would be highly significant in demonstrating hard evidence of non-compliance and non-co-operation.¹⁹⁵

588. In his minute to Mr Blair of 11 March, Mr Straw wrote that the:

"... three recent meetings of the [Security] Council more than fulfil the requirement for immediate consideration of reports of non-compliance. So we can say convincingly that the process set out in resolution 1441 is complete."¹⁹⁶

589. Mr Straw suggested that the UK Government should use "the overwhelming evidence that Iraq has not used the four months" since the adoption of resolution 1441 "to co-operate 'immediately, unconditionally and actively'" to make a "more compelling" case to Parliament and public opinion. The UNMOVIC "clusters" document would be a material help in making that case".

590. A draft of the FCO paper on Iraq's failure to comply with resolution 1441, intended to "demonstrate clearly the extent of Iraqi intransigence" was sent to Mr Straw's Private

¹⁹⁴ Letter Manning to Rice, 24 January 2003, [untitled] attaching [Note \[Blair to Bush\], \[undated\], 'Note'](#).

¹⁹⁵ [Minute Goldsmith to Prime Minister, 7 March 2003, 'Iraq: Resolution 1441'](#).

¹⁹⁶ [Minute Straw to Prime Minister, 11 March 2003, 'Iraq: What if We Cannot Win the Second Resolution?'](#)

Office and other FCO addressees on 13 March.¹⁹⁷ It was agreed with the MOD, Defence Intelligence Staff (DIS) and the Cabinet Office Assessments Staff.

591. The paper was referred to in a note on the Attorney General's file, in relation to the need for "further material to be assembled" as discussed by Lord Goldsmith and Mr Straw, in their meeting late on 13 March, to provide "evidence showing" that Iraq was "in further material breach". That listed a need for:

- Any examples of false statements/omissions and (significant) non-co-operation reported to Security Council pursuant to OP4 of SCR 1441.
- Any examples of Iraqi interference reported by Blix or EIBaradei to the Council pursuant to OP11.
- For these purposes, we need to trawl through statements from the draft Command Paper on Iraqi non-compliance which is to be published.
- See attached FCO paper Iraqi non-compliance with UNSCR 1441 of 13 March 2003.¹⁹⁸

592. A note of a conversation with Ms Kara Owen in Mr Straw's Private Office, on 14 March, recorded that Mr Brummell had made the following points on Lord Goldsmith's behalf:

- "Demonstration of breaches of UNSCR 1441 are critical to our legal case. Therefore we must be scrupulously careful to ensure that the best examples of non-compliance are referred to."
- "It would be distinctly unhelpful to our legal case if the examples of non compliance ... were weak or inadequate; and it would be difficult – indeed it would be too late – to seek to add further (better) examples 'after the event'."
- The FCO needed to check the document they were preparing "very carefully" and subject it to "the tightest scrutiny".
- The document should include "a caveat ... acknowledging that the examples of non-compliance ... were not exhaustive but illustrative".
- The submission to Mr Straw should reflect those points.¹⁹⁹

593. Mr Brummell's record of his conversation with Ms Owen on 14 March also stated that he had been informed that the FCO paper would be sent out with a letter from Mr Blair to Ministerial colleagues on 17 March, "after Cabinet". Mr Blair's letter would also contain a "one page" summary of the legal position, which was "news" to Mr Brummell. A subsequent conversation with Mr Rycroft had "confirmed that it would be helpful if" Lord Goldsmith's staff would draft that summary.

¹⁹⁷ Minute [FCO junior official] NPD to PS [FCO], 13 March 2003, 'Iraq: Compliance with UNSCR 1441'.

¹⁹⁸ [Note \[on Attorney General's files\], \[undated\], 'Iraq Further Material to be Assembled \(as discussed by the Attorney General and Foreign Secretary on 13 March 2003\)'](#).

¹⁹⁹ [Note Brummell, 14 March 2003, 'Iraqi Non-Compliance with UNSCR 1441: Note of Telephone Conversation with Kara Owen'](#).

594. The FCO paper was finalised on 15 March.²⁰⁰ It was produced by officials in the FCO but drawn largely from official reports and statements by UN inspectors. It drew heavily on UNMOVIC's report, 'Unresolved Disarmament Issues – Iraq's Proscribed Weapons Programmes', the "clusters" document, which it characterised as "a 173 page-long catalogue of Iraqi intransigence since 1991".

595. The paper examined the extent of Iraq's non-compliance with the obligations placed upon it by the UN Security Council in resolution 1441, which it stated was "unambiguous". Resolution 1441:

- recognised the threat which Iraq's non-compliance "and proliferation of weapons of mass destruction and long-range missiles" posed to international peace and security (preambular paragraph (PP) 3);
- decided that Iraq had been and remained "in material breach of its obligations under relevant resolutions" (OP1);
- decided to "afford Iraq ... a final opportunity to comply" (OP2); and
- decided 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).

596. Assessing Iraq's "progress in complying with relevant provisions of UNSCR 1441", the paper stated that Iraq had "Not met" the requirement in five areas and had only "Partially met" or "Not yet met" other demands.

597. The FCO paper stated:

- Iraq had "Not met" the requirement for a "currently accurate, full, and complete declaration of all aspects of its programmes". The Iraqi declaration, of 7 December, "did not contain any new information to answer any of the outstanding questions", and there were "significant falsehoods".
- Iraq had not provided UNMOVIC and the IAEA with "immediate, unimpeded, unrestricted, and private access to all officials and other persons whom UNMOVIC or the IAEA wish to interview". Only 16 interviews had taken place and there was "reason to believe" that the Iraqi authorities had intimidated interviewees.
- No interviews had taken place outside Iraq. The paper cited "evidence that Iraqi scientists have been intimidated into refusing interviews ... They – and their families – have been threatened with execution if they deviate from the official line."

²⁰⁰ [Paper FCO, 15 March 2003, 'Iraqi Non-Compliance with UNSCR 1441' attached to Letter Straw to Colleagues, 17 March 2003, \[untitled\].](#)

- Iraq had not provided UNMOVIC and the IAEA with “the names of all personnel currently and formerly associated with Iraq’s chemical, biological, nuclear, and ballistic missile programmes and the associated ... facilities”.
- Iraq was not co-operating “immediately, unconditionally, and actively with UNMOVIC and the IAEA”. It had not answered the outstanding questions raised by UNSCOM when it was forced to withdraw or by the 1999 Amorim panel (see Section 1.1).

598. The list of unresolved “outstanding issues” included:

- “Failure to account adequately for SCUD-type missiles and components ‘suggests that these items may have been retained for a prohibited missile force’.”
- “Failure to explain why Iraq has built a missile test stand at al-Rafah that can accommodate missiles with over four times the thrust of the prohibited Al Samoud missile.”
- “[A]t least 80 tonnes (in 550 shells and 450 aerial bombs)” of “unaccounted for” mustard gas, and that quantity “could be substantially higher”.
- Whether Iraq had retained “some capability with regard to VX”.
- Whether Iraq’s claimed destruction of bulk agent, including anthrax, in 1991 had occurred.
- Failure to account for the aircraft associated with the L-29 RPV programme.

599. The FCO paper also stated that Iraq had only:

- “Partially met” the requirement for free and unrestricted use of aircraft “belatedly and under pressure”.
- “Not yet met” the requirement to destroy Al Samoud missiles and associated equipment. It stated that the programme of destruction had started by the deadline set by UNMOVIC, but suggested it could be stopped “at any time”.
- “Partially met” the requirement not to “take or threaten hostile acts”, although it stated “inspections had been largely incident-free”.

600. The paper also identified Iraqi “gestures” which it characterised as examples of a “pretence of co-operation”.

601. The paper was sent to all Members of Parliament on 17 March.²⁰¹

602. The statements in the FCO paper about Iraq’s approach to interviews and its intimidation of personnel were based on the UK’s interpretation of the intelligence reporting it had received that Iraq was actively and successfully pursuing a policy of concealing its programmes and deceiving and obstructing the inspectors.

²⁰¹ [Letter Straw to Colleagues, 17 March 2003, \[untitled\] attaching Paper FCO, 15 March 2003, ‘Iraqi Non-Compliance with UNSCR 1441’.](#)

603. The FCO paper did not evaluate the seriousness of either the five requirements which Iraq had “Not met” or the other areas where Iraq had only “Partially met” or “Not yet met” the requirement.

604. The way in which that intelligence was drawn on in briefings for and statements by Ministers, and the withdrawal of some of the reporting in September 2004, is addressed in Section 4.3.

605. OP11 of resolution 1441 (2002) directed Dr Blix and Dr ElBaradei “to report immediately to the Council any interference by Iraq with inspection activities, as well as any failure by Iraq to comply with its disarmament obligations, including its obligations regarding inspections under this resolution”.

606. OP12 recorded that the Security Council had decided “to convene immediately upon receipt of a report in accordance with paragraphs 4 or 11 ... in order to consider the situation and the need for full compliance with all of the relevant Council resolutions in order to secure international peace and security”.

607. The FCO paper did not mention that OP4 of resolution 1441 required a further material breach to be “reported to the Council for assessment in accordance with paragraphs 11 and 12” of the resolution. Nor did it contain any reference to the Security Council having done so.

608. In setting out the analysis, there were a number of salient points the FCO paper did not make, including:

- Dr Blix had reminded Mr Blair on 6 February that the material described as “unaccounted for” in UNSCOM’s report of 1999 was not necessarily present in Iraq; and that it would be “paradoxical to go to war for something that might turn out to be very little”.²⁰²
- Dr Blix made a similar point in his report to the Security Council on 7 March.²⁰³
- The quantities of material described as “unaccounted for” were estimates extrapolated from data in UNSCOM official records.
- Dr Blix had not at that point requested any interviews outside Iraq. He told the Security Council on 7 March that he would be requesting such interviews “shortly”.
- There had been no problems once aircraft flights over Iraq started.
- UNMOVIC had not reached a conclusion on the purpose of the test stand at al-Rafah or the L-29 RPV programme.
- Iraq had already destroyed 65 of the 120 short-range Al Samoud 2 missiles it was estimated to possess.

²⁰² Letter Rycroft to Owen, 6 February 2003, ‘Iraq: Prime Minister’s Meetings with Blix and El-Baradei, 6 February’.

²⁰³ UN Security Council, ‘4714th Meeting Friday 7 March 2003’ (S/PV.4714).

609. UNMOVIC had informed Sir Jeremy Greenstock on 11 March that Iraq had provided names of personnel currently and formerly associated with Iraq's WMD programmes and had said "they were willing to provide more in particular areas on request".²⁰⁴

610. Dr Blix's reports to the Security Council presented a nuanced picture. He did not say that Iraq was complying, but neither he nor Dr ElBaradei had reported to the Security Council that Iraq was not complying or that the inspectors could not complete their tasks.

611. In his report of 7 March, Dr Blix stated that, when the quarterly report had been finalised, there had still been "relatively little tangible progress to note" and the report had been "cautious".²⁰⁵ By 7 March, however, there was more. Iraq had accepted the destruction of Al Samoud 2 missiles and associated items and that constituted a "substantial measure of disarmament ... the first since the middle 1990s".

612. In relation to other recent Iraqi initiatives, Dr Blix stated:

"One can hardly avoid the impression that, after a period of somewhat reluctant co-operation, there has been an acceleration of initiatives from the Iraqi side since the end of January. This is welcome, but the value of these measures must be soberly judged by how many question marks they actually succeed in straightening out. This is not yet clear."

613. Dr Blix added that Iraq had not "persisted" in attaching conditions to inspections. Recent Iraqi initiatives could not be said "to constitute 'immediate' co-operation. Nor do they necessarily cover all areas of relevance"; but they were "nevertheless welcome".

614. Dr Blix was not reporting that he was unable to carry out inspections. He stated that "Even with a pro-active Iraqi attitude" it would still take "months" to "verify sites and items, analyse documents, interview relevant persons and draw conclusions". A document addressing unresolved disarmament issues and to identify key remaining disarmament tasks, as required by resolution 1284 (1999), would be submitted later that month.

615. Dr ElBaradei reported that there were no indications that Iraq had resumed nuclear activities since the inspectors left in December 1998, and the recently increased level of Iraqi co-operation should allow the IAEA to provide the Security Council with an assessment of Iraq's nuclear capabilities in the near future.²⁰⁶

²⁰⁴ [Telegram 417 UKMIS New York to FCO London, 12 March 2003, 'Personal Iraq: Side Statement and End Game Options'](#).

²⁰⁵ UNMOVIC Briefing of the Security Council, 7 March 2003, 'Oral introduction of the 12th quarterly report of UNMOVIC'.

²⁰⁶ UN Security Council, '4714th meeting Friday 7 March 2003' (S/PV.4714).

616. Dr Blix told the Inquiry that he had been “pushed very hard” to conduct interviews abroad.²⁰⁷ Resolution 1441 had provided for such interviews but did not say they were mandatory. He:

“... never thought that you would get much out of it. It would only have been trouble, but we would have been driven to it in the end. I think the push was so hard, so we would have persuaded the Iraqis ...”

617. Dr Blix added that he did not think interviews outside Iraq were realistic but he would have pursued them if there had been more time: “The pressure from the British was also strong. [Mr] Blair felt very strongly about it.”²⁰⁸

Events of 15 and 16 March 2003

618. In the entry in his diaries for 15 March, Mr Campbell wrote that there was a meeting with Mr Blair at 8.30am. He was “clear now what the French would try – yes to the tests, even to the possibility of military action, but they would push for a later date”.²⁰⁹

619. That had been followed by a pre-meeting with Mr Prescott, Mr Brown and Mr Douglas Alexander, Minister of State at the Cabinet Office. Mr Campbell commented:

“GB [Gordon Brown] was beginning to motor a bit, firing with good media and political lines. He also felt we needed to explain more clearly why we had been so keen to get the second resolution when now we were saying we didn’t need one. The answer lay in the pressure we had been putting on the Iraqis, through the building of international support. He also felt that we should be pressing publicly over some of the questions he felt Blix had not fully answered.

“Goldsmith was happy for us to brief that in the coming days he would make clear there was a legal base for action. We now had to build up the Azores as a genuine diplomatic effort, which was not going to be easy ...

“John Scarlett [Chairman of the JIC] joined us, reported signs of the Iraqis really hunkering down, said there were reports of summary executions ...

“Godric [Smith – Mr Blair’s Official Spokesman] and I were briefing Ministers and then the media re the forthcoming AG [Attorney General] advice. A few decisions having been taken, the travel of direction clear, we felt in a stronger position.”²¹⁰

²⁰⁷ Public hearing, 27 July 2010, page 57.

²⁰⁸ Public hearing, 27 July 2010, page 58.

²⁰⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²¹⁰ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

THE FCO GAME PLAN

620. A Note for the Record written by Mr McDonald on 15 March reported that Cabinet on 17 March would need:

“... to be choreographed with the Security Council meeting where Jeremy Greenstock would announce that we were pulling our resolution.

“The Foreign Secretary assumed the Cabinet would meet sometime in the morning. It will need specifically to approve the course of action proposed and to have passed across the terms of the Commons motion for Tuesday.

“... it might be a good idea for him [Mr Straw] to do a statement on Monday to inform colleagues of the decision to withdraw ... A statement ... might give us a better chance of assessing from where the strongest arguments would come.”²¹¹

621. The FCO advised No.10 that the UK’s “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”.²¹² That could best be done by a “short statement” by Sir Jeremy Greenstock in informal Council consultations, making clear that the UK “regretted that 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.”

622. The FCO also identified the risk of a resolution being tabled in the Security Council or the UN General Assembly criticising the use of force; the need to address travel advice and the safety of UK nationals in the region; and the reaction to the US announcement about publishing a Road Map on the MEPP.

623. Mr Ricketts subsequently advised that Sir Jeremy Greenstock had pointed out “that we should try to keep the issue open in the Security Council for as long as possible in order to minimise the risk of rival initiatives”; and that “a key element” of that strategy would be “to ensure that we do not say we are closing down or giving up on the Security Council route”.²¹³

624. Sir David Manning recorded that Mr Blair had made those points “strongly” at the Azores Summit.²¹⁴

²¹¹ [Note, McDonald, 17 March 2003, ‘Iraq: Meeting with the Attorney General’.](#)

²¹² [Letter Owen to Rycroft, 15 March 2003, ‘Azores Summit’.](#)

²¹³ Letter Ricketts to Manning, 16 March 2003, ‘Iraq: Azores’.

²¹⁴ Manuscript comment Manning, 17 March 2003, on Letter Ricketts to Manning, 16 March 2003, ‘Iraq: Azores’.

625. Sir Jeremy Greenstock told the Inquiry that it was his “responsibility not to be caught having allowed somebody to put down a resolution against us because I had lost the initiative. I would have been criticised for that.”²¹⁵

626. The FCO advice on setting out a “Vision” for Iraq after the conflict at the Azores Summit is addressed in Section 6.5.

MR BLAIR’S CONVERSATION WITH PRESIDENT BUSH, 15 MARCH 2003

627. In his discussion with President Bush on 15 March, Mr Blair proposed that the main message from the Azores Summit should be that it was the final chance for Saddam Hussein to demonstrate that he had taken the strategic decision to avert war; and that members of the Security Council should be able to sanction the use of force as Iraq was in material breach of its obligations.

628. The UK would take the decision on the timing for bringing the UN process to an end on 17 March.

629. President Bush was trying to help Mr Blair achieve a majority for military action in the Parliamentary Labour Party before the House of Commons vote on 18 March.

630. When Mr Blair spoke to President Bush on 15 March, he thanked him for the announcement on the MEPP.²¹⁶

631. Mr Blair said that the main message for the Azores Summit should be that this was a final chance for the UN to deliver, and that countries should be able to sanction the use of force as Iraq was in material breach. They discussed the positions of various countries and Mr Blair underlined the importance of appearing as reasonable as possible when we pulled the UN resolution. The timing of that decision would be for the UK.

632. Mr Blair and President Bush also discussed the role of the UN post-conflict, the need to have a post-conflict strategy to deal with the opponents of military action, and the consequences of the experience on Iraq for the UN in the longer term.

633. Mr Blair’s attempts to agree the role of the UN post-conflict with the US are addressed in Section 6.5.

634. In his diaries, Mr Campbell provided a long account of the conversation, including:

“He [President Bush] accepted that we had done the right thing on the Road Map. ‘Good advice and it has helped a lot.’ ...”

²¹⁵ Private hearing, 26 May 2010, page 30.

²¹⁶ Letter Rycroft to McDonald, 15 March 2003, ‘Iraq and Middle East: Prime Minister’s Telephone Conversation with President Bush, 15 March’.

“Bush was pretty vile about Fox, Chirac and Schröder [Mr Gerhard Schröder, the German Chancellor] and to a lesser extent Lagos. He wanted to go for a ‘coalition of the willing’ meeting next week ...

“TB said it was time for the UN to show it could do its job.

“Bush said that anything that weakened 1441 was not on. His plan now was:
1. get through Monday, 2. get through our vote; then 3. Coalition of the willing.

“He and TB then came up with the idea of doing the press conference before rather than after the meeting in the Azores. I was opposed, felt it would fuel the idea it was all a charade ...

“His [Bush’s] main line was that anything that takes us back from 1441 was not enough. This was the final stage of the diplomacy.

“TB said the UN had to be seen to do its job.

“Bush felt the TB lines re the divisions being between those prepared to use force and those who were not would come best from TB not him ... He said we have to come to a conclusion at the UN. If we issue an ultimatum and the prospect of force, and France says no, it becomes impossible.

“TB said he still thought Chirac might say yes, but with a delay.

“Bush said that if he went for yes with twenty-one days, he would reject it. They are the ones being unreasonable, not us.

“TB said he would definitely lose ... RC [Robin Cook] ...

“TB said he was not sure where Kofi [Annan] was.

“Bush said he had totally different problems to us re the UN ... the pressure in the States was to bury it. Then ‘I told Fox he has seriously messed up. He has really let me down on this.’ ...”²¹⁷

635. Mr Brenton reported that President Bush was determined to remove Saddam Hussein and to stick to the US timetable for action.

636. The UK’s “steadfastness” had been “invaluable” in bringing in other countries in support of action. Helping Mr Blair to make the transition from the UN process to military action was in the US’s own interests.

²¹⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

637. Advising on the perspective from Washington, Mr Brenton reported that President Bush was:

“... utterly determined to get Saddam out. In retrospect it looks as if he finally and firmly reached that conclusion in early December at the time of the false Iraqi declaration. The entire subsequent action has been driven by it. This is a President who sets targets and expects his subordinates to deliver. Hence the ironclad determination of the timetable (which has hardly budged in three months) and the occasionally visible uneasiness about focusing exclusively on disarmament and sticking to the UN route (in case we got the answer ‘yes’). This does not mean that Bush wants to go to war, but the bottom line is that Saddam must go.”²¹⁸

638. Mr Brenton added that President Bush “had every reason to feel confident” about military action:

“The chief current nightmare in the Pentagon and intelligence community is ‘catastrophic success’ – a collapse of resistance in Iraq which moves too fast for us instantly to establish order in its wake. Of course nothing is certain and there are downside scenarios ... But the high probability projection is for a quick and relatively clean victory.

“As you know, the US are ready to start the (short) countdown to military action next week.”

639. President Bush also had domestic political grounds for confidence as the conviction that war is inevitable “had taken hold”. Liberal politicians had “kept their heads down”, and conservative commentators had “grown increasingly impatient with the UN’s delays”.

640. Mr Brenton wrote that the US Administration had, however, “been shocked” at their “inability” to get Turkey on board and the “failure, despite what they see as vigorous arm twisting, to get a majority for a second ... resolution”. The State Department was “concerned at images of US unilateralism” and was:

“... working hard at giving the ‘coalition’ of supportive countries a more visible presence. In this optic, the steadfastness of UK support, bringing with it other key players ... had been invaluable to them. The President is thus concerned about the Prime Minister’s present political difficulties not only out of fellow feeling (... a genuinely significant factor ...) but also out of self interest. It would be massively damaging for US interests for the British Government to fall because of our support in Iraq. The US will go to great lengths to help it not happen (as indeed they have started to do with their announcement on the Road Map).”

²¹⁸ [Telegram 350 Washington to FCO London, 15 March 2003, ‘Iraq’.](#)

641. Mr Brenton concluded:

“At the Azores Summit ... Bush will be looking for a way of making the transition from the UN process to the military countdown in a manner maximally helpful to the Prime Minister. A key component of this will be the announcement of our intentions for a post-Saddam Iraq, and in particular the level of UN involvement in administering. [...] and there is a clear US red line on fighting to liberate Iraq and then handing the governance over to the UN. Extensive UN involvement short of this ought to be achievable, and is a prize worth fighting for.”

642. Mr Blair saw the telegram on the way to the Azores Summit.

643. Mr Sherard Cowper-Coles, the British Ambassador to Israel, subsequently reported that there were some suggestions that the announcement of the Road Map had been a gesture to help Mr Blair; and that “as such it should not be taken too seriously by Israel”.²¹⁹

MR BLAIR'S CONTACTS WITH OTHER LEADERS

644. Mr Blair contacted a number of leaders to prepare the ground for the announcement that the UK would be taking no further action on the draft resolution.

645. Mr Rycroft recorded that in the conversation with Mr John Howard, the Australian Prime Minister, on 15 March, Mr Howard asked “if the diplomatic process was dead”.²²⁰ Mr Blair replied that it had “reached an impasse. The process would struggle on until Monday. Even the Russian position was making things difficult.”

