

Monday, 18 January 2010

1

2 (2.00 pm)

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MR JONATHAN POWELL

4 THE CHAIRMAN: Let's open this first session of the week.

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Before we start, I want to note for the record that the

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ballot for seats for the hearings when former

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Prime Minister Tony Blair gives evidence to the Inquiry,

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on Friday, 29 January, is being drawn this afternoon.

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It is being independently overseen by Mr Karamjit Singh

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CBE, the Northern Ireland Judicial Appointments

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Ombudsman and an outgoing member of the United Kingdom

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Electoral Commission. The Inquiry is very grateful to

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him for undertaking the task half will have and those

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who have been successful in the ballot will be notified

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of the outcome as soon as possible and should receive

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tickets by the end of this week.

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With that out of the way, let's turn to this witness

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session.

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The objectives are to examine with Jonathan Powell,

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the Chief of Staff to the former Prime Minister, the

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discussions and decisions taken in Number 10

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Downing Street on Iraq over the period up to summer 2007

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and their implementation.

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We recognise that witnesses are giving evidence

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based on their recollection of events, and we, of

1 course, cross-check what we hear against papers to which
2 we have access, some of which are still coming in.

3 I remind every witness that he will later be asked to
4 sign a transcript of his evidence to the effect that the
5 evidence given is truthful, fair and accurate.

6 With that, I'll start by asking you, Mr Powell, when
7 you became Chief of Staff, this was a new post, a new
8 role, with both a political and a Civil Service
9 dimension to it. I wonder if you could spend just
10 a moment describing how you saw the role at the time you
11 started?

12 MR JONATHAN POWELL: Yes, thank you, Chairman. We created
13 the role of Chief of Staff in Number 10 Downing Street.
14 It had existed briefly under Mrs Thatcher when she came
15 to power in 1979, but had soon been disbanded. The job
16 was to bring together the different parts of
17 Downing Street; to bring together the political and the
18 Civil Service, the foreign, domestic --

19 THE CHAIRMAN: Sorry, for transcription purposes, could you
20 go more slowly?

21 MR JONATHAN POWELL: Sorry.

22 To bring together the foreign and domestic, the
23 political and the Civil Service, the press and the
24 policy bits of Number 10. Our analysis was that, under
25 previous Number 10s, there had been a problem of not

1 having anyone underneath the Prime Minister who could
2 bring together all the different parts, who could
3 co-ordinate it. So we created that role when we came
4 in, in 1997, and it remained until 2007, when we left.
5 It is a bit of a jack of all trades and a master of
6 none. There is a slight problem with it, but it is
7 a useful co-ordinating function.

8 THE CHAIRMAN: Thank you. Did one person have overall
9 responsibility at the centre, for ensuring that the
10 Prime Minister got the support he needed to operate
11 effectively, so that he got the advice he needed when he
12 needed it, that the advice was sought when it was
13 required, advice being offered was getting through,
14 properly filtered, and, also, that the government as
15 a whole was enabled and informed so as to implement
16 effectively the decisions that came out of that process?

17 MR JONATHAN POWELL: It was my job to make sure that
18 Number 10 was co-ordinating to make sure that those
19 things were happening. Of course, I followed the
20 Prime Minister's priorities, so I would shift from
21 subject to subject, depending on what he was focusing
22 on. We had a very distinguished team of people, both on
23 the Civil Service side and on the political side, to
24 make sure that happened.

25 THE CHAIRMAN: What I would like to do is ask in particular

1 about relations with two or three of the other people at
2 the centre in Number 10, but first of all, the Cabinet
3 Secretary, whose job is to support the Prime Minister,
4 as well as members of the Cabinet as a whole, did you
5 see or exercise a responsibility in respect of Cabinet
6 discussion, decision-making, information and advice?

7 MR JONATHAN POWELL: No, that was the Cabinet Secretary's
8 job supported on the foreign policy side by
9 David Manning.

10 THE CHAIRMAN: Let's come straight to David Manning. The
11 Prime Minister has, and has had for some time, I think,
12 even before Mr Blair, a foreign policy adviser.

13 In your time -- including David Manning and
14 Nigel Sheinwald -- but you had your own overseas
15 interlocutors and links. Can you just say a little bit
16 about how that worked together?

17 MR JONATHAN POWELL: Yes, I suppose one of the advantages
18 that I brought against all the disadvantages I brought
19 as Chief of Staff was that I had spent a significant
20 time as a diplomat. I had been 16 years in the
21 Foreign Office. So I did have contact overseas,
22 especially in the United States.