646. Mr Blair added that “a way forward could have been found” if everyone had supported the proposals tabled by the UK the previous week; the “US had not been eager about the proposals, but they were prepared to go along with them. The tests had been taken from the Inspectors’ own reports – they were perfectly reasonable.” Saddam Hussein was “now busy hiding material around Iraq”.

647. Mr Blair and Mr Howard also discussed the effect of the French veto which the “elected six” were “hiding behind”. The implication would be that the US, UK and Australian troops should stay in the region indefinitely; without forces in the region the inspectors would be “kicked out”. If it was clear the diplomatic process was not going to proceed, there was little point in putting the resolution to a vote.

648. Mr Blair and Mr Howard also discussed the role of the UN and international financial institutions after conflict and the importance of a Road Map for the MEPP.

²¹⁹ Telegram 109 Tel Aviv to FCO London, 17 March 2003, ‘MEPP/Iraq: Local US View’.

²²⁰ Letter [Francis] Campbell to Owen, 15 March 2003, ‘Iraq: Australia, 15 March’.

649. In response to a letter from Mr Atal Vajpayee, the Prime Minister of India, proposing a summit-level meeting of the leaders of the five Permanent Members of the Security Council about the situation in Iraq, Mr Blair wrote:

“... the current situation in Iraq poses many challenges for the international community. How we handle this issue will have wide-ranging global implications for many years to come. It is for this reason that we and other UNSC members are working so hard to secure a peaceful resolution.

“I am conscious that all P5 members have a duty to do everything within their power to resolve this issue without eroding the authority of the UN system. I am meeting my US and Spanish counterparts on 16 March in the hope that a way can be found to bridge the differences within the Security Council. I hope that the UK and India will keep in very close touch as the situation develops.”²²¹

650. In a discussion with President Lagos about the Chilean proposal, the position of the “elected six” and the position of the US and other members of the Security Council, Mr Blair said that there were concerns that the “elected six” document would be “used by the French to cause further delay”.²²² Time was running out. It was clear from his conversation with President Chirac the previous day that France “would still not accept the automatic use of force or an ultimatum in the event of non-compliance”.

651. President Lagos stated that benchmarks without a timeline would result in endless discussion, but it was not clear what the Security Council could do and time was running out. Secretary Powell had told the Mexican Foreign Minister that the US did not want any further movement at the UN.

652. President Lagos was reported to have stated that he:

“... had acted in good faith, but he would not do anything further. He was very mad with the US response. They had assumed motives that were not true.”

653. Mr Blair said he would have further discussions with the US and “there could be a chance to squeeze things through”; and that “he thought there was still time and he would keep trying until the last minute”.

654. President Lagos responded that Mr Blair “knew where Chile stood and he was sorry that they had not been able to achieve a successful outcome last week”.

655. Mr Blair wrote in his memoir that the six tests tabled by the UK on 12 March:

“... were immediately rejected by France. Jacques Chirac gave a very strong statement saying he would not support military action whatever the circumstances. Dominique de Villepin ... also then rejected the tests per se. This was before

²²¹ Letter Blair to Vajpayee, 15 March 2003, [untitled].

²²² [Letter \[Francis\] Campbell to McDonald, 15 March 2003, 'Iraq: Chile, 15 March'](#).

the Iraqis even responded. Ricardo [Lagos] then explained that, in this case, he couldn't really participate in an obviously futile charade at the UNSC. The UN route was blocked."²²³

656. In his statement for the Inquiry, Mr Blair wrote:

"... the strength of the French statements of opposition and his internal politics made President Lagos say, reasonably enough, that he could not support what was going to be not only a resolution doomed to a veto, but one strongly attacked by certain P5 members."²²⁴

TRIPARTITE DECLARATION, 15 MARCH 2003

657. In a declaration on 15 March, France, with Germany and Russia, attempted to secure support in the Security Council for continued inspections.

658. In a declaration late on 15 March, France, Germany and Russia appealed to Security Council members to "make every effort to ensure" that a peaceful approach prevailed to meet the shared goal of the international community for the disarmament of Iraq.²²⁵ The points made in the declaration included:

- The inspections regime in resolution 1441 was "unprecedented".
- A reaffirmation that "nothing in current circumstances justifies abandoning the inspections process or resorting to force".
- The "successive reports" to the Security Council by Dr Blix and Dr ElBaradei had shown that inspections were "producing results" and that disarmament of Iraq had begun. There was "every reason to believe that it can be completed rapidly and in accordance with the rules set out by the Council. Iraq, for its part, must co-operate actively and unconditionally."
- "France, Russia and Germany, supported by China" had "submitted proposals" to achieve disarmament "by defining key disarmament tasks and establishing a rigorous timetable".
- "Suggestions in the same spirit" had "been put forward by other members of the Council".
- The unity of the Security Council could be preserved, and all members bore "a particular responsibility for ensuring" it was "not divided at this crucial time".
- When UNMOVIC's work programme was submitted to the Security Council, the Council should meet "immediately thereafter at the ministerial level to approve key disarmament tasks and establish an implementation timetable" which was "both demanding and realistic".

²²³ Blair T. *A Journey*. Hutchinson, 2010.

²²⁴ Statement, 14 January 2011, page 9.

²²⁵ UN Security Council, 18 March 2003, 'Letter dated 15 March 2003 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council' (S/2003/320).

- The use of force could only be “a last resort”.
- A “peaceful approach” was “supported by the immense majority of the international community”.

659. President Chirac’s interview with *CNN*, which was broadcast on 16 March, is addressed later in this Section.

MINISTERIAL STATEMENTS, 16 MARCH 2003

660. Mr Blair and other Ministers continued on 16 March to insist that there was still time for a peaceful solution. They also drew attention to difficulties created by President Chirac’s stance on a veto and dismissed the tripartite proposal to extend the inspections process.

661. In his interview on the *BBC’s Breakfast with Frost* programme on 16 March, Mr Brown focused on the Government’s wish to avoid military action.²²⁶ He stated that “obviously we don’t want war, we want peace, we want the diplomatic process to work”. The UK was not seeking military action: “Even now ... Saddam Hussein could announce that he would comply and he would co-operate ...” The “purpose of the second resolution was to put the maximum pressure on Saddam Hussein ... that he had to disarm immediately and that he could not get off the hook”.

662. Mr Brown stated:

“My view ... and I think this is the view of Tony Blair, is that we should continue to try, even now, even in these difficult times, to secure international agreement ... to a resolution that would involve international co-operation and force Saddam Hussein to disarm. It is unfortunate that we have both got non-compliance on the part of Iraq ...

“And of course the other issue that makes it difficult is that at least one country has said that although it has supported the resolutions that imply the use of force, that they would not support a resolution now on the use of force, at this stage, whatever the circumstances ...

“... even today the focus is on seeing if we can move the diplomatic process forward ... even at this stage there are initiatives that can be taken that would move it forward. I would like every one of the Security Council members to be in a position to say that they would support the disarmament of Saddam Hussein.”

663. Mr Brown added:

“This is about our national interests, this is our role in the international community. Tony Blair has tried to bring Europe and America together. He’s trying to find a

²²⁶ *BBC News*, 16 March 2003, *BBC Breakfast with Frost Interview: Gordon Brown, MP, Chancellor of the Exchequer*.

diplomatic way forward ... I believe there are options still available to us and these will be discussed today with President Bush ... the important thing to recognise is that when the international community passes its resolutions ... it has got to show that it's got a mechanism for enforcing its will. And that was, of course, the purpose of the second resolution, but ... that could form initiatives that could be taken this afternoon and later, to see if we can resolve this issue without military action.

"... Even now there are initiatives on the table that have been put forward by us and others that may help us resolve the question of whether there can be international co-operation but the blockage is the non-compliance of Saddam Hussein and ... at least one country saying ... in what I think is unreasonable terms, that whatever the circumstances ... they would not consider the use of force. And that really deprives us of a mechanism for action ..."

664. Mr Brown also stated that the Government would not be acting in the way it was "unless it was satisfied that there was a legal basis for its actions".

665. In his diaries, Mr Campbell described a "long meeting" in Sir David Manning's office before leaving for the Azores, with Sir David, Baroness Morgan and Mr Rycroft, who were joined by Mr Brown, Dr John Reid, Minister without Portfolio and Labour Party Chairman, and Ms Armstrong.²²⁷

666. The meeting had tried:

"... to boil down the central arguments and dividing lines now. I suggested we say we intend to go back to the French and test their position – do they support any element of what we are saying? Are they really saying there are no circumstances in which they would support anything seen as a threat of military action. If they are, we go. If not, we have to look again.

"David M said there was no indication the French intended to shift.

"GB did *Frost* and came back saying the really tough questions were in the field of legality. GB also said if we are saying this is the final shot at diplomacy, what are we actually saying we are going to do after today? Bush didn't want a process story but I suggested one, namely a last round of contacts at the UN post the Azores meeting."

MR BLAIR'S CONVERSATION WITH PRIME MINISTER BALKENENDE

667. Mr Rycroft recorded that in a conversation with Mr Jan Peter Balkenende, Prime Minister of the Netherlands, Mr Blair had said, in reply to a question about

²²⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

whether Mr de Villepin and President Chirac's recent telephone calls signalled a "willingness to be more co-operative", that France:

"... would still not accept a resolution that contained an ultimatum or the automatic use of force. They were only prepared to look at timing and benchmarks. An impasse had been reached."²²⁸

668. Subsequently, Mr Blair stated that:

- "... the UN track was now quite difficult. The 'elected six' had been close to agreement last week but were frightened off by pressure from Russia and France."
- There was a "slim chance" of a majority in favour of a second resolution, "but only with a big push": "The problem was that once it became clear ... France was going to veto the elected six saw little point in putting the resolution to the vote."
- The ideas put forward by Mr de Villepin were "yet another way of creating further delays. The process was going round in circles."
- "... France, Germany and Russia had made an agreement that they would act together. Russia would not countenance anything other than a peaceful solution ... France and Russia were prepared to veto a resolution containing an ultimatum or the automatic use of force."
- "China was one step removed ... they would not use their veto."
- "... French and Russian statements that disarmament was happening went against reality. Had the international community presented Saddam with a strong ultimatum then he would probably have complied."
- At the Azores Summit "they would try to give the UN one last chance".
- "... it had to be made clear – compliance or military action would follow".

MR BLAIR'S CONVERSATION WITH MR ANNAN, 16 MARCH 2003

669. Mr Blair told Mr Annan, who wanted to explore the scope for compromise before the Azores Summit, that an impasse had been reached with France, and Saddam Hussein would comply only if there was a clear threat of force.

670. Ms Short spoke to Mr Annan on 15 March. She recorded that he had:

"... said he had talked to every member of the Security Council and governments across the world were ringing him saying surely one more effort at compromise was possible ... all agree time too short and should not be automatic trigger to war."²²⁹

²²⁸ Letter [Francis] Campbell to Owen, 16 March 2003, 'Iraq: Netherlands, 16 March'.

²²⁹ Short C. *An Honourable Deception: New Labour, Iraq and the Misuse of Power*. The Free Press, 2004.

671. Ms Short also recorded that she had subsequently spoken to both Mr Brown and Mr Blair. She had told Mr Brown, who “kept on about French” that he should speak to Mr Annan. In response to a request for her view on announcing a UN lead on reconstruction in the Azores, she told Mr Blair that if war was inevitable that was all he had got. Mr Blair had said he would “still be open to other possibilities”.

672. The FCO suggested that Mr Blair should talk to Mr Annan from the Azores with key messages including:

- Exploring the scope for any remaining diplomacy (if relevant), including the possibility of a final ultimatum to Saddam Hussein as the last window for a peaceful solution.
- Discouraging any further visits to Baghdad (as suggested by Iraq – see Box below), “whose only purpose would be to buy more time”.
- Looking forward to the UN having “a significant role after any conflict in helping Iraq move quickly towards new prosperity and stability”.
- Hoping that Mr Annan could “work to improve the atmosphere in the Council and keeping the UN steady”.²³⁰

Iraqi actions

Iraq also sought to deflect military action.

Dr Blix wrote that a letter from Dr al-Sa’adi, Scientific Adviser to the Iraq Presidency who represented Iraq in its negotiations with the UN, inviting Dr Blix and Dr ElBaradei to visit Baghdad to try to accelerate the inspections process and take note of the progress achieved, was received on 15 March.²³¹

Dr Blix and Dr ElBaradei had earlier concluded that any visit would need to be preceded by a declaration from Saddam Hussein and that they would come to discuss its implementation. Dr Blix informed Mr Annan, Ambassador Negroponte and Sir Jeremy Greenstock.

Dr Blix wrote that:

- Sir Jeremy responded quickly; the UK Foreign Office urged caution. The bars for a visit should be set high with the need not only for a declaration but also some “down payment”.
- Ambassador Negroponte “discouraged” a visit.
- Mr Annan advised that Dr al-Sa’adi should be asked to clarify more precisely what he thought could be attained; and that the President of the Council should be informed.

On 16 March, Saddam Hussein was reported to have said that Iraq used to have weapons of mass destruction to defend itself against Iran and Israel, and that when he (Saddam) said he had no weapons “he means what he says”.²³²

²³⁰ [Letter Owen to Rycroft, 15 March 2003, ‘Azores Summit’.](#)

²³¹ Blix H. *The Search for Weapons of Mass Destruction: Disarming Iraq*. Bloomsbury Publishing Plc, 2005.

²³² *The Independent*, 17 March 2003, *Saddam acknowledges Iraq had weapons of mass destruction*.

673. Mr Blair spoke to Mr Annan, who wanted to explore the scope for compromise, before the Azores Summit.²³³

674. Mr Blair reiterated his comment that an impasse had been reached:

“There was no point in passing a resolution, which was not backed by force because Saddam would just ignore it. France had also rejected the tests Britain had put forward last week. The problem with the latest French proposal was that after allowing a further month of inspections, there would be yet another discussion and we would be back to where we started. Clear tests were needed ... but the French would not accept that. It was very difficult to see a way through.”

675. Mr Blair added that: “Saddam would only comply if there was a clear threat of force.”

676. Mr Blair and Mr Annan also discussed the importance of a strong UN role in post-conflict Iraq, the need for a relationship between the UN and “whoever was occupying Iraq” and a resolution establishing the relationship between the occupying force and occupied Iraq.

THE AZORES SUMMIT, 16 MARCH 2003

677. At the Azores Summit it was agreed that unless there was a fundamental change in the next 24 hours, the UN process would end.

678. In public the focus was on a “last chance for peace”. The joint communiqué contained a final appeal to Saddam Hussein to comply with his obligations and to the Security Council to back a second resolution containing an ultimatum.

679. When President Bush, Mr Blair, Mr Aznar and Mr Barroso met in the Azores, Mr Blair stated that the meeting:

“... had to send a message that this was the final appeal to Saddam to comply, and to the Security Council to back a second resolution containing an ultimatum.”²³⁴

680. They also discussed:

- The need to avoid an alternative resolution which might secure enough support to delay action.
- The likelihood that the invasion would be welcomed but the risk that there would be communal violence.
- The role the UN should play, including that it would not be able to deal with communal violence. That would need to be “handled rapidly by the military”.
- The importance of pushing the peace process in the Middle East.
- The document on transatlantic security which they would issue.

²³³ Letter [Francis] Campbell to Owen, 16 March 2003, ‘Iraq: Kofi Annan, 16 March’.

²³⁴ Letter Manning to McDonald, 16 March 2003, ‘Iraq: Summit Meeting in the Azores: 16 March’.

681. Mr Blair said that:

“The point of decision had arrived. It had been an agonising process going through the UN. But the justification had been that we had to look at every alternative before turning to military action. We should now be prepared to explain that continued non-compliance by Saddam Hussein could not be met by another discussion. We had made every effort ... We had to explain yet again that unless there was effective pressure on Saddam, he would never comply. Yet the French and Russians made it impossible to bring that pressure to bear. We should now engage in a last round of final contacts, and appeal to the Security Council to take its responsibilities seriously.”

682. Mr Blair added there was “24 hours to assess whether there had been a fundamental change ... If not ... we should be ready for military action”. He would be content to ask Sir Jeremy Greenstock to take the draft resolution off the table “tomorrow morning ‘if there had been no lightning strike’”. He would do so on behalf of the three co-sponsors.”

683. Mr Blair stated that the role of the UN in post-conflict Iraq must be defined very carefully:

“We must give the impression that the administration was under UN authority. The clearer the UN role, the better. It was vital that UK public opinion understood that we were not taking possession of Iraq’s oil.”

684. Mr Blair also stated that the UN should be seen to give overall authorisation but it could certainly not run everything. He wanted the UN Security Council to remain seized of the Iraqi issue.

685. The record of the discussion was to be seen by Mr Straw and Mr Hoon and their Principal Private Secretaries.

686. Mr Campbell wrote:

- “Bush talked about it being a last effort. But he said it was important the world saw we were making every effort to enforce 1441. He said everyone had to be able to say we did everything we could to avoid war. But this was the final moment, the moment of truth, which was the line most of the media ran with. He stressed he wanted the UN to play an important role in the post-Saddam era. He was clear we had to emphasise Iraq’s territorial integrity. He was emphasising he really would move on MEPP. He said again TB had been right to push him on the Road Map, and said he intended to spend a lot of time on this. He said re Chirac ‘I don’t want to provoke him into unreasonableness.’ He was however keen to say he wanted the UN properly involved in the post-Saddam era ...”

- “TB said we had reached the point of decision for people. We had been there before but there really had to be a decision. How many times could there be a last chance, serious consequences for material breach? He reported that Kofi [Annan] had said the French and Russians would not rule out force but would not agree to an ultimatum, which was an odd position. He really hit the UN buttons post-Saddam, and was trying to force Bush to go further on that. ‘It has to be a UN-authorized government.’ He was also hammering home the advantages on MEPP, but I wasn’t convinced it would happen.”
- “We needed some kind of process story so I suggested to TB they all instruct their ambassadors at the UN to have one last go, see if the position of the others had changed.”
- “TB was constantly emphasising final appeal, final opportunity.”
- “Bush was scathing re the Turks ... He was pretty keen to get on with things now, wanted to pull down the SCR now. He then said he would address the American people tomorrow – say diplomacy had failed, issue the ultimatum. He said to TB we should say we were issuing one last set of instructions to UN ambassadors to have a go at securing agreement.”
- “Aznar was really pushing the importance of the transatlantic alliance, but he was in even more political hot water on this than we were.”²³⁵

687. The ‘Vision for Iraq and the Iraqi People’, issued at the Summit, and outlining the challenge Saddam Hussein posed to the world, stated:

- “Iraq’s talented people, rich culture, and tremendous potential had been hijacked by Saddam Hussein”, whose “brutal regime had reduced” Iraq “to an international pariah” that oppressed “its citizens, started two wars of aggression against its neighbours” and still posed “a grave threat to the security of the region and the world”.
- “Saddam’s defiance” of Security Council resolutions demanding disarmament had “undermined the authority of the UN”. The international community had “tried to persuade him to disarm and thereby avoid military conflict, most recently through the unanimous adoption of resolution 1441”. If he refused “even now to co-operate fully” with the UN, he brought “on himself the serious consequences foreseen in resolution 1441 and previous resolutions”.
- “In these circumstances, we would undertake a solemn obligation to help the Iraqi people build a new Iraq at peace with itself and its neighbours. The Iraqi people deserve to be lifted from insecurity and tyranny, and freed to determine for themselves the future of their country. We envisage a unified Iraq with its territorial integrity respected. All the Iraqi people – its rich mix ... should enjoy freedom, prosperity, and equality in a united country. We will support the Iraqi

²³⁵ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

people's aspirations for a representative government that upholds human rights and the rule of law as cornerstones of democracy.”

- “We will work to prevent and repair damage by Saddam Hussein’s regime to the natural resources of Iraq and pledge to protect them as a national asset of and for the Iraqi people. All Iraqis should share the wealth generated by their national economy. We will seek a swift end to international sanctions, and support an international reconstruction program ...”
- “We will fight terrorism in all its forms. Iraq must never again be a haven for terrorists any kind.”
- “In achieving this vision, we plan to work in close partnership with international institutions, including the UN; our Allies and partners; and bilateral donors.”
- “If conflict occurs we plan to seek ... new ... resolutions that would affirm Iraq’s territorial integrity, ensure rapid delivery of humanitarian relief, and endorse an appropriate post-conflict administration for Iraq. We will also propose that the Secretary-General be given authority’, on an interim basis, to ensure that the humanitarian needs of the Iraqi people continue to be met through the Oil-for-Food program.”
- “Any military presence, should it be necessary, will be temporary and intended to promote security and elimination of weapons of mass destruction; the delivery of humanitarian aid; and the conditions for the reconstruction of Iraq. Our commitment to support the people of Iraq will be for the long term.”
- “We call upon the international community to join with us in helping to realize a better future for the Iraqi people.”²³⁶

Azores communiqué on Transatlantic Solidarity

The communiqué on transatlantic solidarity stated that:

- The Summit had been held “at a time of great challenge”; and that the four leaders faced “painful choices”.
- They had reaffirmed their “commitment to our core values and the Transatlantic Alliance”, which rested on “a common commitment to democracy, freedom and the rule of law”. They were “bound by a solemn commitment to defend one another”; and they would “face and overcome together the twin threats of the 21st century: terrorism and the spread of weapons of mass destruction”.
- Security was “tied to peace and security throughout the world”.
- They were “working together to bring security to Afghanistan”.
- They had affirmed “a vision of a Middle East peace in which two states, Israel and Palestine, will live side by side in peace, security, and freedom”; and they welcomed “the fact that the Road Map designed to implement this vision will soon be delivered ...”

²³⁶ The White House, 16 March 2003, *Statement of the Atlantic Summit: A Vision for Iraq and the Iraqi People*.

- They urged “friends and allies to put aside differences, and work together for peace, freedom and security”. The “friendship and solidarity between Europe and the United States” was “strong” and would “continue to grow in years to come”.²³⁷

688. In the press conference following the Summit, President Bush said that the following day would be the “moment of truth for the world”.²³⁸ Nations had “voiced a commitment to peace and security” and now needed to demonstrate that “in the only effective way, by supporting the immediate and unconditional disarmament of Iraq”.

689. In response to questions, President Bush added:

- Saddam Hussein could “leave the country if he’s interested in peace ... the decision is his to make”.
- His speech of 12 September 2002 had “called the UN into account” because he understood the “wars of the 21st century” were “going to require incredible international co-operation”. He hoped that the following day the UN would “do its job”.

690. Mr Blair emphasised the “key point” was “our responsibility to uphold the will of the United Nations set out in resolution 1441”, which had provided the final opportunity for Saddam Hussein to disarm and for “serious consequences” to follow if he failed to do so.

691. In an oblique reference to France, Mr Blair stated that there was an “impasse” where “some say there should be no ultimatum, no authorisation of force in any new resolution”. He added:

“... without a credible ultimatum authorising force in the event of non-compliance, then more discussion is just more delay, with Saddam remaining armed with weapons of mass destruction ...”

692. Mr Blair warned that Saddam Hussein was still playing “a game he has played over the last 12 years” and:

“Disarmament never happens ... instead the international community is drawn into some perpetual negotiation ... but never real and concrete progress leading to disarmament.”

693. Mr Blair stated that “Nobody” was prepared to say there was “full co-operation” and drew attention to the absence of interviews outside Iraq and Iraq’s failure to provide evidence of the destruction of 10,000 litres of anthrax as the reason why the

²³⁷ The White House, 16 March 2003, *Statement of the Atlantic Summit: Commitment to Transatlantic Solidarity*.

²³⁸ The White House, 16 March 2003, *President Bush: Monday “Moment of Truth” for World on Iraq*.

international community needed to give a “strong and unified message” that the “games had to stop”. The UK would do all it could:

“... in the short time that remains to make a final round of contacts to see if there is a way through this impasse. But ... now is the time when we have to decide.”

694. In response to a question, Mr Blair added:

“So when people say we haven’t exhausted all the diplomatic avenues, we tried ... But ... from our perspective and from the perspective of the security of the world, we cannot simply go back to the Security Council, for this discussion to be superseded by another discussion. That’s what happened for 12 years ...”

695. Dr Blix wrote that it seemed to him that there was a difference in tone between President Bush and Mr Blair.²³⁹ The former had talked about “what a bright future Iraq would have if Saddam was taken out”. Mr Blair had talked about “going the last mile for peace and the need for the UN to stop a proliferator”. Dr Blix wrote: “Perhaps Blair still had some hope that Saddam would crack ... if he was faced with a unanimous Council resolution.”

696. Dr Blix recorded that Sir Jeremy Greenstock had “ventured” that the Azores Summit was “about peace rather than about war”; but that the declaration seemed to him to be “more belligerent than peaceful”. Dr Blix commented that:

“... the statement from the one-hour meeting was at this late stage perhaps less of an ultimatum to Saddam than one to the members of the Security Council – to support the resolution or be bypassed. The game was over ... later that Sunday afternoon I got the call from ... Washington saying that it was time to withdraw our inspectors from Iraq.”

697. In his memoir, President Bush described the meeting as a “last-minute summit on diplomatic strategy” where they had “all agreed the diplomatic track had reached its end. We planned to withdraw the second resolution Monday morning.”²⁴⁰

698. President Bush wrote:

“I was deeply disappointed that diplomacy had failed but I had promised the American people, our allies and the world that we would enforce the UN resolutions. I was not going to break my word.

“For months I had solicited advice ... Some believed we could contain Iraq by keeping the inspectors in Iraq. But I didn’t see how. If we were to tell Saddam he had another chance – after declaring this was his last chance – we would shatter our credibility and embolden him.

²³⁹ Blix H. *The Search for Weapons of Mass Destruction: Disarming Iraq*. Bloomsbury Publishing Plc, 2005.

²⁴⁰ Bush GW. *Decision Points*. Virgin Books, 2010.

“Others suggested that the threat wasn’t as serious as we thought ... we had a warning like a blaring siren. Years of intelligence pointed overwhelmingly to the conclusion that Saddam had WMD. He had used them in the past. He had not met his responsibility to prove their destruction. He had refused to co-operate with the inspectors ... The only logical conclusion was that he was hiding WMD. And given his support of terror and his sworn hatred of America, there was no way to know where those weapons would end up.

“Others alleged that America’s real intent was to control Iraq’s oil and satisfy Israel. Those theories were false. I was sending our troops into combat to protect the American people.

“I knew the cost would be high, but inaction had a cost, too. Given everything we knew, allowing Saddam to remain in power would have amounted to an enormous gamble. I would have had to bet that every major intelligence agency was wrong or that Saddam would have a change of heart. After seeing the horror of 9/11, that was not a chance I was willing to take. Military action was my last resort. But I believed it was necessary.”²⁴¹

699. Mr Blair described the Summit in his memoir as a:

“... slightly surreal event. On the face of it we were still pushing for a political solution. There were some last minute hopes of an Arab initiative to get Saddam out; or of a Saddam capitulation. George was content to adopt the line that we were going to hold out every last hope for peace ...

“We rehearsed again the main arguments. He was completely calm. He thought we had to send out a message of total clarity to the world: have anything to do with WMD and we are going to come after you. More even than me, he was focused on the possibility of terrorist groups getting hold of WMD material: ‘I am just not going to be the president on whose watch it happens’ ...”²⁴²

700. Mr Blair concluded:

“So when I look back ... I know there was never any way Britain was not going to be with the US at that moment, once we went down the UN route and Saddam was in breach. Of course such a statement is always subject to *in extremis* correction. A crazy act of aggression? No, we would not have supported that. But given the history, you couldn’t call Saddam a crazy target.

“Personally I have little doubt that at some point we would have to have dealt with him. But throughout I comforted myself, as I put it in the Glasgow speech, that if we were wrong, we would have removed a tyrant; and as a matter of general principle, I was in favour of doing that.

²⁴¹ Bush GW. *Decision Points*. Virgin Books, 2010.

²⁴² Blair T. *A Journey*. Hutchinson, 2010.

“Nonetheless, I was also aware that the very split in international opinion meant that we were absolutely at the mercy of events ... So as we left the Azores, I knew the die was cast. I was aware of my isolation ... my total dependence on things going right not wrong ... What’s more this was the first time I would be committing troops to an action to topple a regime where we would be the junior partner, where we would not be in charge of the arrangements ...

“... I was calm ... I was doing what I thought was right. But ... I wished I wasn’t doing it.”

701. Mr Campbell wrote in his diaries that, on the way to the Azores, Mr Blair was “still angry at the way the US had handled it” and that he had said: “If we had been totally in charge of this, I am absolutely sure we could have won the French round.” Mr Campbell “felt the US and France both, for different reasons did not want to meet on this”.²⁴³

702. Commenting on the Summit, Mr Campbell wrote:

“Everyone kept going on about it being ‘the last effort for a political solution’. But there was more than a slight feeling of going through the motions.”

703. Mr Campbell also wrote that Mr Blair “was still saying it was the right thing to do” and that he “had lost count of how many times” he “had heard those same words”.

PRESIDENT CHIRAC’S INTERVIEW WITH CNN, 16 MARCH 2003

704. In an interview broadcast on CNN on 16 March, during the Azores Summit, President Chirac said that he hoped the Summit would recognise that inspections provided an effective system “to achieve our common goal ... the disarmament of Iraq, elimination and destruction of her weapons of mass destruction”.²⁴⁴

705. Asked about his bottom line for a compromise, President Chirac replied that was a matter for the inspectors. In his view, the Security Council had unanimously:

“... decided to disarm Iraq peacefully through inspections for as long as the inspectors consider this possible.”

“We see today ... that a lot of progress has been achieved ... admittedly we haven’t reached the goal, but the inspectors consider ... that we have the possibility of reaching our goal without waging war. That is the goal I am seeking. I am totally ready to accept all the practical arrangements that the inspectors will suggest ...”

²⁴³ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁴⁴ Embassy of the Republic of France in the UK, *Interview given by M. Jacques Chirac to CNN and CBS, Paris 16.03.2003*.

706. Asked if he would be prepared to accept a 30- or 60-day deadline, President Chirac stated that the inspectors' advice must be accepted:

“We have given them a mission and we have a moral and political obligation to accept their advice or else explain why we are not following it. But if we don't follow their advice, then only the Security Council can decide not to.”

707. President Chirac added that it was in that spirit that France, Germany and Russia, “supported today by China”, had proposed a Ministerial meeting of the Security Council to discuss the inspectors' proposed work programme.

708. President Chirac accepted that US and British military pressure had achieved a shift in Iraq's position, adding that he considered:

“... the Americans have already won ... without firing a shot... we should be thankful to them for exercising that effective pressure. But that doesn't mean that we have to wage war if it isn't necessary. And today, I don't think it's necessary.”

709. Asked if it would have sent a stronger signal if France had also sent troops, President Chirac replied that “from the very beginning” France felt that the process of resolution 1441 “didn't embrace the possibility of war”. That was why France was “refusing today, and I mean today, the prospect of war”. If the strategy (of inspections) failed, France would “refuse no solution, including war”.

710. Asked if his repeated vow to veto had strengthened and emboldened Saddam Hussein, President Chirac replied:

“I don't think so at all and, in any case, it isn't a relevant problem today ... there isn't a majority on the Security Council for war ...”

711. Asked if he believed Iraq had chemical or biological weapons, President Chirac replied: “I don't know ... we have no proof”, but that was the task for the inspectors.

712. Asked in conclusion again why France hadn't sent troops to exert pressure on Saddam Hussein, President Chirac replied that the US on its own was “exerting all the pressure”; the British were “just making an additional contribution”. He wanted to “limit the risks of war as far as possible”. He was “not a pacifist”, but “simply saying that war is the last resort when everything else has been done. And we are not in that situation.”

713. Mr Campbell wrote that Mr Blair said: “It was clear now ... that the French did not intend to move.”²⁴⁵

714. Mr Campbell also wrote that the briefing to the press on the aircraft on the way back from the Azores made “clear that the French had to come back and say whether there were any circumstances at all in which they might support military action”.

²⁴⁵ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

The end of activity on the second resolution

715. Sir Jeremy Greenstock reported that he had agreed with his US and Spanish colleagues to tell the press “late the following morning” that there was no prospect of putting the resolution to a vote, and blaming France.

716. After the Azores Summit, Sir David Manning spoke to Sir Jeremy Greenstock to ask him to phone his Security Council colleagues that evening to establish whether there had been any change in their positions on the draft resolution.²⁴⁶

717. Sir Jeremy Greenstock subsequently reported that the UK Mission in New York had spoken to all Security Council colleagues with the message that:

“... there was now a short time left to consider whether the Council could agree at last on an ultimatum to Saddam which, if he did not fulfil it, would result in serious consequences. If their respective governments were in a position to engage in such a discussion, I would need to hear it as early as possible on 17 March. When asked (as the majority did), I said that I had no (no) instructions as to whether to put the text ... to a vote ...”²⁴⁷

718. Sir Jeremy commented that the French and Russians did not like the message. Mr de La Sablière had claimed that the French had moved significantly over the last two days as President Chirac’s interview would show. The “undecided 6” were “only slightly more positive”.

719. Sir Jeremy also reported that he had agreed with his American and Spanish counterparts to tell the press during the “late morning” of 17 March that there was “no prospect of putting our resolution to the vote, casting heavy blame on the French”. The key elements of the statement should be:

- “(a) the Azores Summit had called for a last effort to see if the Council could unite around an ultimatum;
- (b) having contacted every member it was clear that Council consensus was not possible within the terms of 1441, given the determination of one country in particular to block any ultimatum;
- (c) we would therefore not be pursuing a vote;
- (d) the Azores communiqué had made clear the positions of our governments on the way forward.”

720. Sir Jeremy informed Mr Annan and Dr Blix that he would be receiving final instructions “eg on whether to stop pursuing the resolution on the morning [Eastern Standard Time] of 17 March”.

²⁴⁶ Letter Manning to McDonald, 16 March 2014, ‘Iraq: Summit Meeting in the Azores: 16 March’.

²⁴⁷ [Telegram 452 UKMIS New York to FCO London, 17 March 2003, ‘Iraq: Developments on 16 March’.](#)

721. Sir Jeremy asked for instructions and comments on a draft statement, writing: “I have assumed you will want to be fairly strong on the French.”

722. Mr Campbell wrote that a meeting on 17 March between Mr Blair, Mr Prescott, Mr Brown, Mr Straw, Dr Reid and Ms Armstrong had:

“... agreed Greenstock would put down the SCR at 10.15 New York time, that we would say at the 11[am briefing for the media] there would be a Cabinet at 4, Jack’s statement later and also that the Attorney General would publish his view that there was a solid legal base for action. Jack would go through the motions of chatting to his opposite numbers but basically the game was up.”²⁴⁸

723. Mr Straw spoke to Secretary Powell at lunchtime to brief him on the timetable for Sir Jeremy Greenstock’s announcement of the end of the diplomatic route, Cabinet and his Parliamentary Statement.²⁴⁹ Mr Straw also informed Secretary Powell that Lord Goldsmith had issued legal advice to the effect that a second resolution was not necessary for military operations.

MR BLAIR’S CONVERSATION WITH PRESIDENT BUSH, 17 MARCH 2003

724. Mr Blair discussed his efforts to rally political support in the UK with President Bush at 12.45pm on 17 March.²⁵⁰ The publication of the Road Map and the public airing of the UN role post-conflict had had a positive effect. They also discussed the positions of Dr Blix and other members of the Security Council.

725. Mr Blair commented that: “It should not be forgotten how many times Saddam had given the UN supposed full and final declarations of his WMD.” Keeping the UN “in play” was “a high priority with British opinion”.

RUSSIA’S POSITION

726. Sir Roderic Lyne reported that President Putin had stated earlier that day that “a possible war in Iraq is a mistake fraught with the gravest consequences, which may result in casualties and destabilise the international system in general”.²⁵¹

727. Mr Straw telephoned Mr Ivanov at lunchtime to confirm that he was anxious that the UK and Russia should maintain good relations despite “current difficulties” and his hope that:

“... even if military action appeared necessary, the UK and US could still make good use of the UN, especially on post-conflict reconstruction and relief.”²⁵²

²⁴⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

²⁴⁹ Note McDonald, 18 March 2003, ‘Iraq: Conversation with US Secretary of State, 17 March’.

²⁵⁰ Letter Cannon to McDonald, 17 March 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 17 March’.

²⁵¹ [Telegram 87 Moscow to FCO London, 17 March 2003, ‘Russia/Iraq’](#).

²⁵² Telegram 48 FCO London to Moscow, 17 March 2003, ‘Iraq: Foreign Secretary’s Conversation with Russian Foreign Minister, 17 March’.

728. The FCO reported that Mr Ivanov had stated that Russia wanted to continue working under the aegis of the Security Council. The Council should discuss Dr Blix's report, which constituted a real action plan for Iraq's disarmament, in its meeting on 19 March. He would attend that meeting. The Azores meeting represented the views of only three states; it could not replace a Security Council meeting. No single country had the right to stop the work of the weapons inspectors, whose authority came from the UN. Recalling an assurance from Mr Blair to President Putin before the adoption of resolution 1441 that it did not imply the automatic use of force, Mr Ivanov stated that Russia's main condition remained that the Security Council should vote on any resolution sanctioning military action.

SIR JEREMY GREENSTOCK'S ANNOUNCEMENT, 17 MARCH 2003

729. At "about 3.15pm UK time" on 17 March, Sir Jeremy Greenstock announced that the resolution would not be put to a vote, stating that the co-sponsors reserved the right to take their own steps to secure the disarmament of Iraq.

730. At "about 3.15pm UK time",²⁵³ Sir Jeremy Greenstock made a statement announcing that the UK, the US and Spain, as co-sponsors of the draft resolution, would not be pursuing a vote on it.²⁵⁴

731. Sir Jeremy stated:

"... we have worked very hard in the last few days in a final effort to seek a Council consensus on Iraq. In an effort to reunite the Council the United Kingdom proposed last week an ultimatum which would challenge Iraq to take a strategic decision to disarm.

"There were three key elements to the compromise we proposed ...

"Having held further discussions with Council Members over the weekend and in the last few hours, we have had to conclude that Council consensus will not be possible ... One country in particular has underlined its intention to veto any ultimatum 'no matter what the circumstances'. That country rejected our proposed compromise before even the Iraqi government itself and has put forward suggestions that would row back on the unanimous agreement of the Council in 1441 – those suggestions would amount to no ultimatum/no pressure/and no disarmament.

"The communiqués and press statements that issued at the Azores Summit explain the positions of our governments ... The co-sponsors reserve their right to take their own steps to secure the disarmament of Iraq."

²⁵³ House of Commons, *Official Report*, 17 March 2003, column 703.

²⁵⁴ [Telegram 465 UKMIS New York to FCO London, 18 March 2003, 'Iraq: Resolution: Statement'](#).

732. The subsequent discussion in the Council suggested that only the UK, the US and Spain took the view that all options other than the use of military force had been exhausted.

733. Sir Jeremy reported that he had “highlighted the particular role played by France – without naming her – in making agreement impossible”. Mr de La Sablière had said shortly afterwards that the French position reflected the majority view in the Council.

734. In the subsequent Council meeting, which Sir Jeremy Green stock described as a “downbeat and rather surreal affair”, France Germany and Russia continued to push for an open Council meeting at Ministerial level to consider and approve the work programme for the inspectors.²⁵⁵

735. Mr Lavrov said the statement by France, Russia and Germany on 15 March spoke for itself: “Inspections were actively under way and yielding results.” He wanted to hear more from Dr Blix about recent steps by Iraq “on substance”. The Council should meet at Ministerial level on 18 or 19 March to consider the work programme. Russia “took a different approach based on the concrete facts that disarmament was working”.

736. Sir Jeremy reported that he had “regretted that it was not possible to find a way forward on an ultimatum that would both put pressure on Iraq to take the strategic decision to disarm and maintain inspections as the tool”; and stated that the UK:

“... reserved the right to take steps that would deliver disarmament. While the prospects for peace were very slim, it was still possible even at this late hour for Saddam to take a strategic decision and the actions that would prove such a decision. In the circumstances, our national advice to UNMOVIC/IAEA and UN staff was that it would be prudent to suspend inspections and for staff to withdraw immediately ... we remained interested in the 1284 work programme against the background of the slim possibility of a strategic decision by Iraq.”

737. Sir Jeremy reported that Ambassador Negroponte told the Council that, given the threat of a veto, there had been no purpose in pursuing the resolution any further. The US had warned UNMOVIC and the IAEA the previous evening that it would be necessary to evacuate their personnel: “War was not imminent but it would not be possible to give further notice.”

738. Mr de La Sablière was reported to have told the Council that:

“At a time when inspections were making progress and peaceful disarmament in a limited time seems possible his delegation had indeed made clear that it would oppose a resolution authorising force. But it was not a veto when the co-sponsors did not have a majority – it was a straight no. The situation was serious but we

²⁵⁵ [Telegram 464 UKMIS New York to FCO London, 18 March 2003, ‘Iraq: Resolution’](#).

should continue to work for even the slightest likelihood of a peaceful outcome ... the Council should consider and approve the work programme and key tasks ... It was up to the inspectors to set the timetable ... if they said a month was necessary, France could live with that. In accordance with 1441 the Council would then evaluate the situation. Automaticity was difficult for the French, as for the majority, as it allowed for the use of force without a Council decision. We should continue to work for peaceful disarmament – the basis supported by the majority of the delegations and of the world.”

739. Sir Jeremy also reported:

- Germany wanted the work programme to be discussed and approved: “As there was not much difference between the UK proposal and the key tasks, it could, even at this late hour, lead to consensus.”
- Spain had “concurred” with Sir Jeremy’s intervention.
- Syria had argued that there was another course which would have led to peaceful disarmament and supported the Russian position.
- China stated that if “withdrawing the resolution signalled a push for war, this was very regrettable. Avoiding war was in the interest of all sides.”
- Chile “continued to believe that inspections and the persistent threat of force could have achieved peaceful disarmament”. It had made a proposal “along the lines in the UK compromise and designed to bridge the gap between the different parties”, but it had been “rejected within half an hour”.
- Mexico stated that there was “no justification or implicit authorisation for the use of force”.
- Bulgaria was “open to any initiative that might restore unity”.
- Angola stated that it had “always believed that all alternatives should be exhausted before war. Unfortunately, this now appeared to be the case.” If the proposed ministerial meeting “was just one more meeting we should let things calm down first. If it could help to find a way forward, even at this late hour, that was another matter.”
- Cameroon appealed for dialogue, stating that the “failure to agree was a disservice to multilateralism and the Council”. The draft Presidential statement from the “undecided six” would have been “a platform for compromise”.
- Guinea “hoped for a miracle”.
- Pakistan said that members should “continue to explore all possible approaches for a unified Council. The Council should accept the work programme and continue to appeal for a positive response from Iraq, even at this late stage.”

740. In the light of misunderstandings in the Council, Sir Jeremy explained that the co-sponsors:

“... were not withdrawing the resolution but, instead, not putting it to a vote. The key to any chance for diplomacy lay in our being convinced that Iraq would co-operate within the terms of 1441. The Council had failed to find that key and unlock the possibility of further inspections. On the authorisation for force ... I would be circulating the view our Attorney General had given earlier that day.”

741. Dr Blix told the Council that the UNMOVIC draft programme identifying key tasks would be available that afternoon, and that with a pro-active attitude it would take Iraq “months” to complete.

742. Sir Jeremy Greenstock reported that Dr Blix had told the Council that:

- UNMOVIC’s draft work programme would be available that afternoon. It identified 12 key tasks. With a pro-active Iraqi attitude, all disarmament tasks would take months to complete.
- The UK had set out a smaller group of tasks and UNMOVIC would accept a time set down by the Council and then report for it to judge compliance. Some issues would take little time with Iraqi co-operation (eg interviews, missile destruction and UAVs). But others – anthrax and mobile labs – were more difficult: it would not take long to present materials if they existed, but it could take longer to prove their non-existence.
- While there had been pro-active Iraqi co-operation in recent days (including further efforts to convince UNMOVIC that anthrax/VX had been destroyed and footage of mobile sites), Dr Blix could not offer conclusions until he had a view from his experts.
- It was not clear whether the pro-active Iraqi co-operation covered all areas.²⁵⁶

743. Mr Annan announced the withdrawal of the inspectors.

744. Mr Annan told the Security Council that, following the US call to evacuate personnel, he had decided to withdraw:

- all UN humanitarian personnel from Iraq, which could lead to the suspension of the Oil-for-Food programme;
- UNMOVIC and IAEA inspectors; and
- troops and personnel in the UN Iraq-Kuwait Observation Mission (UNIKOM).²⁵⁷

745. Sir Jeremy commented that delegations would be waiting for President Bush’s speech, but the “danger of blow-back in the Security Council and General Assembly”

²⁵⁶ [Telegram 464 UKMIS New York to FCO London, 18 March 2003, ‘Iraq: Resolution’.](#)

²⁵⁷ [Telegram 464 UKMIS New York to FCO London, 18 March 2003, ‘Iraq: Resolution’.](#)

remained. He suggested that “it would be helpful to neutralise work programme arguments – e.g. by pointing to a post-conflict UNMOVIC/IAEA disarmament role”.

746. In a press conference after the meeting, Mr Annan announced that he was withdrawing staff from Iraq following a warning from the US authorities the previous day “that it would be prudent not to leave our staff in the region”.²⁵⁸ Mr Annan also announced that several UN mandates, such as the Oil-for-Food programme, would be suspended, but the UN would “find a way of resuming our humanitarian activities” and to do “whatever we can to give them [the Iraqi population] assistance and support”. Regardless of how the issue was resolved, the Security Council would have a role to play in post-conflict Iraq.

747. Mr Annan stated:

“I have made it very clear that in my judgement if the Council were to be able to manage this process successfully and most of [sic] the collective will to handle this operation, its own reputation and credibility would have been enhanced. And I have also said if the action is to take place without the support of the Council, its legitimacy will be questioned and the support for it will be diminished.”

748. In response to questions, Mr Annan stated that war was “always a catastrophe” and would lead to “major human tragedy”:

“... nobody wanted that and this was why we had hoped that the Iraqi leadership would have co-operated fully and would have been able to do this [disarm] without resort to the use of force. But the little window that we seem to have seems to be closing very, very fast. I am not sure at this stage the Council can do anything in the next couple of hours.”

749. Sir Jeremy Greenstock’s proposal to cast “heavy blame on the French” for the failure to reach agreement and his draft statement to the Security Council on 17 March were sent to No.10 and the FCO for clearance.