23 THE CHAIRMAN: Thinking of the United States in particular,
24 there is in the White House typically a role described
25 as Chief of Staff, held, I think, by Andy Card in much

1 of George Bush's period. Was he your principal,
2 personal interlocutor across the Atlantic?

3 MR JONATHAN POWELL: Yes. I mean, I knew all of the
4 White House team, but Andy Card was my opposite number
5 and we would speak from time to time on issues.
6 Although, he didn't spend a lot of the time on foreign
7 policy, so he wouldn't have devoted much time to foreign
8 policy issues.

9 THE CHAIRMAN: Thank you. Now, turning to Iraq
10 specifically, did you find it was one of the things he
11 wanted you to do, to give him advice on Iraq matters?
12 We know, and it is all on the record, David Manning was
13 the principal foreign policy adviser to the
14 Prime Minister, but how was your own role exercised in
15 relation to Iraq matters?

16 MR JONATHAN POWELL: Well, as you say, David Manning was the
17 foreign policy and defence adviser and intelligence
18 adviser, so he would mastermind all of that.

19 My role on this was more sort of following up the
20 Prime Minister's priorities. When he wanted
21 a particular issue followed up, I would do so, I would
22 make sure that things were happening. I sat outside his
23 office so that I could ensure that he was kept
24 up-to-date with things. If he made a decision, that
25 could be communicated rapidly. It was more in that link

1 role that I played a role in Iraq, I think.

2 THE CHAIRMAN: Thank you. That implies that you weren't
3 giving, as it were, substantive advice very much on Iraq
4 policy?

5 MR JONATHAN POWELL: No, my job would also be to bounce
6 ideas off the Prime Minister. If things were
7 developing, I could suggest particular ways we could go
8 and I did do that on Iraq, as on other issues.

9 THE CHAIRMAN: I wonder, in one sense, the politics,
10 including Parliamentary, and, indeed, party politics,
11 are very much interwoven with policy-making. How did
12 that work inside Number 10?

13 David Manning, although no doubt fully aware, is
14 not, as it were, in a position to give advice on that
15 dimension. You, for your part, can go right across the
16 piece. Did that work effectively or not?

17 MR JONATHAN POWELL: Yes, I think it did. I think it worked
18 more effectively than in some previous Downing Streets,
19 because we were able to bring together the policy and
20 the press, the Civil Service and the domestic when we
21 needed to do so. That's why people like
22 Alastair Campbell or Sally Morgan would be involved in
23 meetings, even on things like Iraq, to make sure that
24 there was a political point of view as well as
25 a Civil Service point of view.

1 THE CHAIRMAN: A couple of things on process, how it worked.
2 We have heard from another witness, indeed from
3 Alastair Campbell, a typical week would begin with
4 a series of notes or notelets from the Prime Minister to
5 yourself and other very close aids. We wonder what
6 those cover and what happened in consequence. Are these
7 notes for action, for information, seeking reaction?

8 MR JONATHAN POWELL: They were generally notes of
9 instructions. Over the weekend, you would get a note
10 with 20 paragraphs with different instructions on
11 different aspects to be followed up. We would have
12 a morning meeting with all the staff on a Monday morning
13 and he would rattle through those instructions and make
14 sure they were being followed up, and it was my job
15 during the week to ensure that they were actually
16 implemented.

17 THE CHAIRMAN: So that when Iraq is to the fore, in terms of
18 attention, that would typically cover a number of items
19 that the Prime Minister's mind had addressed over the
20 weekend and wanted to pursue.

21 MR JONATHAN POWELL: Yes. Remember, when Iraq was going on,
22 so were lots of other things, like Northern Ireland.

23 THE CHAIRMAN: The question really was Iraq. When Iraq was
24 to the forefront, would quite a lot of the business of
25 the weekend thinking cover Iraq issues?

1 MR JONATHAN POWELL: Yes, his weekend notes would cover Iraq
2 or, as I say, other issues that were going on at the
3 time, from Northern Ireland to domestic policy.

4 THE CHAIRMAN: So turning to another and broader machinery
5 point, much has been written about so-called "sofa
6 government", and I do put that in quotation marks,
7 characterised, perhaps not unfairly, with informality
8 and, indeed, a degree of intimacy with close and trusted
9 advisers and colleagues, and, on the other side, people
10 have asked, "Is there some risk of exclusion of other
11 colleagues still holding and sharing heavy
12 responsibility?", but in particular asking, "Did that
13 mean that action following such discussions
14 characterised to some degree by informality, action
15 points might be lost or lost in translation, as it were,
16 into the government machine?"