750. The terms of Sir Jeremy’s statement about the position of France were almost unchanged from the draft text he had sent to London earlier that day asking for instructions and comments.²⁵⁹

751. Sir Jeremy subsequently told the Inquiry that, in making his statement to the Security Council on 17 March, casting blame on France, he “was acting under instructions”.²⁶⁰ The “basic telegram” drafting his statement had gone “backwards and forwards [between London and New York]”, but he had spoken to Mr Straw by telephone on 16 March.

²⁵⁸ United Nations, 17 March 2003, *Press Encounter with the Secretary-General at the Security Council Stakeout (unofficial transcript)*.

²⁵⁹ [Telegram 453 UKMIS New York to FCO London, 17 March 2003, ‘Elements of Statement on Iraq’](#).

²⁶⁰ Private hearing, 26 May 2010, pages 37-38.

752. Having been notified of this point, Mr Straw told the Inquiry that he had:

“... had the record checked. No-one can find any telegram of instructions to New York to say ‘Blame the French’. None exist.”²⁶¹

753. Mr Straw added that he spoke frequently to Sir Jeremy on the telephone but Sir Jeremy did not “need instructions”.²⁶² President Chirac’s intervention spoke “for itself”; he had been “absolutely categorically saying” that, “the position of France this evening is that we will vote no”. President Chirac’s statement had undermined the UK’s efforts.

MR IVANOV’S STATEMENT, 17 MARCH 2003

754. A statement issued on 17 March by Mr Ivanov said that:

- Russia had “firmly adhered” to an agreement made in a telephone call between President Putin and President Bush on 6 September 2002, to “jointly seek the unconditional return of inspectors to Iraq in accordance with UN Security Council resolutions mandating Iraq’s disarmament”.
- Russia had taken “a step towards Washington” by helping to pass resolution 1441 unanimously, and sought Iraq’s “full co-operation and the meeting of all demands” made by UNMOVIC and the IAEA.
- Russia’s position, which was “shared by most members of the Security Council and by other states, allowed the establishment of a reliable mechanism of inspections that would be able to disarm Iraq”; and: “Because of this pressure from the international community, disarmament is under way”.
- In that context, “the idea of an imminent war against Iraq does not appear to be valid”. It would involve “serious risks to all nations”. “In speaking out for a political solution”, Russia was “striving not only to overcome this particular crisis [Iraq] but also to push for continued joint efforts to solve other international problems that are no less acute”.
- The relationship between Russia and the US was “marked by growing mutual trust and the spirit of co-operation”; including “an open and honest dialogue over the most complex issues”. If Russia believed “that war against Iraq” would “lead to harsh consequences”, it should “talk about it openly” with its partners in Washington. Eliminating the threat of Iraq’s weapons of mass destruction by working with the US and other countries “and using political means” would be “true partnership”.
- “The value of partners and allies” was “not that they automatically agree with one another but that they search together for solutions to solve problems in

²⁶¹ Public hearing, 8 February 2010, page 95.

²⁶² Public hearing, 2 February 2011, pages 95-96.

common interests”. Striving for a political solution on Iraq was “in the best interests” of Russia, the US and the rest of the world.²⁶³

755. Separately, Sir Roderic Lyne reported that Mr Ivanov’s statement was:

“... claiming that Iraq ‘no longer presents a threat to international peace and security’ and that ‘under these conditions, the use of force against Iraq, particularly with references to the previous UNSC resolutions has absolutely no grounds, including legal’.”²⁶⁴

756. Mr Ivanov had stressed that resolution 1441 gave “no one the right to an automatic use of force” and said that Russia wanted to ensure that the Security Council retained control of the situation.

IMPACT OF THE US MILITARY TIMETABLE

757. The US decision on the timing of military action determined the time available for diplomatic negotiations.

758. As the evidence in this and preceding Sections of the Report shows, the timetable available for diplomatic negotiations on the second resolution was determined by President Bush’s decisions on the timing of military action.

759. Sir Jeremy Greenstock identified President Bush’s decision on the timing of military preparations as the main factor leading to the end of the attempt to secure a second resolution.²⁶⁵

760. Sir Christopher Meyer, the British Ambassador to Washington from 1997 to February 2003, told the Inquiry that “when you looked at the timetable for the inspections, it was impossible to see how Blix could bring the inspection process to a conclusion for better or for worse by March”.²⁶⁶

761. Sir Christopher added that had the effect of turning resolution 1441, which had been a challenge to Saddam Hussein, “on its head”. The military timetable meant that the UK found itself “scrabbling for the smoking gun” to prove that Saddam Hussein was guilty.

762. Mr Jonathan Powell told the Inquiry that, from January 2003, the UK had repeatedly asked for, and been given, more time by President Bush; but by mid-March “he wasn’t going to give us more time”.²⁶⁷

²⁶³ Ministry of Foreign Affairs of the Russian Federation, 17 March 2003, *A Russian Resolve for Peace and Partnership by Igor Ivanov*.

²⁶⁴ [Telegram 89 Moscow to FCO London, 18 March 2003, ‘Iraq: Russian Reactions’](#).

²⁶⁵ Public hearing, 27 November 2009, pages 76-79.

²⁶⁶ Public hearing, 26 November 2009, page 52.

²⁶⁷ Public hearing, 18 January 2010, page 82.

763. Asked whether it was the need for the Armed Forces to move which set the deadline, Mr Powell replied: “Yes”.²⁶⁸

764. Asked whether the approaches from France following President Chirac’s remarks had made clear that it was not closed to the idea of continuing the inspections negotiation and, if this led to a particular result, voting for a resolution further down the track, Sir Jeremy Greenstock replied:

“Yes, that’s probably true. But we knew by 10 March, because we had been talking with the Americans all along about how much time we had for the benchmarks, that we didn’t have time for that sort of escape route from what Chirac said.”²⁶⁹

765. Asked about Mr Annan’s report on 12 March that President Chirac was not closed to compromise, Sir Jeremy stated: “The Americans were closed to compromise.”

766. Sir John Holmes told the Inquiry that the dialogue with France about a second resolution had continued after President Chirac’s statement:

“... but ... it was becoming increasingly clear that this was a game without meaning at that point, because the military timetable was so close to fruition ...”²⁷⁰

767. If the matter had been left to the Security Council to decide, military action might have been postponed.

768. In his statement for the Inquiry, Sir Jeremy Greenstock said that, “[I]t would have been in our interests to give the inspectors more time to find a smoking gun”, and that the second resolution might have taken on a different shape or character on a different timing.²⁷¹

769. Sir Jeremy thought it was “more than a 50 per cent chance that, if we had waited until October, the inspectors would not have found a satisfactory solution and that military force might well have been used at that point, the difference being the legitimacy involved in giving the inspectors the greater time”.

770. Sir David Manning told the Inquiry that he believed “letting the inspections run longer ... would have been a useful thing to do”. He:

“... regretted that this process ended when it did, but ... by this stage, the United States was convinced these provisions were not working and it was also convinced that a second resolution was impossible because of the political backdrop, not

²⁶⁸ Public hearing, 18 January 2010, page 98.

²⁶⁹ Private hearing, 26 May 2010, page 35.

²⁷⁰ Public hearing, 29 June 2010, page 50.

²⁷¹ Statement, November 2009, page 15.

least the suggestion that the French made that they would not approve any second resolution, so I think you get into a situation where there is impatience in Washington with the process and a determination to bring it to an end.”²⁷²

771. Asked whether the suggestion by France and others to extend the period of inspections was “for real” or “purely tactical to hold off the invasion”, Sir David responded:

“I don’t know that I can be sure ... there was an element of tactics and I think it is important to recall how bad political relationships were at the top among different governments at this time.

“One of the difficulties I felt ... was the lack of communication between those who were on different sides of the argument and I think there was undoubtedly a tactical perception ...

“I am not sure it was entirely tactical ...”²⁷³

772. Sir David Manning subsequently told the Inquiry:

“It became clear in January and February that it was very, very tough. This is a period when relationships between leaders become very strained, and to a certain extent just break down, to be honest.

“The French sort of go into overdrive against the idea of the second resolution in February. The Americans tell us, well, we will get you the second resolution, we know the Prime Minister needs one, and are, I think, considerably surprised when they find actually they can’t deliver a second resolution.

“And I think the degree to which emotion and anger are affecting the argument at the very top of Government during this period is very considerable.

“So it looked pretty bleak, to be honest. On the other hand, it seemed to me tempers might cool. It would have been dramatically changed, the whole tempo of the crisis, if Hans Blix had had a serious find, and initially it didn’t look impossible.”²⁷⁴

773. Sir David added:

“... if over a series of months we didn’t find anything, then the mood would have changed anyway, and whether we needed to get a second resolution or rethink the whole crisis, at least you had a shot at that.”

²⁷² Public hearing, 30 November 2009, page 81.

²⁷³ Public hearing, 30 November 2009, page 82.

²⁷⁴ Private hearing, 24 June 2010, pages 83-84.

774. Asked if France would have been prepared to vote for a resolution authorising force if the process had been pursued to the point where Dr Blix might have reported that the process was exhausted, Mr Blair replied that in his judgement:

“... it was very, very clear ... the French, the Germans and the Russians had decided they weren’t going to be in favour of this and there was a straightforward division ... I don’t think it would have mattered how much time we had taken, they weren’t going to agree that force should be used.”²⁷⁵

775. Mr Blair added that, if the inspectors had uncovered something “absolutely dramatic”, that “might have made a difference” to France’s position, but “there was by then a political divide on this, of a pretty fundamental nature”.

776. Mr Blair told the Inquiry:

“We never misrepresented the French view. The French view was perfectly clear. It wasn’t that they were against any second resolution. They would perfectly happily have agreed a second resolution provided it meant a third resolution and they would have agreed a third resolution provided it meant a fourth one.

“What they were not prepared to do in any set of circumstances, never mind ce soir, was that they were not prepared to agree to a resolution with an ultimatum.”²⁷⁶

777. Mr Blair added that the UK was “caught” in a situation where the US was “quite rightly” saying that what France was “prepared to agree” was “basically a rerun of 1441 except possibly weaker”; and that was “useless”.

778. Mr Blair stated that President Chirac’s view was that inspections were working and that was the route to deal with Saddam Hussein; “we should not deal with him by force, whatever the circumstances”. President Chirac’s “point was not time”, “His point was if it has an ultimatum in it, I don’t want it.”²⁷⁷ Mr Blair added: “Anything with an ultimatum, they were going to veto.”

The decision to take military action

779. On the morning of Monday 17 March, preparations for Cabinet later that day and Parliamentary debates the following day were put in place.

780. Mr Straw wrote to Parliamentary colleagues drawing their attention to the documents being published, the statements issued at the Azores Summit the previous day, and an FCO paper assessing Iraq’s progress in meeting the provisions of resolution 1441.

²⁷⁵ Public hearing, 29 January 2010, pages 125-126.

²⁷⁶ Public hearing, 21 January 2011, page 100.

²⁷⁷ Public hearing, 21 January 2011, pages 100-101.

781. Lord Goldsmith replied on the morning of Monday 17 March to a Written Question tabled by Baroness Ramsey of Cartvale (Labour):

“To ask Her Majesty’s Government what is the Attorney General’s view of the legal basis for the use of force against Iraq.”²⁷⁸

782. Mr Straw sent a copy of Lord Goldsmith’s Written Answer to Mr Donald Anderson, Chairman of the Foreign Affairs Committee (FAC), on the morning of 17 March, together with an FCO paper giving “the legal background in more detail”.²⁷⁹

783. Lord Goldsmith’s Written Answer and Mr Straw’s letter to the Chairman of the FAC, with a copy of Lord Goldsmith’s Answer and a FCO paper which addressed the legal background, are addressed in Section 5.

784. To supplement the Command Paper of UN documents published in February (Cm 5769), Mr Straw published a further Command Paper (Cm 5785) with UN documents from early March.²⁸⁰

785. That comprised:

- Dr Blix and Dr ElBaradei’s statements to the Security Council on 7 March;
- Mr Straw’s statement to the Security Council on 7 March;
- UNMOVIC’s 12th quarterly report to the Security Council: and
- UNMOVIC’s working document of “unresolved disarmament issues”, the “clusters” document of 6 March 2003.

786. Mr Straw wrote to all Parliamentary colleagues with a copy of the FCO paper of 15 March on Iraq’s non-compliance (considered earlier in this Section), a copy of his letter to the Chairman of the FAC, and copies of the statements made at the Azores Summit the previous day.²⁸¹

787. Mr Straw wrote that the FCO paper, ‘Iraqi Non-Compliance with UNSCR 1441’, stated that Iraq had “failed to comply fully with 14 previous UN resolutions related to WMD” and assessed Iraq’s “progress in complying with relevant provisions of UNSCR 1441 with illustrative examples”.

²⁷⁸ House of Lords, *Official Report*, 17 March 2003, column 2WA.

²⁷⁹ [Letter Straw to Anderson, 17 March 2003, ‘Iraq: Legal Position Concerning the Use of Force’ attaching PQ and Paper FCO, 17 March 2003, ‘Iraq: Legal Basis for the Use of Force’.](#)

²⁸⁰ Foreign and Commonwealth Office, 17 March 2003, *Iraq – UN Documents of early March 2003*, Cm 5785.

²⁸¹ [Letter Straw to Parliamentary colleagues, 17 March 2003.](#)

THE MILITARY PLAN

788. A letter from Mr Hoon’s Private Office to Sir David Manning on 17 March confirmed that the military plan took full account of the risks and problems identified by the JIC Note of 13 March, ‘Saddam’s Plan for Baghdad’.²⁸²

789. The MOD’s objectives and plans for the military campaign, and the JIC’s assessments of Iraq’s capabilities and intent, and are addressed in Sections 6.2 and 8.

MR SCARLETT’S ADVICE, 17 MARCH 2003

790. In response to a request from Sir David Manning, Mr Scarlett provided advice on “the strength of evidence showing Saddam’s possession of WMD”.²⁸³

791. In relation to Iraq’s chemical and biological weapons capability, Mr Scarlett concluded that the JIC view was clear: Iraq possessed chemical and biological weapons, the means to deliver them, and the capacity to produce them.

792. Mr Scarlett attributed the failure to find any significant evidence of chemical and biological weapons to Iraq’s ability to conceal its activities and deceive the inspectors.

793. Mr Scarlett’s advice is addressed in more detail in Section 4.3.

794. A draft of the document held by the MOD, also dated 17 March 2003, shows Sir David Omand, Cabinet Office Permanent Secretary and Security and Intelligence Co-ordinator, Sir Richard Dearlove, Chief of the Secret Intelligence Service (SIS), Sir Francis Richards, Director, Government Communications Headquarters (GCHQ) and senior officials in the MOD, the FCO and the Cabinet Office as copy recipients.²⁸⁴

795. The Government was unable to find any evidence that the final version of Mr Scarlett’s minute to Sir David Manning was sent to anyone outside No.10.²⁸⁵

Cabinet, 17 March 2003

796. A specially convened Cabinet at 1600 on 17 March 2003 endorsed the decision to give Saddam Hussein an ultimatum to leave Iraq and to ask the House of Commons to endorse the use of military action against Iraq to enforce compliance, if necessary.

797. Mr Blair told his colleagues that he had called the Cabinet because “an impasse” had been reached at the UN.²⁸⁶

²⁸² [Letter Watkins to Manning, 17 March 2003, ‘JIC Paper: ‘Saddam’s Plan for Baghdad’.](#)

²⁸³ [Minute Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’.](#)

²⁸⁴ Minute [unsigned draft] Scarlett to Manning, 17 March 2003, ‘Iraqi WMD: Evidence of Possession’.

²⁸⁵ Letter Cabinet Office to Iraq Inquiry, 19 March 2014, ‘Declassification’.

²⁸⁶ [Cabinet Conclusions, 17 March 2003.](#)

798. The Government had tried its “utmost”, and had “tabled a draft ... resolution, amended it, and then been prepared to apply tests against which Iraq’s co-operation ... could be judged”. Although the UK had been “gathering increasing support from members of the Security Council”, the French statement “that they would veto a resolution in all circumstances had made it impossible to achieve a new ... resolution”. France, with Russia in support, “were not prepared to accept” that if Saddam Hussein “did not comply with the United Nations obligations, military action should follow”. The UK was in a situation it had “striven to avoid”: “There would be no second resolution and military action was likely to be necessary ... to enforce compliance by Saddam Hussein with Iraq’s obligations.”

799. Mr Blair stated that the US “had now undertaken to produce a ‘Road Map’ for the Middle East Peace Process, once the new Palestinian Prime Minister’s appointment had been confirmed”. That would “open the way to a full and final settlement within three years”. The US “had also confirmed” that it “would seek a UN mandate for the post-conflict reconstruction of Iraq”, and: “Oil revenues would be administered under the UN’s authority.”

800. Mr Blair stated:

“A lot of work was needed to repair the strains which had arisen internationally over the past few weeks. He regretted that the international community had sent mixed messages to Saddam Hussein, whose regime could have been disarmed peacefully if confronted by international solidarity. The blockage we had encountered in the United Nations impeded any progress.”

801. Mr Straw said that Mr Blair:

“... had persuaded President Bush ... to go down the United Nations route in order to achieve the maximum authority for the disarmament of Iraq, but the diplomatic process was now at an end.”

802. Mr Straw added:

“Progress had been made towards forging a consensus before the French and Russians had indicated their intention to veto any Security Council resolution proposed which indicated that military action would follow Saddam Hussein’s failure to comply. His assessment was that President Chirac of France had decided to open up a strategic divide between France and the United Kingdom; the row in Brussels in late 2002 had been manufactured. Effectively, one member of the Security Council had torpedoed the whole process.”

803. Mr Straw concluded:

“... the one chance now remaining to Saddam Hussein was to seek exile. If that course failed, the Government would seek the support of the House of Commons

for military action against Iraq. There would be a substantive motion in a debate now scheduled for Tuesday [18 March].”

804. Lord Goldsmith told Cabinet that he had answered a Parliamentary Question in the House of Lords that day “on the authority for the use of force against Iraq”; and that Mr Straw had also sent a document “on the legal basis” to the FAC.

805. The minutes record that Lord Goldsmith informed Cabinet that:

“Authority existed from the combined effect of United Nations Security Council resolutions 678, 687 and 1441, all of which were adopted under Chapter VII of the United Nations Charter. The latter allowed the use of force for the express purpose of restoring international peace and security ... resolution 1441 determined that Iraq had been and remained in material breach of ... resolution 687 and gave Iraq a final opportunity to comply with its disarmament obligations, warning of serious consequences if it did not do so. It was plain that Iraq had failed so to comply and therefore continued to be in material breach. The authority to use force under ... resolution 678 was revived as a result ... [R]esolution 1441 did not contain a requirement for a further ... resolution to authorise the use of force.”

806. The points made during discussion included:

- the attitude of France “had undermined the mechanism of the United Nations to enforce the will of the international community”;
- with the removal of a tyrant and the new initiative on the MEPP, “a different Middle East was in prospect”;
- “after the strenuous efforts to find a diplomatic solution”, the Government “had enhanced its credibility by the integrity and consistency of its position on Iraq”;
- the Government’s supporters “needed a comprehensive statement to explain the position”: a second resolution “had been politically desirable but not legally essential”;
- “it was important to focus on Saddam’s failure to comply, and to avoid the impression that the failure to gain a further ... resolution was the issue”;
- within the UK the views of all citizens had to be respected and a dialogue with the Muslim community maintained, “while setting out clearly the case for military action in the current circumstances”;
- failure to disarm Iraq “risked sending a message of encouragement to dictators and countries illegally holding weapons of mass destruction”;
- in conducting military operations, it would be important to show “we wished to protect civilians, seek the surrender of Iraqi conscripts, and protect religious and cultural sites”;
- the Government’s commitment to the UN was to make “its writ run” and to encourage its members to work within that framework;

- the “stalemate” in the UN “should prompt a new look at the international security architecture whose modernisation needed to be addressed”;
- as occupation forces would be “restricted” in the action they could take, there was a legal necessity for a UN mandate for the reconstruction of Iraq;
- the “real test of the Government’s credibility” would be the extent to which the MEPP was driven forward “and the manner in which the Iraqi people were cared for after the conflict”; and
- the Government “was motivated by a world view which promoted justice, good governance and pluralism and this set it apart from other governments of the industrialised world”.

807. Mr Prescott stated that Mr Blair:

“... had played a major role in upholding the credibility of the United Nations. French intransigence had thwarted success in taking the United Nations process to its logical conclusion. Nevertheless, the use of force against Iraq was authorised by existing ... resolutions.”

808. Mr Blair concluded that:

“... the diplomatic process was now at an end. Saddam Hussein would be given an ultimatum to leave Iraq; and the House of Commons would be asked to endorse the use of military action against Iraq to enforce compliance, if necessary.”

809. Cabinet: “Took note.”

810. Mr Cook’s decision to resign from the Government was announced during Cabinet, which he did not attend.²⁸⁷

811. Cabinet was provided with the text of Lord Goldsmith’s Written Answer to Baroness Ramsey setting out the legal basis for military action.

812. That document represented a statement of the Government’s legal position – it did not explain the legal basis of the conclusion that Iraq had failed to take “the final opportunity” to comply with its disarmament obligations offered by resolution 1441.

813. Cabinet was not provided with written advice which set out, as Lord Goldsmith’s advice of 7 March had done, the conflicting arguments regarding the legal effect of resolution 1441 and whether, in particular, it authorised military action without a further resolution of the Security Council.

²⁸⁷ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

814. Cabinet was not provided with, or informed of, Mr Brummell's letter to Mr Rycroft of 14 March; or Mr Rycroft's response of 15 March. Cabinet was not told how Mr Blair had reached the view recorded in Mr Rycroft's letter.

815. The consideration of the legal basis for military action and the evidence from those present on the discussion of the legal issues in Cabinet is addressed in Section 5.

816. The majority of Cabinet members who gave evidence to the Inquiry took the position that the role of the Attorney General on 17 March was, simply, to tell Cabinet whether or not there was a legal basis for military action.

817. None of those Ministers who had read Lord Goldsmith's 7 March advice asked for an explanation as to why his legal view of resolution 1441 had changed.

818. There was little appetite to question Lord Goldsmith about his advice, and no substantive discussion of the legal issues was recorded.

819. Cabinet was, however, being asked to confirm the decision that the diplomatic process was at an end and that the House of Commons should be asked to endorse the use of military action to enforce Iraq's compliance. Given the gravity of this decision, Cabinet should have been made aware of the legal uncertainties.

820. Lord Goldsmith should have been asked to provide written advice which fully reflected the position on 17 March, explained the legal basis on which the UK could take military action, and set out the risks of legal challenge.

821. Mr Blair and Mr Straw continued to attribute the primary responsibility for the failure to secure support in the Security Council to France's statements that it would veto a resolution setting an ultimatum for Iraq to demonstrate that it was co-operating as required by resolution 1441.

822. As the evidence in this Section shows, the Security Council was deeply divided and China, France and Russia, and others, took the view that options other than the use of military force had not yet been exhausted.

823. Mr Campbell wrote in his diaries that Mr Blair had told Cabinet that "an impasse was an impasse" and that the "French block" was "not conditional but absolute".²⁸⁸

824. In his memoir, Mr Blair wrote:

"Apart from Clare Short, the Cabinet were supportive. All my most loyal people weighed in. As ever on these occasions, John Prescott was a rock. Derry Irvine [Lord Irvine of Lairg, the Lord Chancellor] came in with a very helpful intervention

²⁸⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

saying that if France had not threatened to veto any resolution authorising action, we could probably have got a second resolution and the problem was that we had tried so hard to get a second resolution that people assumed, wrongly, that we needed one legally.”²⁸⁹

825. In his memoir, Mr Prescott wrote that:

“Apart from Clare and Robin, everyone understood and accepted what was happening. Although we all had worries, we tended to go along with the feeling that we were stuck with Bush. Tony couldn’t walk away. We were blaming the French, for backing out of supporting an invasion, but we knew the Americans would go in whatever happened, so the French didn’t really matter.