17 Would you like to comment on that?

18 MR JONATHAN POWELL: Yes. We had this criticism of sofa
19 government. I think it is actually misplaced. I don't
20 think it matters whether a meeting takes place in the
21 Cabinet room, where John Major used to hold meetings, or
22 in the sitting room, where Mrs Thatcher or Tony Blair
23 used to hold their meetings.

24 I think the key thing is that you have the right
25 people there, the people who need to be involved in

1 a decision, that they are properly informed, have the
2 proper material before them, already all in written
3 form, and that decisions are taken, then recorded, and
4 then distributed to government to be followed up.

5 As long as that happens, I think it doesn't really
6 matter if someone is sitting on a sofa or sitting round
7 a table.

8 THE CHAIRMAN: It would be primarily your responsibility to
9 the Prime Minister and the system to ensure that the
10 outcome of such discussions were recorded and were
11 transmitted into the government machinery?

12 MR JONATHAN POWELL: Inasmuch as it is my responsibility to
13 make sure that everything in Number 10 functioned, yes.
14 Although the notes in such meetings would be taken
15 usually by civil servants who were at the meetings.

16 THE CHAIRMAN: Right. The last question on process is as to
17 whether or not -- did something go a bit awry in the
18 run-up to the Iraq conflict? Because two things were
19 going on at the same time, were they? On the one hand
20 trying to keep open the political, diplomatic track with
21 the United Nations, and that meant a constant deferral,
22 adjustment to changing circumstances and developments,
23 but, on the other side, military preparedness with
24 quite -- not rigid, but quite firm timelines and needs,
25 which would be, as it were, intention, with the formal

1 part of the process. How well was that managed?

2 MR JONATHAN POWELL: I think this tension exists pretty much
3 always when you come to a war, or preparations for
4 a war, or those sorts of circumstances. There is
5 a problem that, if you convey instructions down the
6 military chain of command, it almost invariably becomes
7 public. So if you want to avoid it becoming public,
8 then you have to the keep the planning and the
9 decision-making relatively tight, relatively -- in
10 a small group, and that's what we did in the case of
11 Iraq. Any planning that happened was kept in a tight
12 group, although it started relatively early with the
13 military being involved with the planning cell at
14 CentCom from July onwards, I recall.

15 The question, I guess, is whether they should have
16 brought in people like the DLO, the head of the
17 logistics office, and others like that. I think,
18 looking back at it, I think that wasn't really their
19 problem; the problem was shifting from Turkey to coming
20 in through Kuwait in January, and it was their ability
21 to respond to that which was key, rather than the longer
22 planning period before.

23 What I have come across in government is the
24 extraordinary ability of what are called the enablers in
25 the defence Sector. The ability of those people to get

1 people from one place to another to change things
2 dramatically is quite extraordinary, which we saw, of
3 course, with foot and mouth as well as in military
4 experiences.

5 THE CHAIRMAN: Thank you. It is a theme we shall be
6 pursuing with other witnesses, of course, and some of
7 the language changed from something being necessary to
8 something being irrelevant, as I think was quite
9 illuminating, but before we leave the role of the
10 Chief of Staff, if you were going back to it again,
11 would you see any reason to change it in any material
12 way or do you think it is a good template, or, on the
13 other hand, do you think every administration, every
14 Prime Ministership is different?

15 MR JONATHAN POWELL: I think it is necessary to have a chief
16 of Staff. I think Number 10 functions best when it does
17 have such a person in place.

18 Certainly, other governments, not just the
19 United States, but Germany, France, elsewhere in Europe
20 have similar structures with someone who can co-ordinate
21 all the work of Number 10. Looking back at it, I wonder
22 whether there is a conflict with trying to be
23 a Prime Minister's fireman, someone who goes and solves
24 all the problems, combining that with someone who is
25 running Number 10, whether those two functions should be

1 kept together or should be separated.

2 We did look at the question of separating them
3 a number of times, but in the end, it became so
4 ad hominem, it became very difficult to do.

5 THE CHAIRMAN: As a second and follow-up point on that,
6 there has traditionally been, not always, but almost
7 always, a principal private secretary, a Civil Service
8 role. You spoke of the difficulty of both being the
9 Chief of Staff co-ordinator, but also being the fireman
10 very close to the Prime Minister.