“Our relationship with the US had always been fundamental. All British prime ministers have to decide whether we’re with the US or not. And Tony had decided we were. Most of us agreed with that, deep down. During the run-up to the invasion, we all had our own reservations, and we were genuinely trying to delay an actual invasion, and go the UN route, if not stop it altogether, for as long as possible. But once it was inevitable we felt that was it.

“My attitude was that Tony, having made up his mind, should be supported. I took one of the Cabinet meetings on Iraq and got quite carried away, saying it was vital to stick together. We should do the brave thing, not be cowards.”²⁹⁰

826. Lord Boateng, Chief Secretary to the Treasury from 2002 to 2005, told the Inquiry that he had been “governed by a desire” that he sensed was shared with colleagues that “military action should be a last resort” and that it was not until Cabinet on 17 March:

“... when it was clear that all other options had been exhausted and where we had the benefit of legal opinion ... that I formed the firm view that it was now inevitable.”²⁹¹

Statements to Parliament, 17 March 2003

MR STRAW’S STATEMENT, 17 MARCH 2003

827. In his Statement to the House of Commons that evening, Mr Straw said the Government had reluctantly concluded that France’s actions had put a consensus in the Security Council on a further resolution “beyond reach”.

828. As a result of Saddam Hussein’s persistent refusal to meet the UN’s demands, Cabinet had decided to ask the House of Commons to support the UK’s participation in military action should that be necessary to achieve the

²⁸⁹ Blair T. *A Journey*. Hutchinson, 2010.

²⁹⁰ Prescott J. *Docks to Downing Street: My Story*. Headline Review, 2009.

²⁹¹ Public hearing, 14 July 2010, page 9.

disarmament of Iraq “and thereby the maintenance of the authority of the United Nations”.

829. Mr Straw stated that Lord Goldsmith’s Written Answer “set out the legal basis for the use of force”.

830. Mr Straw drew attention to the significance of the fact that no one “in discussions in the Security Council and outside” had claimed that Iraq was in full compliance with its obligations.

831. Mr Straw made a statement to the House of Commons at 8.24pm.²⁹²

832. Referring to the statement issued at the Azores Summit calling on all members of the Security Council to adopt a resolution challenging Saddam Hussein to take a strategic decision to disarm, Mr Straw told the House of Commons:

“Such a resolution has never been needed legally, but we have long had a preference for it politically.”

833. Mr Straw stated that there had been “intense diplomatic activity to secure that end over many months, culminating in the last 24 hours”. Despite “final efforts” by Sir Jeremy Greenstock the previous evening and his own conversations with his “Spanish, American, Russian and Chinese counterparts that morning”, the Government had:

“... reluctantly concluded that a Security Council consensus on a new resolution would not be possible. On my instructions, Sir Jeremy Greenstock made a public announcement to that effect at the United Nations at about 3.15pm UK time today.”

834. Mr Straw continued that, since the adoption of resolution 1441 in November 2002, he, Mr Blair and Sir Jeremy Greenstock had “strained every nerve” in search of a consensus “which could finally persuade Iraq by peaceful means, to provide the full and immediate co-operation demanded by the Security Council”.

835. Mr Straw stated that it was significant that “in all the discussions in the Security Council and outside” no-one had claimed that Iraq was “in full compliance with the obligations placed on it”; and:

“Given that, it was my belief, up to about a week ago, that we were close to achieving a consensus that we sought on the further resolution. Sadly, one country then ensured that the Security Council could not act. President Chirac’s unequivocal announcement last Monday that France would veto a second resolution containing that or any ultimatum ‘whatever the circumstances’ inevitably created a sense of paralysis in our negotiations. I deeply regret that France has thereby put a Security Council consensus beyond reach.”

²⁹² House of Commons, *Official Report*, 17 March 2003, columns 703-705.

836. Mr Straw told the House of Commons that the proposals submitted by France, Germany and Russia for “more time and more inspections” sought to “rewrite” resolution 1441. They “would have allowed Saddam to continue stringing out inspections indefinitely, and he would rightly have drawn the lesson that the Security Council was simply not prepared to enforce the ultimatum ... at the heart of resolution 1441”.

837. Mr Straw pointed out that “in the event of non-compliance” Iraq should, as OP13 of resolution 1441 spelled out, expect “serious consequences”. Mr Straw stated:

“As a result of Saddam Hussein’s persistent refusal to meet the UN’s demands, and the inability of the Security Council to adopt a further resolution, the Cabinet has decided to ask the House to support the United Kingdom’s participation in military operations, should they be necessary, with the objective of ensuring the disarmament of Iraq’s weapons of mass destruction, and thereby the maintenance of the authority of the United Nations.”

838. Mr Straw confirmed that Parliament “would have an opportunity to debate our involvement in military action prior to hostilities” the following day; and that the debate would be on a substantive motion “proposed by the Prime Minister and Cabinet colleagues”. He also drew the attention of the House to Lord Goldsmith’s Written Answer, which “set out the legal basis for the use of force against Iraq” and the documents provided earlier that day.

839. Mr Straw concluded:

“Some say that Iraq can be disarmed without an ultimatum, without the threat or the use of force, but simply by more time and more inspections. That approach is defied by all our experience over 12 weary years. It cannot produce the disarmament of Iraq; it cannot rid the world of the danger of the Iraq regime. It can only bring comfort to tyrants and emasculate the authority of the United Nations ...”

840. Mr Ancram responded that diplomacy was “at an end” and there was the “grim prospect of war ... because Saddam Hussein has contemptuously failed to take the final opportunity ... offered him”. There had been “a chance that a clear, unequivocal and united voice from the international community might ... have persuaded him to disarm or to go. France put paid to that. I hope that in Paris they will reflect tonight on what they have achieved.”²⁹³

841. Mr Ancram stated: “Saddam Hussein, in possession of weapons of mass destruction, is a threat to international peace and security... including ourselves. That is why we believe that action to disarm him can no longer be delayed.”

²⁹³ House of Commons, *Official Report*, 17 March 2003, columns 705-706.

842. Mr Ancram concluded:

“Our thoughts tonight must be with our Armed Forces ... they have our unqualified support. We will offer the Government our support in the decisions that must now be made. We will do so because they have reached the same conclusions as us on the threat posed by Saddam Hussein and the legality of taking action. We believe they are acting in the national interest and as long as that is the case we will continue to support them. Her Majesty’s Opposition will do what in our hearts we know for our country to be right.”

843. In response to a question from Mr Moore about the implications of taking action without the backing of the Security Council and allowing inspections to continue, Mr Straw agreed that it would have been better to achieve a consensus in the UN. He also stated that France and Russia had agreed the process in resolution 1441:

“... if Iraq was in further material breach, which it has been for weeks, setting out further discussions in the Security Council, which have already taken place; and ... if Iraq failed to comply, serious consequences would follow.”²⁹⁴

844. The provisions required by resolution 1441 were examined in depth by Lord Goldsmith in his advice of 7 March, which is addressed in Section 5.

845. Asked about his statement to the House of Commons on 17 March that it was his “belief, up to about a week ago, that we were close to achieving a consensus that we sought on the further resolution”, Mr Straw told the Inquiry:

“My point ... was accurate. I didn’t say we had a consensus. I said we were close to it.”²⁹⁵

846. Mr Straw’s statement was repeated in the House of Lords by Baroness Symons of Vernham Dean, the joint FCO/Department of Trade and Industry (DTI) Minister for Trade and Investment.²⁹⁶

847. In reply to the points made in response to her statement, Baroness Symons made a number of comments, including:

“... I believe that the legality of the position is indeed settled. I do not think we have ever had such a clear statement from the Attorney General at a juncture like this.”²⁹⁷

848. Subsequently, Baroness Symons stated that the Government “had gone further than any Government” to put the “advice” into the public arena, and that Lord Goldsmith had “given a clear statement of his opinion”.²⁹⁸

²⁹⁴ House of Commons, *Official Report*, 17 March 2003, column 708.

²⁹⁵ Public hearing, 8 February 2010, page 96.

²⁹⁶ House of Lords, *Official Report*, 17 March 2003, columns 97-98.

²⁹⁷ House of Lords, *Official Report*, 17 March 2003, column 101.

²⁹⁸ House of Lords, *Official Report*, 17 March 2003, column 102.

849. Baroness Symons' statement took place during a debate on the legality of the use of armed force. In closing the debate, Baroness Symons again stated that Lord Goldsmith had published his "advice".²⁹⁹

850. As Section 5 explains, the Written Answer was not Lord Goldsmith's advice or his legal opinion.

851. Other points raised during the debate on the legality of the use of armed force are set out in the Box below.

House of Lords debate on the legality of the use of armed force, 17 March 2003

The House of Lords debated the legality of the use of armed force on the evening of 17 March.

Opening the debate, Lord Goodhart (Liberal Democrat) set out his view of the legality of the use of force in Iraq without the specific authority of a further resolution of the Security Council. Commenting on the summary of Lord Goldsmith's legal advice to the Government he stated:

"... we should have liked to see much more detail of what must have been a lengthy opinion ... All we have seen is the baldly stated summary. We also regret that the ... Attorney General has not given us the opportunity to ask questions and to hear his answers.

"The Attorney General's opinion reaches a highly questionable conclusion, which is based on a dubious interpretation of deliberately ambiguous wording.

...

"Both the United States and British Ambassadors to the United Nations when resolution 1441 was adopted said that it contained no automaticity. I believe that there was a clear understanding that resolution 1441 did not confer a right of action without referring back to the Security Council. Unless there had been such an understanding, it would have been difficult if not impossible to get resolution 1441 through the Security Council.

"A final decision on the use of armed force requires judgement as to the seriousness of the breaches by Iraq, the effectiveness of the inspection system and whether the breaches could be corrected by means short of war. Those are difficult decisions. The Attorney General is arguing that the Security Council has delegated those decisions to the United Kingdom and the United States of America – in effect, to the US alone. I do not believe that that is the kind of decision that the Security Council could, or would, delegate to any one member, however powerful. A decision to use armed force under Article 42 in full scale war is the most solemn decision that the Security Council can ever take. The idea that vague and ambiguous words in those

²⁹⁹ House of Lords, *Official Report*, 17 March 2003, column 1117.

resolutions can be read as implying a delegation to the United States, with or without the United Kingdom, to take these decisions verges on the absurd.”³⁰⁰

A range of views was expressed by speakers during the ensuing debate.

Lord Mayhew (Conservative) described the United Nations as “a relatively new jurisdiction”.³⁰¹ The world was far from having “an article or precedent” for every situation it faced. As a result, there would often be arguments “which it would take years to litigate in any international court to an authoritative conclusion”. He concluded that UN member states “must sometimes have the courage to act when the law may not be explicitly cut and dried and to bear the heavy duty themselves for doing what they conscientiously believe to be necessary and lawful.”

Lord Mayhew stated that, because the cease-fire established under resolution 687 was conditional, it had left resolution 678 undischarged: “in force, but ... placed in abeyance or suspension provided Iraq fulfilled its obligations and continued to fulfil the conditions”. Because Iraq had never complied with those conditions, resolution 678 was no longer in abeyance, but available. Those who refused to agree a further resolution were entitled to make that choice, but it could not have the effect of a veto on the operation of resolution 678.

Lord Hannay, a former UK Permanent Representative to the United Nations, stated that resolution 1441 had not, on its own, provided authority for the use of force in the event of non-compliance because it had not needed to.³⁰² The authority already existed in resolution 687. That there had been Iraqi non-compliance since resolution 687 was “surely not seriously in doubt”. That there had been some limited compliance was not the point. Unfortunately, the Security Council had “fallen prey to divided counsels”. The purpose of the draft second resolution had been political, not legal: “to draw a line under the phase on non-compliance with Security Council resolution 1441 and to signal that serious consequences were now imminent.”

Lord Hannay concluded that military action by the UK, the US and other allies:

“... does not herald either a new doctrine bypassing the system laid down in the UN Charter, nor the flouting of international law. In fact, it is far less daring than was the decision by NATO to use force against Yugoslavia in the case of Kosovo ...”

Lord Howell (Conservative) stated that the question of legality “ought to have been settled long before we reached the point at which the troops are going into action”.³⁰³ There was “no doubt” that the case for intervention had been “poorly put forward”, adding greatly to tensions.

Lord Lloyd of Berwick, a former Law Lord, stated that he found it “impossible as presently advised” to accept the argument offered by Lord Goldsmith in his Written Answer to Baroness Ramsey.³⁰⁴

³⁰⁰ House of Lords, *Official Report*, 17 March 2003, columns 69-71.

³⁰¹ House of Lords, *Official Report*, 17 March 2003, columns 74-76.

³⁰² House of Lords, *Official Report*, 17 March 2003, columns 80-83.

³⁰³ House of Lords, *Official Report*, 17 March 2003, column 99.

³⁰⁴ House of Lords, *Official Report*, 17 March 2003, column 108.

Responding to points raised during the debate, Baroness Symons set out the Government's position, including by reference to previous occasions since 1991 when force had been used in Iraq.³⁰⁵ She stated that resolution 1441:

“... provided for any failure by Iraq to be ‘considered’ by the Security Council under paragraph 12. That consideration has taken place regularly since the adoption of resolution 1441. It is plain from UNMOVIC statements ... that Iraq has not complied, as required, with its disarmament obligations. Whatever other differences there may be on the Security Council, no member of the Council has questioned that conclusion. It follows that Iraq has not taken the final opportunity offered and remains in material breach ...”

MR COOK'S RESIGNATION STATEMENT, 17 MARCH 2003

852. In a statement later that evening, Mr Cook set out his doubts about the degree to which Saddam Hussein posed a “clear and present danger” and his concerns that the UK was being “pushed too quickly into conflict” by the US without the support of the UN and in the face of hostility from many of the UK's traditional allies.

853. Mr Cook set out the reasons why he could not “support a war without international agreement or domestic support” and why, in order to vote against military action in the House of Commons the following day, he had resigned from the Government.³⁰⁶

854. Mr Cook applauded the “heroic efforts” of Mr Blair and those of Mr Straw in seeking to secure a second resolution, but pointed out:

“... the very intensity of those attempts underlines how important it was to succeed. Now that those attempts have failed, we cannot pretend that getting a second resolution was of no importance.

“France has been at the receiving end of bucket-loads of commentary in recent days. It is not France alone that wants more time for inspections ... We delude ourselves if we think that the degree of international hostility is all the result of President Chirac. The reality is that Britain is being asked to embark on a war without agreement in any of the international bodies of which we are a leading partner ...

“To end up in such diplomatic weakness is a serious reverse. Only a year ago, we and the United States were part of a coalition against terrorism that was wider and more diverse than I would ever have imagined possible. History will be astonished at the diplomatic miscalculations that led so quickly to the disintegration of that powerful coalition. The US can afford to go it alone ... Our interests are best protected not by

³⁰⁵ House of Lords, *Official Report*, 17 March 2003, columns 117-121.

³⁰⁶ House of Commons, *Official Report*, 17 March 2003, columns 726-728.

unilateral action but by multilateral agreement and a world governed by rules. Yet tonight the international partnerships most important to us are weakened ... Those are heavy casualties in a war in which a shot has yet to be fired.”

855. Dismissing any parallels with the action in Kosovo in 1999, where there had been multilateral support and the need to respond to an urgent and compelling humanitarian crisis, Mr Cook stated:

“Our difficulty in getting support this time is that neither the international community nor the British public is persuaded that there is an urgent and compelling reason for this military action in Iraq.

“The threshold for war should always be high. None of us can predict the death toll of civilians ...”

856. Mr Cook continued:

“Nor is it fair to accuse those of us who want longer for inspections of not having an alternative strategy ... Over the past decade that strategy [of containment] had destroyed more weapons than in the Gulf War, dismantled Iraq’s nuclear weapons programme and halted Saddam’s medium and long range missile programmes.”

Iraq’s military strength was now less than half its size in 1991; and, “Ironically” it was “only because Iraq’s military forces” were “so weak that we can even contemplate its invasion”.

857. Mr Cook questioned the threat posed by Iraq:

“Iraq probably has no weapons of mass destruction in the commonly understood sense of the term – namely a credible device capable of being delivered against a strategic city target. It probably ... has biological toxins and battlefield chemical munitions, but it has had them since the 1980s when US companies sold Saddam anthrax agents and the then British government approved chemical and munitions factories. Why is it now so urgent that we should take military action to disarm a military capacity that has been there for twenty years, and which we helped to create? Why is it necessary to resort to war this week, while Saddam’s ambition to complete his weapons programme is blocked by the presence of UN inspectors?”

858. Drawing attention to the lack of action in the face of Israel’s refusal to comply with resolution 242 (1967) demanding its withdrawal from the Occupied Territories, Mr Cook warned of the “strong sense of injustice throughout the Muslim world” as a result of the perception that there was “one rule for the allies of the US and another rule for the rest”. He added:

“Nor is our credibility helped by the appearance that our partners in Washington are less interested in disarmament than they are in regime change in Iraq. That

explains why any evidence that inspections may be showing progress is greeted in Washington not with satisfaction but with consternation: it reduces the case for war.”

859. Mr Cook concluded that the British people:

“... do not doubt that Saddam is a brutal dictator, but they are not persuaded that he is a clear and present danger to Britain. They want inspections to be given a chance, and they suspect that they are being pushed too quickly into conflict by a US Administration with an agenda of its own. Above all they are uneasy at Britain going out on a limb on a military adventure without a broader international coalition and against the hostility of many of our traditional allies.”

860. Mr Cook’s account of his view of the September dossier and the briefing he was given in February 2003 by Mr Scarlett are addressed in Sections 4.2 and 4.3 respectively.

Ms Short’s letter, 18 March 2003

Ms Short sent a letter to colleagues in the Parliamentary Labour Party the following morning, explaining her reasons for deciding to support the Government.³⁰⁷ She wrote that there had been “a number of important developments over the last week”, including:

“Firstly, the Attorney General has made clear that military action would be legal under international law. Other lawyers have expressed contrary opinions. But for the UK Government, the civil service and the military, it is the view of the Attorney General that matters and this is unequivocal.”

President Bush’s ultimatum to Saddam Hussein, 17 March 2003

861. President Bush issued an ultimatum giving Saddam Hussein 48 hours to leave Iraq.

862. The British Embassy Washington reported that the US media had:

“... recognised the Azores outcome as the beginning of the end game, and declared the diplomatic process dead even before we announced the end in the Security Council ... Both the *Washington Post* and the *New York Times* referred to the US and its allies ‘going through the motions’.”³⁰⁸

863. The Embassy wrote that US commentators were:

“... already apportioning blame for the Administration’s failure to muster international support ...

“The longer-term fallout from almost six months of activity at the UN would probably only be clear once the war is over. But the media has already gone into analysis

³⁰⁷ Short C. *An Honourable Deception: New Labour, Iraq and the Misuse of Power*. The Free Press, 2004.

³⁰⁸ Telegram 354 Washington to FCO London, 18 March 2003, ‘US/Iraq: Update’.

mode. One of the larger issues is whether US/UN relations. Powell said today that the UN would survive, but was equally clear that the UNSC had failed a crucial test ... the Administration hawks who cautioned Bush against the UN route last summer are sourcing stories making their opposition at that time clear.”

864. The Embassy also reported that US public support for war had risen to its highest level since November 2001, “though support would drop to 47 percent without a second resolution”. Mr Blair’s role had “won fulsome praise from some unexpected quarters”.

865. Secretary Powell announced in his morning press conference on 17 March that President Bush would issue an ultimatum during his address to the nation that evening calling for Saddam and his cohorts to leave Iraq.³⁰⁹

866. In an “Address to the Nation” at 8pm Eastern Standard Time on 17 March, President Bush stated that “the final days of decision” had been reached and issued an ultimatum giving Saddam Hussein and his sons 48 hours to leave Iraq.³¹⁰

867. President Bush stated that the world had “engaged in 12 years of diplomacy” and “sent hundreds of weapons inspectors to oversee the disarmament of Iraq” but:

“Our good faith has not been returned.

“The Iraqi regime has used diplomacy as a ploy to gain time and advantage ... Peaceful efforts to disarm the Iraqi regime have failed ... because we are not dealing with peaceful men.

“Intelligence gathered by this and other governments leaves no doubt that the Iraqi regime continues to possess and conceal some of the most lethal weapons ever devised ...

“The regime has a history of reckless aggression ... It has a deep hatred of America and our friends. And it has aided, trained and harbored terrorists, including operatives of Al Qaida.

“The danger is clear: using chemical, biological or, one day, nuclear weapons, obtained with the help of Iraq, the terrorists could fulfill their stated ambitions and kill hundreds of thousands of innocent people ...

“... Before the day of horror can come, before it is too late to act, this danger will be removed.

“The United States of America has the sovereign authority to use force in assuring its own national security. That duty falls to me ...

³⁰⁹ Telegram 354 Washington to FCO London, 18 March 2003, ‘US/Iraq: Update’.

³¹⁰ The White House, 17 March 2003, *President says Saddam Hussein must leave within 48 hours*.

“Recognizing the threat to our country, the United States Congress voted overwhelmingly last year to support the use of force against Iraq. America tried to work with the United Nations to address this threat because we wanted to resolve this issue peacefully. We believe in the mission of the United Nations. One reason the UN was founded ... was to confront aggressive dictators, actively and early ...

“In the case of Iraq, the Security Council did act, in the early 1990s. Under resolutions 678 and 687 – both still in effect – the United States and our allies are authorized to use force in ridding Iraq of weapons of mass destruction. This is not a question of authority, it is a question of will.”

868. President Bush continued that he had “urged the nations of the world to unite and bring an end to this danger” and the Security Council had unanimously passed resolution 1441. But:

“... no nation could possibly claim that Iraq has disarmed. And it will not disarm as long as Saddam holds power as required ... some permanent members of the Security Council have publicly announced that they will veto any resolution that compels the disarmament of Iraq. These governments share our assessment of the danger, but not our resolve to meet it. Many nations ... do have the resolve and fortitude to act against this threat to peace ... The United Nations Security Council has not lived up to its responsibilities, so we will rise to ours.”

869. Issuing the ultimatum, President Bush stated:

“In recent days, some governments in the Middle East have been doing their part. They have delivered public and private messages urging the dictator to leave Iraq, so that disarmament can proceed peacefully. He has thus far refused. All the decades of deceit and cruelty have now reached an end. Saddam Hussein and his sons must leave Iraq within 48 hours. Their refusal to do so will result in military conflict ...”

870. In a message to Iraqis, President Bush stated:

“If we must begin a military campaign, it will be directed against the lawless men who rule your country and not against you ... The day of your liberation is near.

“... It is not too late for the Iraqi military to act with honor and protect your country by permitting the peaceful entry of Coalition forces to eliminate weapons of mass destruction ...”

871. President Bush explicitly warned all Iraqis against destroying oil wells or using weapons of mass destruction: “War crimes will be prosecuted. War criminals will be punished.”