11 Is there a parallel role to manage the government
12 side of it through a principal private secretary or not?

13 MR JONATHAN POWELL: I think there is certainly a role for
14 a principal private secretary in Number 10, and we
15 always had a principal private secretary in Number 10,
16 but what a principal private secretary cannot do is,
17 when you have a crisis that is both political and
18 government, they can't bring the two bits together and
19 deal with them simultaneously, and that leads to real
20 problems. You need someone who can do that combined
21 job.

22 THE CHAIRMAN: Noting in what you say that it requires
23 a good deal of interpersonal relationship management to
24 make that work, otherwise there could be quite tearing
25 tensions between the two responsibilities.

1 MR JONATHAN POWELL: Yes, I have to say in our time in
2 Number 10 there never were such problems. The
3 relationship between myself and the principal private
4 secretary always seemed to work very well indeed. So
5 I don't think it need happen.

6 THE CHAIRMAN: Thank you, I will turn to Baroness Prashar
7 I think, and apologising, as I do, to our stenographer.
8 I was going too fast. This may be better.

9 BARONESS USHA PRASHAR: Mr Powell, I want to cover the
10 question of policy on Iraq from 2001/2002, but before
11 I do that, could I just ask a supplementary following
12 from what Sir John Chilcot has been talking to you
13 about?

14 You said that it is the role of the
15 Cabinet Secretary to support the Cabinet and your role
16 as Chief of Staff. That's fine, but how did you work
17 with the Cabinet Secretary? Can you just say what is
18 the demarcation between your roles, and how did you work
19 in practice?

20 MR JONATHAN POWELL: I worked very closely with
21 Cabinet Secretaries over the years, pretty much always
22 on domestic matters rather than foreign or defence
23 matters. The division of responsibility was the
24 Cabinet Secretary was running the Civil Service, trying
25 to reform the Civil Service -- that became an

1 increasingly onerous job -- and making sure that the
2 machinery of government and the government itself was
3 focusing -- I wasn't focusing on what happened in
4 different ministries. I was trying to focus on
5 Number 10.

6 BARONESS USHA PRASHAR: So you think that relationship
7 worked well from your point of view?

8 MR JONATHAN POWELL: As people changed, there is a new
9 Cabinet Secretary coming in, there would always be a bit
10 of sparring to work out exactly where things went, but,
11 yes, I think it did work well.

12 BARONESS USHA PRASHAR: Thank you. Just turning to the
13 question of Iraq policy, my understanding is that your
14 involvement in Iraq policy was limited in 2001 but grew
15 substantially after 9/11. Is that correct?

16 MR JONATHAN POWELL: That's correct.

17 BARONESS USHA PRASHAR: But you did go to the States
18 in January 2001, I think, with John Sawers, to plan the
19 Prime Minister's visit. Was Iraq on the agenda then?

20 MR JONATHAN POWELL: That was a visit we made during the
21 transitional period, so after the election, but before
22 the Bush administration was formed, and we went to see
23 Dick Cheney, who was head of the administration
24 transition team, and a number of others on his team
25 including the foreign policy members.

1 I do not remember Iraq being a major issue.
2 John Sawers was with me, and I am sure he raised it, but
3 it wasn't top of our list.

4 BARONESS USHA PRASHAR: It wasn't. What were the
5 Prime Minister's expectations and instructions to you in
6 relation to Iraq after 9/11? What do you think was in
7 his mind?

8 MR JONATHAN POWELL: Well, I think 9/11 changed everything
9 for the United States. I remember George Bush telling
10 us subsequently that he had been actually looking at
11 a paper on smart sanctions on the day of 9/11 and
12 thinking about Iraq in the context of what one would do
13 in terms of containment.

14 9/11 I think changed everything for the Americans.
15 They saw it as a Pearl Harbour of the 21st Century.
16 They were being attacked at home and they could no
17 longer tolerate threats overseas and just wait for them
18 to happen. They had to be prepared, and that made them
19 much more willing to be pre-emptive.

20 If you remember at the time of the Chicago speech in
21 1998 that the Prime Minister made, the speech was
22 criticised at the time by a young Republican academic,
23 at Stanford University for proposing that America should
24 spend its blood and treasure overseas on foreign issues.
25 That academic was Condi Rice.