872. President Bush acknowledged that military action could expose the US and its allies to an increased possibility of attack and that additional security measures had been put in place. He concluded:

“We are now acting because the risk of inaction would be greater ... Saddam Hussein and his terrorist allies could choose the moment of deadly conflict when they are strongest. We choose to meet that threat now ...

“... a policy of appeasement could bring destruction of a kind never before seen on this earth.

“... responding to such enemies only after they have struck first is not self-defense, it is suicide. The security of the world requires disarming Saddam Hussein now.

“As we enforce the just demands of the world, we will also honor the deepest commitments of our country. Unlike Saddam Hussein, we believe the Iraqi people are deserving and capable of human liberty. And when the dictator has departed, they can set an example to all the Middle East of a vital and peaceful and self-governing nation.

“The United States, with other countries, will work to advance liberty and peace in that region. Our goal will not be achieved overnight, but it can come over time. The power and appeal of human liberty is felt in every life and every land. And the greatest power of freedom is to overcome hatred and violence and turn ... to the pursuits of peace.

“That is the future we choose. Free nations have a duty to defend our people by uniting against the violent. And tonight, as we have done before, America and our allies accept that responsibility.”

873. The British Embassy Washington reported that President Bush “looked nervous but the message was uncompromising. Only a complete climb down by Saddam can now prevent war.”³¹¹

874. A later telegram reported that a White House spokesman had “amplified” the President’s statement and said that, if Saddam Hussein were to comply with the deadline and go into exile, US troops would still enter Iraq in order to pursue and disarm WMD; and that he hoped the international community would consider prosecuting Saddam Hussein for war crimes even in the case of exile.³¹²

875. The Embassy also reported that “some 66 percent of Americans told Gallup that they supported Bush’s intention to attack if Saddam did not leave within 48 hours”; and that “around 68 percent ... agreed that the US had done everything possible to solve the

³¹¹ Telegram 355 Washington to FCO London, 18 March 2003, ‘Iraq: US Ultimatum’.

³¹² Telegram 359 Washington to FCO London, 19 March 2003, ‘US/Iraq: Update, 18 March’.

crisis diplomatically”. A “vocal minority, including the Democratic ... leadership” did not support President Bush.

876. Separately, the Embassy reported that President Bush had decided to publish the names of nine Iraqis who were regarded as either war criminals or having decisive command and control responsibilities.³¹³

877. Mr Naji Sabri, the Iraqi Foreign Minister, rejected the US ultimatum.³¹⁴

878. On the morning of 17 March, Mr Campbell had written to Mr Bartlett setting out the planned timetable for announcements, and commenting that: “By tonight, things will be pretty febrile.”³¹⁵

879. Mr Campbell predicted that the debate in Parliament the following day would be difficult: “the rebellion looks bigger than last time”. He warned Mr Bartlett of the potential that:

“If our MPs wake up to ‘Bush tells Saddam: go into exile or face war’ we’ll hold most of our people. If they wake up to ‘Bush: we’re at war’ with the ultimatum drowned out, with no mention of humanitarian, or MEPP etc, we’ll be in trouble. It’ll be hard for the President to win people back for us, but he could push some of our wobblers over the edge.”

880. Mr Blair wrote in his memoir that the ultimatum had the UK’s “changes all taken on board”, and that it was “balanced not bellicose”, “strongly supportive of the Iraqi people”; “And, critically for me, it played up the Middle East Peace Process.”³¹⁶

Events of 18 March 2003

AUSTRALIA COMMITS TROOPS

881. In response to a formal request from President Bush, “shortly after 0600 local time”, for Australia to participate in any military intervention in Iraq should Saddam Hussein not respond to the ultimatum and an “immediate” meeting of the Australian Cabinet, Mr Howard announced that a decision had been taken to commit Australian troops, and that:

“... the Government strongly believed the decision taken was right, it was legal, it was directed towards the protection of the Australian national interest.”³¹⁷

882. Mr Howard also stated that the Iraq issue was one of morality and not just legality. He agreed to table immediately in Parliament the text of the legal advice to the

³¹³ Telegram 353 Washington to FCO London, 18 March 2003, ‘Iraq: Top Crooks’.

³¹⁴ *BBC News*, 17 March 2003, *Iraq crisis hour-by-hour: 16-17 March*.

³¹⁵ Letter Campbell to Bartlett, 17 March 2003, [untitled].

³¹⁶ Blair T. *A Journey*. Hutchinson, 2010.

³¹⁷ [Telegram 34 Canberra to FCO London, 18 March 2003, ‘Iraq: Australia Commits’](#).

Australian Government which he said was consistent with the advice given to the British Government by Lord Goldsmith.

PRESIDENT CHIRAC'S STATEMENT

883. President Chirac maintained his position that the UN route had not been exhausted and the Security Council should explicitly authorise the use of force. The US was taking unilateral action against the will of the international community.

884. Sir John Holmes reported on 17 March that France was taking UK “criticism on the chin for the moment”, and was saying that it would be ready to help in the post-conflict period, “but the greater the UN role, the easier it will be for them”.³¹⁸ Senior advisers to Mr de Villepin and Mr Jean-Pierre Raffarin, the French Prime Minister, understood the UK position but had “made clear that they regretted nothing, and believed that they had acted perfectly consistently throughout”. Mr de Villepin’s “clear view was that France should not stoop to respond to our criticism, but the Elysée were less calm”.

885. Sir John concluded:

“The French shifted a little as we approached the wire. Villepin’s acceptance of our six tests when he spoke to you [Straw] ... was particularly interesting, given his previous sharp public rejection. But all this was far too little, far too late: positioning rather than a genuine effort at agreement. The French know they are now cast as scapegoats but, at least for the time being, seem to be determined to maintain a dignified silence, on the assumption that once war begins we will all have an interest in coming together at the UN to handle the aftermath.”

886. The Elysée issued a statement early on 18 March stating that the US ultimatum was a unilateral decision going against the will of the international community who wanted to pursue Iraqi disarmament in accordance with resolution 1441.³¹⁹ It stated:

“... only the Security Council is authorised to legitimise the use of force. France appeals to the responsibility of all to see that international legality is respected. To disregard the legitimacy of the UN, to favour force over the law, would be to take on a heavy responsibility.”

887. President Chirac issued a recorded speech later that morning which reiterated that statement and made a number of other comments, including:

“France’s action has been inspired by the primacy of international law ...

“... France considers the use of force is a last resort when all other options have been exhausted. France’s stance is shared by the great majority of the international community.

³¹⁸ Telegram 132 Paris to FCO London, 17 March 2003, ‘France: Iraq’.

³¹⁹ Telegram 135 Paris to FCO London, 18 March 2003, ‘Iraq: Chirac’s Reaction to Ultimatum’.

“The latest discussions clearly showed that the Security Council was not disposed in the current circumstances to sanction a rush to war.

“The United States has just given Iraq an ultimatum. Whether it is a question ... of the necessary disarming of Iraq or the desirable change of regime in that country, there is no justification here for a unilateral decision to resort to war.

“However events develop in the near future, this ultimatum calls into question the notion we have of international relations. It commits the future of a people, the future of a region, and the stability of the world.

“It is a grave decision at a time when the disarmament of Iraq is under way and the inspections have proved they were a credible alternative for disarming that country.

“It is also a decision which compromises – for the future – the methods of peacefully resolving crises linked to the proliferation of weapons of mass destruction. Iraq does not today represent an immediate threat such as to justify an immediate war.”³²⁰

888. Sir John Holmes commented that President Chirac’s statement continued to emphasise France’s position “as on the side of the majority”, but that his description of regime change as “desirable” might be “significant”.³²¹ President Chirac “could have been more categorical on the legal authority and used the language of condemnation”. Sir John concluded that President Chirac had “kept his options open for co-operation over the day after”.

889. Reporting after the start of the conflict, Sir John Holmes offered the view that President Chirac had consistently disagreed with UK policy on Iraq on sanctions and military action.³²² French policy had been driven by his personal convictions. President Chirac had never believed that Saddam Hussein was “really a danger to us” and France had disagreed with UK policy on sanctions and military action. France had:

“... only ever agreed with great reluctance to each step to ratchet up the pressure on Saddam while accepting that only our military pressure had made him [Saddam] co-operate ... [T]hey believe they have been consistent and that their opposition to the use of force will in the end be vindicated.”

890. Sir John wrote that it was hard to be sure of the exact moment when France resolved to take on some of their closest allies and veto action if necessary. The “present hard line was inherent in the Franco-German position in late January” but Sir John’s view was that President Chirac had begun to see the attractions of a veto during February and his confidence in a Russian veto increased after Mr Ivanov’s visit to Paris on 5 March. The crucial element had been the realisation shortly after that

³²⁰ *BBC News*, 18 March 2003, *Chirac and Schroeder on US ultimatum*.

³²¹ Telegram 135 Paris to FCO London, 18 March 2003, ‘Iraq: Chirac’s Reaction to Ultimatum’.

³²² [Telegram 147 Paris to FCO London, 24 March 2003, ‘France/Iraq: How did Chirac Finish Up Where he did and What Does it Mean?’](#).

visit, “under pressure from the Chileans and Mexicans”, that there was little chance of persuading the “swing six” to abstain “unless France was ... ready to say she would veto”.

MR BLAIR’S CONVERSATION WITH PRESIDENT BUSH, 18 MARCH 2003

891. Mr Blair spoke to President Bush at 1830 on 18 March.³²³ Mr Blair said that he was starting to win the political argument in the UK; and that the opinion polls were moving in his favour. They agreed to keep in touch “on a daily basis” and considered meeting in Washington the following week. Mr Blair said that he was “keen to follow up in some detail some of the issues raised in the Azores”.

892. On 18 March, Sir David Manning wrote to Dr Rice, formally confirming the UK’s agreement to US use of Diego Garcia and RAF Fairford for “operations to enforce compliance by Iraq with the obligations on Weapons of Mass Destruction laid down in UNSCR 1441 and previous relevant resolutions”.³²⁴

CDS’ DIRECTIVE FOR MILITARY OPERATIONS

893. Adm Boyce’s Directive to Lieutenant General John Reith, the UK Commander Joint Operations for Operation TELIC, was issued at 2300 on 18 March. Operations would not begin before 1800 the following day.³²⁵

894. The military plan and arrangements for the command and control of the military operation are addressed in Sections 6.2 and 8.

Parliamentary approval for military action

DEBATE IN THE HOUSE OF COMMONS, 18 MARCH 2003

895. Debates on Iraq took place in both the House of Commons and the House of Lords on 18 March 2003.

896. The Government tabled a motion inviting the House of Commons to:

- note its decisions of 25 November 2002 and 26 February 2003;
- recognise that Iraq’s weapons of mass destruction and long-range missiles, and its continuing non-compliance with Security Council resolutions, pose a threat to international peace and security;
- note that in the 130 days since resolution 1441 was adopted Iraq had not co-operated actively, unconditionally and immediately with the weapons inspectors, and had rejected the final opportunity to comply and is in further

³²³ Letter Cannon to McDonald, 18 March 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 18 March’.

³²⁴ Letter Manning to Rice, 18 March 2003, [untitled].

³²⁵ Letter Watkins to Manning, 18 March 2003, ‘Iraq: Military operations’.

material breach of its obligations under successive mandatory UN Security Council resolutions;

- regret that despite a sustained diplomatic effort by Her Majesty's Government it had not proved possible to secure a second resolution in the UN because one Permanent Member of the Security Council made plain in public its intention to use its veto whatever the circumstances;
- note the opinion of the Attorney General that, Iraq having failed to comply and Iraq being at the time of resolution 1441 and continuing to be in material breach, the authority to use force under resolution 1441 has revived and so continued that day;
- believe that the United Kingdom must uphold the authority of the United Nations as set out in resolution 1441 and many resolutions preceding it, and therefore support the decision of Her Majesty's Government that the United Kingdom should use all means necessary to ensure the disarmament of Iraq's weapons of mass destruction;
- offer wholehearted support to the men and women of Her Majesty's Armed Forces on duty in the Middle East;
- in the event of military action require that, on an urgent basis, the United Kingdom should seek a new Security Council resolution that would affirm Iraq's territorial integrity, ensure rapid delivery of humanitarian relief, allow for the earliest possible lifting of UN sanctions, an international reconstruction programme, and the use of all oil revenues for the benefit of the Iraqi people and endorse an appropriate post-conflict administration for Iraq, leading to a representative government which upholds human rights and the rule of law for all Iraqis;
- welcome the imminent publication of the Quartet's Road Map as a significant step to bringing a just and lasting peace settlement between Israelis and Palestinians and for the wider Middle East region, and endorse the role of Her Majesty's Government in actively working for peace between Israel and Palestine."³²⁶

897. In his statement opening the debate, Mr Blair set out his position on the need for military action.³²⁷

898. Mr Blair told the House it faced a "tough choice" between standing down British troops and turning back, and holding firm to "the course we have set"; and that he believed "passionately" in the latter. That mattered because the outcome would not just determine the fate of the Iraqi regime and the Iraqi people, but would:

"... determine the way in which Britain and the world confront the central security threat of the 21st century, the development of the United Nations, the relationship

³²⁶ House of Commons, *Official Report*, 18 March 2003, column 760.

³²⁷ House of Commons, *Official Report*, 18 March 2003, columns 760-774.

between Europe and the United States, the relations within the European Union and the way in which the United States engages with the rest of the world. So it could hardly be more important. It will determine the pattern of international politics for the next generation.”

899. Mr Blair rehearsed the Government’s position on Iraq’s past pursuit and use of weapons of mass destruction; its failures to comply with the obligations imposed by the UN Security Council between 1991 and 1998; Iraq’s repeated declarations which proved to be false; and the “large quantities of weapons of mass destruction” which were “unaccounted for”. He described UNSCOM’s final report (in January 1999) as “a withering indictment of Saddam’s lies, deception and obstruction” in which “large quantities of weapons of mass destruction” were “unaccounted for”.

900. Addressing Saddam Hussein’s claims that Iraq had no weapons of mass destruction, Mr Blair stated that “after seven years of obstruction and non-compliance” before the inspectors left in 1998, “we are asked to believe” he had “voluntarily decided to do what he had consistently refused to do under coercion”. Mr Blair also stated:

“We are asked now seriously to accept that in the last few years – contrary to all history, contrary to all intelligence – Saddam decided unilaterally to destroy those weapons. I say that such a claim is palpably absurd.”

901. Resolution 1441 required “full, unconditional and immediate compliance”. The first step was a full and final declaration of all Iraq’s weapons of mass destruction. Mr Blair stated that he would not address the events that had taken place since the declaration “as the House is familiar with them”, but “all members” of the Security Council “accepted” that the Iraq declaration (of 7 December 2002) was false. That was:

“... in itself ... a material breach. Iraq has taken some steps in co-operation but no one disputes that it is not fully co-operating. Iraq continues to deny that it has any weapons of mass destruction, although no serious intelligence service anywhere in the world believes it.”

902. Mr Blair cited the UNMOVIC “clusters” document issued on 7 March as “a remarkable document”, detailing “all the unanswered questions about Iraq’s weapons of mass destruction”, listing “29 different areas in which the inspectors have been unable to obtain information”.

903. Describing the activity in the Security Council since 7 March, Mr Blair argued that, “had we meant what we said in resolution 1441”, the Security Council should have convened when UNMOVIC published the “clusters” document on 7 March, and “condemned Iraq as in material breach”. Saddam Hussein was “playing the same old games in the same old way”. There were “minor concessions”, but there had been “no fundamental change of heart or mind”.

904. Referring to the draft resolution tabled by the UK, US and France on 7 March, Mr Blair added:

“... we could have asked for the second resolution then and there, because it was justified. Instead, we laid down an ultimatum calling on Saddam to come into line with resolution 1441, or be in material breach.”

905. That was “not an unreasonable proposition, but still countries hesitated”, asking how full co-operation would be judged. The UK had “worked on a further compromise”, consulting the inspectors to draw up “five tests, based on” the “clusters” document. The inspectors had “added another test: that Saddam should publicly call on the Iraqis to co-operate with them”. Saddam would have been given a specified time to fulfil all six tests to show full co-operation. If he did so, “the inspectors could then set out a forward work programme that would extend over a period of time to make sure that disarmament happened”. If, however, Saddam had failed to meet the tests, “action would follow”.

906. Mr Blair told the House of Commons that:

“Last Monday [10 March], we were getting very close ... We very nearly had the majority agreement ...

“... there were debates about the length of the ultimatum, but the basic construct was gathering support. Then ... France said it would veto a second resolution whatever the circumstances. Then France denounced the six tests. Later that day, Iraq rejected them. Still we continued to negotiate ...

“Last Friday, France said it could not accept any resolution with an ultimatum in it. On Monday [17 March], we made final efforts to secure agreement. However, the fact is that France remains utterly opposed to anything which lays down an ultimatum authorising action in the event of non-compliance by Saddam.”

907. Mr Blair added:

“Those on the Security Council opposed to us say that they want Saddam to disarm but they will not countenance any new resolution which authorises force in the event of non-compliance. That is their position – no to any ultimatum and no to any resolution that stipulates that failure to comply will lead to military action. So we must demand that Saddam disarms, but relinquish any concept of a threat if he does not.”

908. Mr Blair stated that Saddam Hussein had allowed the inspectors into Iraq after four years of refusal because of:

“... the threat of force ... It is the imminence of force. The only persuasive power to which he responds is 250,000 allied troops on his doorstep. However when that fact is so obvious, we are told that any resolution that authorises force in the event of non-compliance will be vetoed – not just opposed, but vetoed and blocked.”

909. Mr Blair added:

“The tragedy is that had such a resolution ensued and had the UN come together and united – and if other troops had gone there, not just British and American troops – Saddam Hussein might have complied. But the moment we proposed the benchmarks and canvassed support for an ultimatum, there was immediate recourse to the language of the veto. The choice was not action now or a postponement of action; the choice was action or no action at all.”

910. Asked what he meant by an unreasonable veto, Mr Blair responded:

“In resolution 1441, we said that it was Saddam’s final opportunity and that he had to comply. That was agreed by all members of the Security Council. What is surely unreasonable is for a country to come forward now, at the very point when we might reach agreement and when we are – not unreasonably – saying that he must comply with the UN, after all these months ... on the basis of six tests or action will follow. For that country to say that it will veto such a resolution in all circumstances is what I would call unreasonable.”

911. Mr Blair stated:

“The tragedy is that the world has to learn the lesson all over again that weakness in the face of a threat from a tyrant is the surest way not to peace but ... to conflict ... we have been victims of our own desire to placate the implacable, to persuade towards reason the utterly unreasonable, and to hope that there was some genuine intent to do good in a regime whose mind is in fact evil.”

912. In response to a suggestion that the diplomatic process should be continued for a little longer, Mr Blair responded:

“We could have had more time if the compromise proposal that we put forward had been accepted ... unless the threat of action was made, it was unlikely that Saddam would meet the tests.

“... the problem with diplomacy was that it came to an end after the position of France was made public – and repeated in a private conversation – and it said it would block, by veto, any resolution that contained an ultimatum ... the French were not prepared to change their position. I am not prepared to carry on waiting and delaying, with our troops in place in difficult circumstances, when that country has made it clear it has a fixed position and will not change.”

913. Questioned whether it was he, not the French, Russians and Chinese, who had changed position and about his statement – that the only circumstances in which he would go to war without a second resolution was if the inspectors concluded that there had been no more progress, which they had not; if there were a majority on the Security

Council, which there was not; and if there was an unreasonable veto from one country, when three Permanent Members were opposed to his policy – Mr Blair replied:

“... resolution 1441 ... stated in terms ... that if Iraq continued in material breach, defined as not co-operating fully, immediately and unconditionally, serious consequences would follow. All we are asking for in the second resolution is the clear ultimatum that if Saddam continues to fail to co-operate, force would be used. The French position is that France will vote no, whatever the circumstances. Those are not my words, but those of the French President. I find it sad that at this point in time he cannot support us in the position we have set out, which is the only sure way to disarm Saddam.”

914. Addressing the conclusion which “any tyrannical regime” might take from the “world’s diplomatic dance with Saddam Hussein” over the previous 12 years, Mr Blair stated that such a conclusion would be:

“That our capacity to pass firm resolutions was only matched by our feebleness in implementing them. That is why this indulgence has to stop – because it is dangerous: dangerous if such regimes disbelieve us; dangerous if they think they can use our weakness ... and dangerous because one day they will mistake our innate revulsion against war for permanent incapacity, when in fact, if pushed to the limit, we will act. But when we act, after years of pretence, the action will have to be harder, bigger, more total in its impact. It is true that Iraq is not the only country with weapons of mass destruction, but ... to back away from this confrontation now, and future conflicts will be infinitely worse and more devastating in their effects.

“... any fair observer does not really dispute that Iraq is in breach of resolution 1441 or that it implies action in such circumstances. The real problem is that, underneath, people dispute that Iraq is a threat, dispute the link between terrorism and weapons of mass destruction, and dispute, in other words, the whole basis of our assertion that the two together constitute a fundamental assault on our way of life.”

915. Arguing that the time had come to act, Mr Blair set out why he believed, in the context of “an ever more interdependent” world where the threat was “chaos and disorder”, Iraq posed a threat that was “so serious and why we must tackle it”.

916. In his view, there were:

“... two begetters of chaos: tyrannical regimes with weapons of mass destruction and extreme terrorist groups who profess a perverted and false sense of Islam.”

917. Mr Blair set out his concerns about:

- proliferators of nuclear equipment or expertise;
- “dictatorships with highly repressive regimes” who were “desperately trying to acquire” chemical, biological or “particularly, nuclear weapons capability”; some

of those were “a short time away from having a serviceable nuclear weapon”, and that activity was increasing, not diminishing; and

- the possibility of terrorist groups obtaining and using weapons of mass destruction, including a “radiological bomb”.

918. Mr Blair stated that tyrannical regimes with weapons of mass destruction and terrorist groups had very different motives and different origins and he accepted “fully” that the association between the two was:

“... loose – but it is hardening. The possibility of the two coming together – of terrorist groups in possession of weapons of mass destruction or even of a so-called dirty radiological bomb – is now in my judgement, a real and present danger to Britain and its national security.”

919. Addressing the effects of chemical and biological agents, Mr Blair stated that Iraq was “not the only part of this threat”. But it was “the test of whether we treat the threat seriously”. Mr Blair added that, faced with the threat:

“... the world should unite. The UN should be the focus both of diplomacy and of action. That is what [resolution] 1441 said ... to break it now, and to will the ends but not the means, would do more damage in the long term to the UN than any other single course that we could pursue. To fall back into the lassitude of the last 12 years; to talk, to discuss, to debate but never to act; to declare our will but not to enforce it; and to continue with strong language but with weak intentions – that is the worst course imaginable. If we pursue that course, when the threat returns, from Iraq or elsewhere, who will then believe us? What price our credibility with the next tyrant?”

920. Mr Blair stated:

“... there will in any event be no sound future for the United Nations – no guarantee against the repetition of these events – unless we recognise the urgent need for a political agenda we can unite upon.

“What we have witnessed here is the consequence of Europe and the United States dividing from each other ... the paralysis of the UN has been born out of the division that there is.”

921. Mr Blair stated that there was a risk of the world being divided into rival poles of power “with the US and its allies in one corner and France, Germany, Russia and their allies in the other”. That would be “profoundly dangerous”. There was “resentment of US dominance” and “fear of US unilateralism”.

922. Reflecting the strategy he had adopted, Mr Blair stated that the way to deal with the US was “not rivalry, but partnership”. Europe should have said to the US in September 2002:

“We understand your strategic anxiety over terrorism and weapons of mass destruction and we will help you meet it. We will mean what we say in any resolution we pass and will back it with action if Saddam fails to disarm voluntarily.”

923. In return, Europe should have asked:

“... that the US should indeed choose the UN path and you [the US] should recognise the fundamental overriding importance of restarting the Middle East Peace Process, which we will hold you to.

“That would have been the right and responsible way for Europe and America to treat each other ... and it is a tragedy that it has not happened ...”

924. Mr Blair stated that “what happens after any conflict in Iraq” was of “critical significance”. There was a chance to unify around the United Nations and a UN resolution:

“... should provide for the proper governance of Iraq ... protect totally the territorial integrity of Iraq. And that ... oil revenues ... should be put in a trust fund for the Iraqi people administered through the UN.”

925. Mr Blair set out the abuses of Saddam Hussein’s regime and stated that his removal was the “only true hope” for the Iraqi people.

926. Concluding his speech, Mr Blair stated:

“If this House now demands that ... British troops are pulled back ... what then? ... Saddam ... will feel strengthened beyond measure ... other states ... will take it that the will confronting them is decaying and feeble ...

...

“... In this dilemma, no choice is perfect, no choice is ideal, but on this decision hangs the fate of many things ... To retreat now ... would put at hazard all that we hold dearest. To turn the United Nations back into a talking shop; to stifle the first steps of progress in the Middle East; to leave the Iraqi people to the mercy of events over which we would have relinquished all power to influence for the better ...

“This is not the time to falter. This is the time ... to give a lead: to show that we will stand up for what we know to be right; to show that we will confront the tyrannies and dictatorships ... to show, at the moment of decision that we have the courage to do the right thing.”

927. In his speech, Mr Duncan Smith stated that the official Opposition would support the Government because it was acting “in the national interest”.³²⁸ Iraq posed a threat to the safety and stability of the Middle East and Saddam Hussein had “the means, the mentality and the motive to pose a direct threat to our national security”.

928. Other points made by Mr Duncan Smith included:

- Saddam Hussein was “in complete breach of all his obligations to the United Kingdom and to the international community”.
- He had “absolutely no intention whatsoever of relinquishing the weapons” he had developed.
- The threat from Iraq’s “arsenal to British citizens at home and abroad” could not “simply be contained. Whether in the hands of his regime or in the hands of the terrorists to whom he would give his weapons, they pose a clear danger to British citizens.”
- Saddam Hussein’s “last hope” was “to string along the international community for as long as possible”, and to delay action until the autumn, and, “in the meantime”, his “prevarication and games” would “split the international community and wreck the UN”.
- There were “pressing questions” about the arrangements for dealing with the humanitarian consequences of military action.
- If “decisive action” had been taken earlier, “we would not now stand on the verge of war”.

929. Mr Duncan Smith concluded that, if the House of Commons voted to give Saddam Hussein:

“... yet another chance, the moment will pass, our concentration will falter, our energy and focus will disperse and our nerve will fail, with disastrous consequences ...

“... We should stand firm, act and show that we have learned from past failures ...”

930. The Speaker selected a cross-party amendment to the Government motion, moved by Mr Peter Kilfoyle (Labour), which stated that the House:

“... believes that the case for war against Iraq has not yet been established, especially given the absence of specific United Nations authorisation; but, in the event that hostilities do commence, pledges its total support for the British forces engaged in the Middle East ...”³²⁹

931. In his speech supporting the amendment, Mr Kilfoyle argued that military action would be “illegal, immoral and illogical”. Saddam Hussein had been contained; there was

³²⁸ House of Commons, *Official Report*, 18 March 2003, columns 774-779.

³²⁹ House of Commons, *Official Report*, 18 March 2003, column 779.

no evidence provided of links with Al Qaida; he did not have the wherewithal to attack the UK directly; and there had been “an awful lot of scaremongering”. The Government’s “impatience” would “reap a whirlwind”.³³⁰

932. In his speech, Mr Kennedy stated that he did “not believe that the case for war” had been established, but he acknowledged that the Government deserved credit for persuading a “reluctant” US “to go down the UN route” and for emphasising the primary need for a “meaningful” MEPP.³³¹ He also drew attention to Mr Annan’s remarks the previous day, expressing concern about the legitimacy of action without the support of the Security Council.

933. Mr Kennedy concluded by drawing attention to the number of people who had expressed concern about the “doctrine of regime change”, were “wary of the motives” of the US Administration, and “did not like to see Britain separated from its natural international allies”.

934. More than fifty backbench MPs spoke in the debate, offering a wide range of views about the prospect of military action.

935. In his speech closing the debate, Mr Straw drew attention to the importance of a just and lasting settlement of the dispute between Israel and Palestine, which was, “as important for the future stability of the region as the disarmament of Iraq’s weapons of mass destruction”.³³²

936. In relation to Iraq, Mr Straw drew attention to the recommendations of the Select Committee on International Development, including the need for a new UN Security Council resolution “to provide proper authority for reconstruction and redevelopment work, and, in addition, a proper mandate for any Government who are to operate within the territory of Iraq once Saddam Hussein is removed”.

937. Mr Straw stated that the House of Commons had never before had the opportunity to vote on a substantive motion for its explicit support for the use of the Armed Forces. That placed “a heavy responsibility” on each member of the House.

938. Mr Straw added that the choice was “not easy”. He had “worked for months for a peaceful resolution of the crisis”, and he was as certain as he could be “that the Government’s course of action was right”.

939. Mr Straw also stated:

- “... no one, either today or in New York in the four Security Council meetings that I attended, has ... claim[ed] that Saddam Hussein has fulfilled the full and immediate compliance that was required of him.”

³³⁰ House of Commons, *Official Report*, 18 March 2003, columns 779-781.

³³¹ House of Commons, *Official Report*, 18 March 2003, columns 781-787.

³³² House of Commons, *Official Report*, 18 March 2003, columns 896-902.

- There was “no other alternative” to seeking the exile of Saddam Hussein and, if that failed, “his disarmament by force”.
- Containment “failed when the inspectors had to leave in 1998”. Three Permanent Members of the Security Council had failed to support resolution 1284 (1999) which had been an attempt to offer Iraq “a new way to peaceful disarmament while containing the threat”. Iraq had said no. The inspectors were not allowed to return; sanctions were eroded, “and containment was left weaker than ever”.
- The strategy encapsulated in resolution 1441 (2002) was “for the active disarmament of the regime, backed by a credible threat of force”.
- There was “no automaticity about the use of force”; “it was entirely conditional on Saddam Hussein’s compliance or otherwise with the resolution”.
- “We also said – to our five permanent colleagues that if the only issue between us and them over the ultimatum was more time than the 10 days we had allowed, of course we could negotiate more time. But no country ... has been prepared to say how much more time should be allowed before time runs out. None of them is prepared to issue an ultimatum. In reality, they are not asking for more time. They are asking for time without end.”
- Saddam Hussein would not disarm peacefully, so the choice was “either to leave Saddam where he is, armed and emboldened, an even bigger threat to his country, his region and international peace and security, or we disarm him by force”.

940. Mr Straw concluded:

“... of course there will be consequences if the House approves the Government motion. Our forces will almost certainly be involved in military action. Some will be killed; so, too, will innocent Iraqi civilians, but far fewer Iraqis in the future will be maimed, tortured or killed by the Saddam regime. The Iraqi people will begin to enjoy the freedom and prosperity that should be theirs. The world will become a safer place, and, above all, the essential authority of the United Nations will have been upheld.”

941. The amendment to the Government motion was defeated by 396 to 217 votes.

942. The Government motion was approved by 412 to 149 votes.

943. Mr Blair did not argue that Iraq posed an imminent threat. He stated that the threat which Saddam Hussein’s arsenal posed to “British citizens at home and abroad” could not be contained, and that in the hands of the Iraqi regime or in the hands of the terrorists to whom Saddam Hussein “would give his weapons”, they posed “a clear danger to British citizens”.

944. It was the ingrained belief of the UK Government and the intelligence community that Saddam Hussein’s regime retained chemical and biological

warfare capabilities, was determined to preserve and if possible enhance its capabilities, including at some point in the future a nuclear capability, and was pursuing an active and successful policy of deception and concealment. That, and the JIC Assessments of whether and in what circumstances Iraq might use those capabilities, is addressed in Section 4.

945. Iraq's capability was judged to be limited and its chemical and biological weapons did not pose a direct or imminent threat to the UK. Iraq was judged to be most likely to use its weapons as a last resort in response to a military attack which threatened the survival of the regime.

946. Mr Blair's statements on the risk of terrorists willing and able to use weapons of mass destruction being able to obtain them from Iraq are addressed in Section 7.

947. Saddam Hussein's regime had the potential to proliferate material and know-how to terrorist groups, but it was not judged likely to do so.

948. Mr Blair's and Mr Straw's statements claimed that the UK Government was acting on behalf of the international community "to uphold the authority of the Security Council".

949. The Charter of the United Nations vests responsibility for the maintenance of peace and security in the Security Council.

950. On 18 March, the majority of the Security Council's members were not persuaded that the inspections process, and the diplomatic efforts surrounding it, had reached the end of the road. They did not agree that the time had come to terminate inspections and resort to force.

951. In the absence of a majority in the Security Council in support of military action at that point, the UK was undermining the authority of the Security Council.

DEBATE IN THE HOUSE OF LORDS, 18 MARCH 2003

952. Lord Williams of Mostyn set out the Government's position in the House of Lords, stating: "Ours is a stark choice: we stand our troops down and turn back or we hold firm to the course that we have set. We must hold firm."³³³

953. Lord Strathclyde (Conservative) agreed that "to turn about now would be to court incalculable future danger in the face of the greater emerging threat to our future security".³³⁴

954. Baroness Williams (Liberal Democrat), referring to Mr Cook's resignation statement on 17 March, commented that there was "more than one set of opinions about how

³³³ House of Lords, *Official Report*, 18 March 2003, columns 138-142.

³³⁴ House of Lords, *Official Report*, 18 March 2003, column 146.

effective are the weapons of mass destruction in Iraq ... As so often in this argument, we look at a profound ambiguity, which people interpret in different ways.”³³⁵

955. Addressing the failure to secure a second resolution, Baroness Williams added:

“Much of the blame has been passed over to France. France has been seriously misinterpreted, not least by our own tabloid newspapers ... I am told by the French Embassy ... that France indicated it would veto a second resolution even if there were nine members of the Security Council supporting it, but made absolutely plain this was a judgement about timelines, not about Iraq failing to comply with Security Council resolutions. In other words – surely, it is not too complex a thought for us to understand – France believes that timelines for the inspectors were unacceptably short ... [and] would have supported the resolution if in its view the inspectors indicated that there was no longer sufficient compliance with their work to enable them to complete it in a satisfactory manner.

“Without the second resolution the legitimacy of our actions will continue to be disputed.”

956. In her concluding remarks, Baroness Symons highlighted “the breadth of agreement [during the debate] that the Iraqi regime is evil, cruel and has palpably failed to disarm and meet a series of UN obligations placed on it”.³³⁶

957. Baroness Symons responded to a number of questions raised during the debate, including on:

- The threat from WMD. Iraq had “thousands of chemical and biological bombs”. The 150 weapons inspectors “simply will not find the weapons of mass destruction in a country the size of France”.
- The exhaustion of possibilities for a negotiated solution. France’s position on the second resolution meant that negotiation was now “beyond our reach”.
- The legality of military action. Divisions of legal opinion in international law were “nothing new”. The Attorney General had had access to all information and had delivered a clear view.
- The legal position of those engaged in conflict. Military action would take full account of requirements and obligations of international law.
- Whether military action was the right response. The Iraqi people would be liberated from a life of tyranny and repression and it was necessary for the UN to face up to its responsibilities. It was the mission of the UK’s Armed Forces to “enforce the will of the United Nations and the international community”.

³³⁵ House of Lords, *Official Report*, 18 March 2003, column 147.

³³⁶ House of Lords, *Official Report*, 18 March 2003, columns 223-232.

Events of 19 and 20 March 2003

958. Mr de Villepin telephoned Mr Straw on 19 March with a message for Mr Blair from President Chirac.³³⁷ The President had been “shocked and hurt” by Mr Blair’s statements to Parliament. They had been unnecessary. President Chirac understood the pressures that the UK Government was under, but such statements were not acceptable from an ally and an EU partner. Nor were they in accordance with reality.

959. Mr Straw rebutted the comments. He and Mr Blair had felt their comments were justified by the circumstances; not to solve domestic problems but to explain the reality of the situation to which France had contributed. The UK felt that, after resolution 1441, “France had made a strategic choice not to follow through”.

960. Mr de Villepin responded that what he had heard from London and Washington did not “link with the truth”. He concluded that the statements from the UK Government had shown no courage.

961. Mr Straw concluded that “he knew a great deal about courage: the Prime Minister had shown great courage”.

962. The first Ad Hoc Meeting on Iraq (also known as the “War Cabinet”) took place at 8.30am on 19 March.

963. Mr Straw informed the meeting that he had received “an official complaint” from Mr de Villepin “about the British representation of the French position in respect of Iraq”. He also set out the need to explain the UK’s position to other countries and to publicise the international support for the Coalition.³³⁸

964. The discussion on the importance of a UN resolution covering the post-conflict phase is addressed in Section 6.5.

965. Advice on military issues is addressed in Section 8.

966. Subsequently, Mr Hoon and Adm Boyce briefed Mr Blair on the military preparations.³³⁹

967. A JIC Note issued on 19 March, ‘Saddam: the Beginning of the End’, stated that intelligence showed the Iraqi regime was making final preparations for war.³⁴⁰ Saddam Hussein had rejected US demands for his exile and the US had:

“... now made clear that even a last-minute change of mind by Saddam would not stop the Coalition from moving against Iraq’s WMD.”

³³⁷ [Telegram \[unnumbered\] FCO London to Paris, 19 March 2003, ‘Iraq: Foreign Secretary’s Conversation with French Foreign Minister, 19 March’.](#)

³³⁸ Minutes, 19 March 2003, Ad Hoc Meeting on Iraq.

³³⁹ Manuscript comment Manning on Letter Watkins to Manning, 18 March 2003, ‘Iraq: Military operations’.

³⁴⁰ [Note JIC, 19 March 2003, ‘Saddam: The Beginning of the End’.](#)

968. The Note added that the JIC continued to judge that Saddam Hussein’s scope for “extreme and unpredictable action is increasing as the prospect of an attack approaches”. The JIC view on the possible use of CBW is set out in Section 4.3.

969. Sir David Manning spoke to Dr Rice at noon.³⁴¹

970. Sir David told Dr Rice that the French had “launched a fierce public attack” on the UK.

971. Sir David and Dr Rice also discussed the meeting of the Security Council and the need to rebuild relationships. Sir David said that Dr Blix’s work programme provided “further confirmation of how little Saddam had done to fulfil his disarmament obligations”. The UK was in favour of a continuing role for UNMOVIC; it would be “important to have UNMOVIC available to provide independent verification when we found WMD”.

972. Mr Blair and President Bush spoke at 12.40pm on 19 March.³⁴² They discussed the military plans and timetable. Mr Blair said that he had “reviewed the military plans and was confident that they would work”. Post-conflict issues would be the focus of conversation when they met. A full-day meeting was envisaged to cover the ground. Mr Blair suggested that the discussions might include bringing in allies who had opposed military action and co-ordinating a communications strategy.

973. Mr Campbell wrote in his diaries:

“As Bush said ... other leaders would look at what he [Blair] did, and the power with which he did it, and really learn lessons from it. ‘Landslide’ he [Bush] said, referring to the Road Map publication as ‘genius’. He referred back to what he called ‘the *cojones* conference’ at Camp David. ‘You showed *cojones*, you never blinked. A leader who leads will win and you are a real leader.’ He said the object is regime change ... TB felt that the next stage after winning the war would be to work out the geopolitical fallout and repair some of the divisions. Bush said Condi had this line that we should ‘punish the French, ignore the Germans and forgive the Russians’, which was pretty glib. TB didn’t comment at the time but later said he didn’t agree. We should try to build bridges with all of them. We finally got Bush to agree there was no point TB going to the US at the moment, that we should wait until the fighting starts ...

“... Bush said that the Iraqis would now be ‘shredding documents like crazy’... the Road Map would be published today when Abu Mazen was confirmed ...”³⁴³

³⁴¹ Letter Manning to McDonald, 19 March 2003, ‘Iraq: Conversation with Condi Rice’.

³⁴² Letter Cannon to McDonald, 19 March 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 19 March’.

³⁴³ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

974. President Bush wrote in his memoir that he convened “the entire National Security Council” on the morning of 19 March where he “gave the order to launch Operation Iraqi Freedom”.³⁴⁴

SECURITY COUNCIL DEBATE, 19 MARCH 2003

975. Although there had been unanimous support for a rigorous inspections and monitoring regime backed by the threat of military force as the means to disarm Iraq when resolution 1441 was adopted, there was no such consensus in the Security Council in March 2003.

976. In the Security Council debate on 19 March, the majority of members of the Security Council, including China, France and Russia, made clear that they thought the goal of disarming Iraq could be achieved by peaceful means and emphasised the primary responsibility of the Security Council for the maintenance of international peace and security.

977. The Security Council held an open debate on Iraq on 19 March. The Foreign Ministers of France, Germany, Guinea, Russia and Syria attended.³⁴⁵

978. Dr Blix stated that UNMOVIC’s draft work programme had been presented to the Security Council on 17 March in response to the wishes of its members, but, “on the very same day”, UNMOVIC had been “constrained together with other United Nations units to order the withdrawal of all our inspectors and other international staff from Iraq”.

979. Dr Blix stated that he felt:

“... sadness that three and a half months of work ... have not brought the assurances needed about the absence of weapons of mass destruction or other proscribed items in Iraq, that no more time is available for inspections and that armed action now seems imminent.”

He was relieved that there had been full Iraqi co-operation on the withdrawal of UN staff.

980. Dr Blix stated that the inspectors had “worked broadly” but it was “evidently possible for the Council to single out a few issues for resolution within a specific time”. The draft programme selected “12 key tasks” where progress “could have an impact on the Council’s assessment of co-operation of Iraq under resolution 1284 (1999)”. But, whatever approach was followed, the results would depend on Iraq’s active co-operation. Since his last report to the Security Council [on 7 March], Iraq had sent several more letters on unresolved issues. Those efforts by Iraq “should be acknowledged”, but UNMOVIC’s experts had “found, so far, that, in substance, only limited new information has been provided that will help to resolve remaining questions”.

³⁴⁴ Bush GW. *Decision Points*. Virgin Books, 2010.

³⁴⁵ UN Security Council, ‘4721st Meeting Wednesday 19 March 2003’ (S/PV.4721).

981. Dr Blix said that the draft work programme “would seem to have only limited practical relevance in the current situation”. It was “evidently for the Council to consider the next steps”. He hoped the Council would “be aware” that it had “in UNMOVIC staff a unique body of international experts”; that “no other international organisation has trained inspectors in the field of biological weapons and missiles”; and that, “With increasing attention being devoted to proliferation of these weapons [of mass destruction], this capability may be valuable to the Council”.

982. Mr Gustavo Zlauvinen, International Atomic Energy Agency representative to the UN, said that the Agency had transmitted its work programme, which was “self-explanatory”, to the Council that morning. Dr ElBaradei would be “available any time in the future to discuss ... the work programme should the Council decide to do so”.

983. Mr Joschka Fischer, the German Vice Chancellor and Foreign Minister, stated that the world was “facing an imminent war in Iraq”. The Security Council could not “remain silent” and its task “must be to safeguard its function and preserve its relevance”. Developments had “brought the work of the United Nations on the ground to a standstill and were “cause for the deepest concern”. The draft work programme “with its realistic description of unresolved disarmament issues” provided “clear and convincing guidelines on how to disarm Iraq peacefully within a short space of time”. He wanted “to stress” that it was “possible to disarm Iraq peacefully by upholding those demands with tight deadlines”. Peaceful means had “not been exhausted” and Germany “emphatically rejects the impending war”.

984. Mr Fischer deeply regretted that “considerable efforts to disarm Iraq using peaceful means” seemed to have little chance of success. France, Germany and Russia had “put forward proposals for a more efficient inspections regime consisting of clear disarmament steps with deadlines, most recently on 15 March”, and other members of the Council had also “submitted constructive proposals until the final hours of the negotiations”.

985. Mr Fischer stated:

“During the last few days, we have moved significantly closer to our common objective: that of effectively countering the risk posed by Iraqi weapons of mass destruction with complete and comprehensive arms control. Especially in recent weeks, substantial progress was made in disarmament. The scrapping of the Al Samoud missiles made headway ... And the regime in Baghdad is beginning, under pressure, to clear up the unanswered questions on VX and anthrax.”

986. Mr Fischer continued:

“Iraq’s readiness to co-operate was unsatisfactory. It was hesitant and slow. The Council agrees on that. But can this seriously be regarded as grounds for war...?”

“There is no doubt that, particularly in recent weeks, Baghdad has begun to co-operate more. The information Iraq has provided ... are steps in the right direction. Baghdad is meeting more and more of the demands contained in the Security Council resolutions. But why should we ... especially now – abandon our plans to disarm Iraq by peaceful means?”

“The majority of Security Council members believe that there are no grounds now for breaking off the disarmament process ...”

987. Mr Fischer made three points:

- The “myth” that the Security Council had “failed” must be countered. It had “made available the instruments to disarm Iraq peacefully”. The Security Council was “not responsible” for what happened outside the United Nations.
- “... clearly, under the current circumstances the policy of military intervention has no credibility. It does not have the support of our people. It would not have taken much to safeguard the unity of the Security Council. There is no basis in the United Nations Charter for regime change by military means.”
- The inspection regime should be preserved and the work programme endorsed because both would be needed after military action.

988. Mr Fischer concluded that Germany was “convinced that the United Nations and the Security Council must continue to play the central role in the Iraq conflict”. That was “crucial to world order and must continue to be the case in the future”. The United Nations was “the key institution for the preservation of peace and stability and for the peaceful reconciliation of interests”. There was “no substitute for its functions as a guardian of peace”.

989. Mr Fischer also argued that an “effective international non-proliferation and disarmament regime” continued to be needed. The instruments developed in the Iraq process could be used to make the world a safer place. But the UN was the “only appropriate framework” for that: “No one can seriously believe that disarmament wars are the way forward.” Europe had experienced the horrors of war “too often”: “It can only be the very last resort when all peaceful alternatives really have been exhausted.” Germany had:

“... accepted the necessity of war on two occasions ... because all peaceful alternatives had proved unsuccessful.

“Germany fought side by side with its allies in Kosovo. It did likewise in Afghanistan.

“Today, however, we in Germany do not believe that there is no alternative to military force. To the contrary, we feel that Iraq can be disarmed using peaceful means.”

990. Mr de Villepin said that for France “war can only be a last resort”. He stated that the inspectors’ work programmes reminded the Council that there was “still a clear and

credible prospect for disarming Iraq peacefully” with a “realistic timetable”. Inspections were “producing tangible results”.

991. Mr de Villepin stated that a choice was being made “between two visions of the world”; between “those who choose to use force and think that they can resolve the world’s complexity through swift preventive action”; and those who choose “resolute action and a long-term approach”. He warned:

“... in today’s world, to ensure our security, we must take into account the manifold crises and many dimensions, including the cultural and religious ones. Nothing enduring in international relations can be built without dialogue and respect for the other, without strictly abiding by principles, especially for democracies that must set the example. To ignore that is to run the risk of misunderstanding, radicalisation and spiralling violence. That is especially true in the Middle East, an area of fractures and ancient conflicts, where stability must be a major objective for us.”

992. Mr de Villepin added:

“To those who think that the scourge of terrorism will be eradicated through what is done in Iraq, we say that they run the risk of failing ... An outbreak of force in such an unstable area can only exacerbate the tensions and fractures on which terrorists feed.”

993. Subsequently, Mr de Villepin stated:

“... terrorism is fuelled by organised crime networks; it cleaves to the contours of lawless areas; it thrives on regional crises; it garners support from the divisions in the world; and it uses all available resources, from the most rudimentary ... to whatever weapons of mass destruction it can manage to acquire.”

994. Mr de Villepin called for the international community to “intensify” the fight against terrorism; for a “new impetus” in the fight against proliferation of weapons of mass destruction; and to “recover the initiative in regional conflicts” and in particular the Israeli-Palestinian conflict.

995. In Iraq, the international community should “remain mobilised” to “dress the wounds of war” and to “build peace”. No State could “claim the necessary legitimacy” for the latter; the “legal and moral authority” could “stem only from the United Nations”, which should also “establish a framework for the country’s economic reconstruction”. Action should be guided by “respect for the unity and territorial integrity of Iraq, and the preservation of its sovereignty”.

996. Mr de Villepin concluded:

“In a world where the threats are asymmetrical, where the weak defy the strong, the power of conviction, the capacity to persuade and the ability to change hearts counts as much as the number of military divisions ...

“Given this new world, it is imperative that the international community’s action be guided by principles.

“The first is respect for law. The keystone of international order, it must apply under all circumstances, but even more so when it is a question of taking the gravest decision: to use force. Only on that condition can force be legitimate, and only on that condition can it restore order and peace.

“Next is the defence of freedom and justice. We must not compromise on what is at the core of our values. We shall be listened to and heeded only if we are inspired by the very ideals of the United Nations.

“Last is the spirit of dialogue and tolerance ...

“... Never has the United Nations been so necessary. It is up to this body to muster the resolve to meet these challenges, because the United Nations is the place where international law and legitimacy are founded and because it speaks on behalf of peoples.

“To the clash of arms ... the international community ... must respond ...”

997. Mr Ivanov stated that, by unanimously adopting resolution 1441 (2002), the Security Council had taken upon itself “the serious responsibility of completing the process of Iraq’s disarmament”. The reports from UNMOVIC and the IAEA showed “convincingly that the international inspectors have succeeded in achieving tangible results”. As a result of the unity of the international community and the joint pressure on the Iraqi authorities, “including a military presence in the region”, Baghdad had “fulfilled virtually every condition set by the inspectors” and had “not put up any kind of serious obstacle to their activities”. If the international inspectors were “given the opportunity to continue their work”, they had “everything they need to complete the process of Baghdad’s peaceful disarmament”.

998. Mr Ivanov questioned the “the right to use force against Iraq outside the Charter of the United Nations” and the authority for “the violent overthrow of the leadership of a sovereign State”.

999. Mr Ivanov concluded that President Putin had extended “solidarity and support” to President Bush after the attacks on 11 September 2001, and:

“If today we really had indisputable facts demonstrating that there was a direct threat from the territory of Iraq to the security of the United States of America, then Russia, without any hesitation, would be prepared to use the entire arsenal of measures provided under the United Nations Charter to eliminate such a threat. However, the Security Council today is not in possession of such facts. That is why we prefer a political settlement, relying on the activities of UNMOVIC and the IAEA, which enjoy the full trust of the international community.”

1000. Mr Farouk al-Sharaa, the Syrian Foreign Minister, reminded the Council of the “most important commitment” in the United Nations Charter “to practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security”. He questioned whether the US “and its ally, the United Kingdom” could absolve themselves of the responsibility for the difficulties of finding constructive solutions for the problems in Iraq and Palestine. He suggested that a “war of aggression” was about to be unleashed which was “unfair and unjustified” and would “come back to haunt those who have advocated and promoted it, instead of enhancing their status in history”.

1001. Drawing attention to Israel’s rejection of international inspection and supervision, Mr al-Shara’ stated that Syria had supported resolution 1441 because of its:

“... belief in supporting the international will to find a peaceful solution to the Iraqi crisis and to eliminate Iraqi weapons of mass destruction through peaceful means.”

1002. Mr al-Shara’ said that “the majority of the members of the Council rejected the idea of adopting a draft resolution authorising the use of force”. He expressed “extreme regret and concern at attempts by some to call into question the role of the Security Council in particular, and the United Nations in general, simply because they did not succeed in imposing their will and positions on the Council and the United Nations”. He was highly critical of those who had “reneged” on resolution 1441, alleging that the objective was not to disarm Iraq “but to occupy it and usurp its natural resources”. He questioned whether Iraq represented a threat to the US, pointing out that Al Qaida had active or sleeper cells in more than 150 countries.

1003. Mr al-Shara’ concluded that the “letter and the spirit” of the ultimatum issued by the US led Syria to conclude that the objective was “the removal or the bringing to justice of an individual or a group of individuals”. Syria urged “those concerned to shut down the machinery of war” and to spare the lives of:

“... millions of innocent Iraqis as well as the lives of their new oppressors who are marching thousands of miles ... holding up the banner of liberation like a myth. Many people – including many Americans – have stood against the foreign occupier in defence of liberty and independence. That is the logic of history ... that will continue ...”

1004. Mr Akram stated that Pakistan had “consistently advocated a peaceful solution”. He stressed “that every possible avenue should be exhausted to secure a peaceful solution, and that the use of force must be the very last resort”. Pakistan believed that the programme of work identified by Dr Blix “could have provided a useful basis for the completion of the disarmament process ... if Iraq’s full and unconditional co-operation

could have been assured and obtained in time". Members of the Security Council had been separated by "honest differences". Once military action began, the duties:

"... of the Security Council to restore peace and security, to contain conflict, to prevent the suffering of the Iraqi people and others in the region, to ensure the territorial integrity of Iraq and its neighbours and to ensure the stability of this sensitive region ... will not end; they will become more acute."

1005. Mr Zinser deplored "the path of war", referring to the UN Charter and the "principles" which Mexico had learned from history for the "peaceful settlement of disputes and disarmament". He described the inspections regime for Iraq as "the most robust, dynamic and effective effort at peaceful disarmament that has ever been attempted" and stated that Mexico was "convinced that ... the United Nations could have brought about the peaceful disarmament of Iraq".

1006. Ambassador Negroponte stated that the consideration of the draft programmes was "incompatible with Iraq's non-compliance with resolution 1441 (2002) and the current reality on the ground"; the work programme was "predicated on the assumption that Iraq will provide immediate, unconditional and active co-operation". That had:

"... been manifestly lacking. No realistic programme of work or outline of key unresolved issues can be developed ... while Iraq fails to co-operate fully, actively and unconditionally, nor can it be developed absent sound information on Iraqi programmes since 1998 and all other information that is lacking."

1007. Ambassador Negroponte added that the draft work programmes and:

"... the paper on key remaining disarmament tasks make clear the multitude of important issues that Iraq has avoided addressing. These are the kinds of documents that we would have been able to discuss if Iraq had met the requirements of resolution 1441 (2002), but they cannot now lead us to the results that this Council demanded: the immediate peaceful disarmament of Iraq.

"Under current circumstances we have no choice but to set this work aside for the time being ... we do not exclude the possibility that it may prove useful to return to these documents at some point in the future."

1008. Ambassador Negroponte stated that the US had committed "significant resources ... across all relevant United States Government agencies and in support of United Nations efforts to anticipate likely requirements and to be prepared to administer necessary relief as quickly as possible".

1009. Mr Belinga Eboutou stated that "the peaceful disarmament of Iraq by means of inspections" had ended. The UNMOVIC draft work programme "would have been a good basis for work" but "much remained to be done" and his delegation did "not see how the inspectors would have achieved their heavy task in the absence of full, active and unconditional co-operation".

1010. Mr Arias said Saddam Hussein was responsible for the suspension of inspections:

“Through his ongoing policy of deceit, concealment and delaying tactics, he has decided to openly opt for the path of confrontation, contravening the interests of his people and the demands of the Security Council.”

The draft resolution tabled by the US, UK and Spain was “designed to ratchet up the pressure on the Iraqi regime” and had “in fact, offered Saddam Hussein another opportunity”.

1011. Mr Arias stated that resolution 1441 recognised that Iraq’s non-compliance with the Council’s resolutions constituted a threat to international peace and security; that the Council had met “many times to examine successive reports of the inspectors”. Iraq had “still not complied with the will of the international community as had been demanded ... Therefore, peace and security continue unassured.”

1012. Mr Juan Gabriel Valdés, Chilean Permanent Representative to the UN, stated that Chile had been convinced that “the inspections programme – strengthened, zealous and investigative, carried to its logical conclusion and accompanied by growing and persistent military pressure – was capable of achieving ... the peaceful disarmament of Iraq.” The Council:

“... needed to make clear to the regime of Saddam Hussein that the United Nations would move towards the disarmament of Iraq at any cost. The Council should have cultivated its internal unity ...

“That was not possible. We fear that the consequences will be serious for humanity. The Iraqi regime never understood the dimension of its lethargy and did not appreciate the gravity of the punishment to which it was exposing its own people ... the Council was unable to find ... the flexibility needed to set deadlines and to define a path of collective action that would have enabled it to shoulder the responsibilities entrusted to it by the Charter of the United Nations. Today, every one of us must assume his part of the responsibility.”

1013. Mr Valdés continued that it was “not the time for recriminations”; and that nothing could be more serious than suspending the inspections process which “could create doubts concerning the validity of this instrument”. He concluded:

“The Security Council ... must now work tirelessly, inspired by the objective of preserving life and restoring peace. Perhaps if we do everything that we can and save as many lives as we can, the millions of people in the world who have now lost faith in our capacity to make the world a civilised place may again lend their inspiration to our tasks.”

1014. Mr Helder Lucas, Angolan Deputy Permanent Representative to the UN, deplored the “fact that the inspectors were unable to complete their task of disarming Iraq of its weapons of mass destruction. Angola also deplored the “fact that Iraq was

unable to seize the last opportunity afforded to it by the Security Council". Angola [had] made repeated pleas to Iraq to co-operate fully and honestly with the United Nations in complying with the Council resolutions relating to its unconditional disarmament – particularly resolution 1441 (2002) – and to convince the international community as a whole that it was making genuine and determined efforts to disarm. The use of force should be a last resort; and that the decision “should be within the United Nations framework in order to count on the international community’s full support”; that Angola had “advocated the principle of safeguarding the Security Council’s primacy as the most appropriate mechanism for regulating crisis situations and for imposing international law through compliance with its resolutions”; and that it had “defended the necessity” of Council unity.

1015. Mr Wang stated that the work programme, “if implemented” would “surely make the inspections more organised, and more targeted” and would “help enhance” their effectiveness. He added that:

“In the light of recent progress made in the inspections, we believe that it is possible to achieve the goal of disarming Iraq through peaceful means. We should not put an end to the road to peaceful disarmament.”

He expressed China’s “utmost regret and disappointment” about a situation where war might break out at any minute. China would do all it could to avert war.

1016. Mr Wang concluded:

“The Council bears the primary responsibility for the maintenance of international peace and security. No matter what the circumstances may be, the Council must shoulder its responsibility ...”

1017. Mr Tafrov stated that inspections were “truly effective only with ... full and active co-operation on the part of the country and Government concerned”. He stated that Bulgaria sincerely regretted that efforts to disarm Iraq peacefully had “not yielded the desired results”; and confirmed that “since all the political possibilities” had “been exhausted”, Bulgaria’s position was that Iraq had “failed to seize its last chance”.

1018. Sir Jeremy Greenstock underlined:

“... the United Kingdom’s deep regret that it has not been possible for the Council to find an agreed way forward on Iraq. The United Kingdom tried as hard as any member of the Security Council to achieve that.

“... we should not forget what brought us to this point: the fundamental failure of Iraq to disarm in the face of 12 years of demands, pressure and pleas from the Security Council and ... virtually the whole international community. If Iraq had made a genuine effort ... to close outstanding issues of substance at any time in the past decade, particularly after resolution 1441 (2002) afforded it the final opportunity to do so, and if Iraq had respected the United Nations, we would not be where we are.

“I repeat what British Ministers have made clear: any action which the United Kingdom has to take in this matter will be in accordance with international law and based on relevant resolutions of the Security Council.”

1019. Sir Jeremy stated that the UN had a central role to play “on Iraq and on the wider issues associated with it” and he hoped that “with the active contribution of the Secretary-General”, rapid progress could be made “on this crucial area”. Ms Short was in New York to discuss humanitarian issues.

1020. Sir Jeremy concluded that the UK continued “to see an important role” for UNMOVIC and the IAEA “in verifying the disarmament of Iraq and in carrying out longer term monitoring”. He commended the inspectors for their “professional work” and noted the work programmes and key tasks, but: “Equally” he noted that “without a co-operating Iraqi government ... it would never be possible to be confident of the key tasks or of making progress against them”. The programmes should be kept under review but a “more definitive” programme would be “possible when there is an administration in Iraq which is prepared to co-operate fully, actively and unconditionally and when there is a secure situation on the ground”.

1021. Mr François Louceny Fall, President of the Security Council and the Guinean Foreign Minister, deeply regretted that the Security Council had not been able to arrive at a common position. Guinea believed “in the possibility of safeguarding peace and attaining our common objective: the complete disarmament of Iraq”. If armed conflict was “inevitable”, “appropriate steps ... to spare the civilian population and limit the destruction of the economic and social infrastructure” were “desirable”. He was determined “to work together with other members to continue dialogue” which was “the only way to restore unity”. That was “the very basis of the credibility of the Security Council” and was “more than ever necessary in order to enable it effectively to carry out its mission of preserving international peace and security”.

1022. Mr Aldouri expressed his “appreciation” for the efforts made by Council members to find a peaceful solution to the “current crisis”, which had been “created by the United States, the United Kingdom and Spain, with the intention of launching a hostile war against Iraq and occupying it under the pretext of the presence in Iraq of weapons of mass destruction”. There had been “three or four discordant voices calling for war”. Many other voices “responding to the international community and human conscience, as well as to the principles of truth, justice and the Charter of the United Nations” had called for peace.

1023. Mr Aldouri continued:

“For the record, and for the sake of historical accuracy, as well as to reassure every State that has recently made active efforts to maintain peace and to prevent war, we would like to reiterate that Iraq no longer possesses weapons of mass destruction. The presence of such weapons has been relegated to the past. Iraq decided in 1991 to destroy the weapons it had produced. That action stemmed from the conviction

underlying Iraq's policy to rid itself of such weapons. Proof of this ... lies in the failure by the United States and Britain to prove any allegation that Iraq has possessed such weapons in recent years, and especially during the period following the adoption of resolution 1441 (2002)."

1024. Mr Aldouri stated that the inspectors had "refuted all the misleading information that was presented" by the US and UK; and that the inspectors had "proved that information to be false", including the information that Secretary Powell had "worked so arduously to put before the Council as damning evidence". The US and the UK had failed to "provide even a shred of evidence".

1025. Mr Aldouri added that, when the US and the UK:

"... realised that the world was beginning to understand the truth, namely, that Iraq was free of weapons of mass destruction, those countries decided to expose their real goals and intentions ... to occupy Iraq and to control its oil wells ... The coming days will prove the reality of that truth. But by then it will be too late."

1026. Mr Aldouri stated that Iraq welcomed the work programme presented by Dr Blix and would "do its utmost to complete those tasks as soon as possible and to answer every question raised in the report". Iraq had finalised two "important" reports, on anthrax and unmanned planes, which would be handed over to UNMOVIC. He warned that the already "dire humanitarian situation", which was "due to an unjust embargo", would deteriorate further:

"Electricity, potable water, sewage treatment, communications and other essential needs ... will be affected or, as was the case in 1991, destroyed. That will lead to a real humanitarian catastrophe ...

"The direct humanitarian effects of the military attack will mean tens of thousands of casualties and the complete destruction of the country's infrastructure."

1027. Mr Aldouri dismissed the offers of millions of dollars of aid from the US and the UK and the commitment to rebuild the infrastructure that would be destroyed. He regretted the withdrawal of all UN agencies, the suspension of the Oil-for-Food programme and the withdrawal of its entire international staff "in record time". That was "truly astonishing"; and the "decision to withdraw the inspectors so swiftly" paved the way for the US and UK to "carry out acts of military aggression ... much faster than was expected".

1028. Mr Aldouri concluded by reaffirming that Iraq would "continue to work with the Security Council to make the truth known" that Iraq was "free of weapons of mass destruction". Iraq hoped that the Council would "continue to search for a peaceful solution to the crisis, ensure that the work of the inspectors continues and resume the Oil-for-Food programme".

1029. Sir Jeremy Greenstock reported:

“Even at the precipice of war, Aldouri maintains Iraq has no WMD.”³⁴⁶

1030. Mr Annan stated that he shared “the regrets expressed by many members of the Council” that it had “not been possible to reach a common position”.³⁴⁷ It was “a sad day for the United Nations and the international community”. He knew that “millions of people around the world” shared that “sense of disappointment” and were “deeply alarmed by the prospect of imminent war”.

1031. Mr Annan added that it was the “plight of the Iraqi people” that was now his “most immediate concern”. In the short term, a conflict could “make things worse – perhaps much worse”. The members of the Council should agree to “do everything we can to mitigate this imminent disaster”.

1032. Mr Annan explicitly pointed out that:

“Under international law, the responsibility for protecting civilians in conflict falls on the ‘belligerents’. In any area under military occupation, responsibility for the welfare of the population falls on the Occupying Power.”

1033. Mr Annan added that: “Without in any way assuming or diminishing that ultimate responsibility”, the UN would do “whatever we can to help”. There would be an appeal for more funds to finance relief operations and decisions by the Council would be needed to adjust the Oil-for-Food programme.

1034. Mr Annan concluded by expressing:

“... the hope that the effort to relieve the sufferings of the Iraqi people and to rehabilitate their society after so much destruction may yet be the task around which the unity of the Council can be rebuilt.”

1035. Sir Jeremy Greenstock commented that France, Russia, Germany and Syria had been “most forthright in underlining that peaceful disarmament would have been possible”; and that most delegations had underlined “the importance of re-establishing Council unity”. He concluded:

“The day went as well as could have been expected with no real recrimination. While there was a lot of regret and gloom about the political state we had reached, there was just as much focus on the way forward and humanitarian efforts. Many will have wondered why Ministers were there at all.”³⁴⁸

³⁴⁶ Telegram 492 UKMIS New York to FCO London, 20 March 2003, ‘Iraq: 19 March Open Debate’.

³⁴⁷ UN Security Council, ‘4721st Meeting Wednesday 19 March 2003’ (S/PV.4721).

³⁴⁸ Telegram 492 UKMIS New York to FCO London, 20 March 2003, ‘Iraq: 19 March Open Debate’.

1036. In his memoir, Mr Annan wrote:

“The decision by the United States and its allies to proceed with the invasion of Iraq without Security Council authorisation was a defeat for all of us who had sought to ensure that Iraq’s defiance of the United Nations was met by a unified and effective response. But it was a vindication, too, of principle over power. Members of the Council, including close allies and neighbours of the United States, had insisted on the prerogative of the United Nations Security Council to decide under international law whether a member state was in material breach of the Council’s resolutions, and what the consequences should be.”³⁴⁹

MILITARY OPERATIONS BEGIN

1037. Shortly before midnight on 19 March, the US informed Sir David Manning that there was to be a change to the plan and US air strikes would be launched at 0300 GMT on 20 March.³⁵⁰

1038. Early on the morning of 20 March, US forces crossed into Iraq and seized the port area of Umm Qasr.³⁵¹

1039. Mr Straw told the Cabinet on 20 March that inspections had not produced the disarmament of Iraq and that Dr Blix had told the Security Council on 19 March that Iraq had “failed to produce assurance of its disarmament”.³⁵²

1040. Mr Blair concluded that the Government:

“... should lose no opportunity to propagate the reason, at every level and as widely as possible, why we had arrived at a diplomatic impasse, and why it was necessary to take action against Iraq. France had not been prepared to accept that Iraq’s failure to comply with its obligations should lead to the use of force to achieve compliance.”³⁵³

1041. The invasion of Iraq is addressed in Section 8. The continuing discussions about the planning and preparations for a post-conflict Iraq and the UK’s role in that are addressed in Section 6.5.

³⁴⁹ Annan, K. *Interventions: A Life In War And Peace*. Allen Lane, 2012.

³⁵⁰ Letter Manning to McDonald, 20 March 2003, ‘Iraq’.

³⁵¹ Ministry of Defence, *Operations in Iraq: Lessons for the Future*, December 2003, page 12.

³⁵² Cabinet Conclusions, 20 March 2003.

³⁵³ Cabinet Conclusions, 20 March 2003.

Mr Blair's "Address to the Nation", 20 March 2003

In an "Address to the Nation" on 20 March, announcing that UK forces were taking part in military action, Mr Blair stated that the world faced a:

"... new threat: of disorder and chaos born either of brutal states like Iraq, armed with weapons of mass destruction; or of extreme terrorist groups. Both hate our way of life, our freedom, our democracy.

"My fear, deeply held, based in part on the intelligence that I see is that these threats come together and deliver catastrophe to our country and world.

"Some say if we act, we become a target. The truth is all nations are targets ...

"Should terrorists obtain these weapons now being manufactured and traded round the world, the damage they could inflict to our economies, our security, to world peace, would be beyond our most vivid imagination.

"My judgement, as Prime Minister, is that this threat is real, growing and of an entirely different nature to any conventional threat to our security that Britain has faced before.

"For 12 years, the world has tried to disarm Saddam ... UN weapons inspectors say vast amounts of chemical and biological poisons, such as anthrax, VX nerve agent, and mustard gas remain unaccounted for in Iraq.

"So our choice is clear: back down and leave Saddam hugely strengthened; or proceed to disarm him by force. Retreat might give us a moment of respite but years of repentance at our weakness would I believe follow.

"It is true that Saddam is not the only threat. But it is true also ... that the best way to deal with future threats peacefully, is to deal with present threats with resolve.

"Removing Saddam will be a blessing to the Iraqi people ...

"Our commitment to the post-Saddam humanitarian effort will be total. We shall help Iraq move towards democracy ...

...

"But these challenges and others that confront us ... require a world of order and stability. Dictators like Saddam, terrorist groups like Al Qaida threaten the very existence of such a world.

"That is why I have asked our troops to go into action tonight ..."³⁵⁴

³⁵⁴ The National Archives, 20 March 2003, *Prime Minister's Address to the Nation*.

1042. On 20 March, Ambassador William S. Farish, the US Ambassador to the UK, sent a letter congratulating Mr Blair on his success in the House of Commons debate and vote on 18 March.³⁵⁵

1043. Thanking Ambassador Farish, Mr Blair responded that he believed:

“... the action the American and British Armed Forces are taking in Iraq will make our two countries safer and Iraq a better place for its people. I think this view is increasingly supported by British and international opinion. It is the right thing to do. I am pleased to be working so closely with President Bush on this ...”³⁵⁶

³⁵⁵ Letter Farish to Prime Minister, 20 March 2003, [untitled].

³⁵⁶ Letter Blair to Farish, 21 March 2003, [untitled].