1 So this administration came to power not intending
2 to spend a lot of time overseas, they were intending to
3 focus on domestic issues, but 9/11 really changed that
4 for them.

5 BARONESS USHA PRASHAR: So you would say there was a real
6 shift in their thinking. What were their priorities
7 after 9/11? Because you said you had very close
8 connections with the States.

9 MR JONATHAN POWELL: Well, you remember that the
10 Prime Minister spoke to the phone to President Bush the
11 day after 9/11 and then went to see him shortly
12 thereafter. On both occasions, President Bush raised
13 the issue of Iraq immediately after 9/11. The
14 Prime Minister advised him that we should not consider
15 Iraq at this stage. This was an issue about Afghanistan
16 and Al-Qaeda and the focus should be entirely on them.

17 When we saw President Bush on 20 September, he
18 agreed with that and he said he was the one who would
19 make decisions on this issue in Washington and the focus
20 would be on Afghanistan and Al-Qaeda.

21 BARONESS USHA PRASHAR: But when did the change take place?
22 I mean, that was just after 9/11, the telephone
23 conversation, but what happened after 9/11 up to the
24 meeting at Crawford in April, during that period? What
25 shifts did you sense?

1 MR JONATHAN POWELL: I think American opinion, or, rather,
2 American policy shifted relatively gradually during that
3 period. At the beginning, they were focused entirely on
4 Afghanistan and the campaign in Afghanistan. By the
5 time you get to December, you have speeches being made
6 in the Senate calling for action on Iraq,
7 Senators Lieberman and McCain wrote to the President
8 demanding action on Iraq. We started sensing that
9 something was happening.

10 David Manning went to Washington in December and
11 talked on Condi Rice and received assurances from her
12 there were no immediate plans for action in Iraq, but
13 said the administration had asked for a full review of
14 the options before them.

15 When he went back again in January, he again asked
16 Condi and she said they were considering options but no
17 plan had been made. So, really, I think it was February
18 and March that they started to get into more concrete
19 plans.

20 BARONESS USHA PRASHAR: Concrete plans for what?

21 MR JONATHAN POWELL: For considering how they would actually
22 deal with Iraq. You remember there was the State of the
23 Union speech in which he talked about the Axis of Evil,
24 and, again, David spoke to Condi Rice on 14 February to
25 make sure the Americans would not plunge into any plans

1 before the Prime Minister met the President at Crawford
2 and received an assurance that they wouldn't.

3 The first face-to-face encounter we had on this was
4 with Vice-President Dick Cheney, who came to Number 10
5 on 1 March 2002. He was on his way for a Middle East
6 tour and he wanted to discuss Iraq with us before he
7 discussed it with Middle East leaders. The
8 Prime Minister warned him of the law of unintended
9 consequences. If you are going to deal with something
10 like Iraq, you have to think ahead about what might
11 happen and that you do not expect.

12 BARONESS USHA PRASHAR: What was Dick Cheney's view at the
13 time? What was he proposing?

14 MR JONATHAN POWELL: Dick Cheney was proposing to go and
15 consult the Middle East leaders on what should be done
16 in Iraq, to see what their tolerance would be for
17 action. He said at the end of the meeting --

18 BARONESS USHA PRASHAR: But the action was about regime
19 change?

20 MR JONATHAN POWELL: The action was about -- yes, about
21 replacing Saddam, and, at the end of the meeting, he
22 said that a coalition would be nice, but not essential.

23 BARONESS USHA PRASHAR: Against that background, what kind
24 of advice did you provide to the Prime Minister and the
25 options for dealing with Iraq, because, you know, you

1 had a sense of the mood that was happening in the
2 States. What sort of advice were you providing for the
3 Prime Minister?

4 MR JONATHAN POWELL: In the last part of 2001, we sort of
5 bounced various ideas of a certain amount of
6 seriousness, but, in 2002, we started looking more
7 seriously for what the advice should be. There was
8 a key meeting at Chequers, before the Prime Minister
9 went to Crawford, with the Chief of the Defence Staff,
10 other officials and other Ministers, to talk about what
11 he should do at Crawford.

12 BARONESS USHA PRASHAR: Why was the Chief of Staff involved
13 at that stage? What was the advice -- my question is:
14 what advice were you providing the Prime Minister at
15 that stage?

16 MR JONATHAN POWELL: In March of that year?

17 BARONESS USHA PRASHAR: Yes.

18 MR JONATHAN POWELL: I actually put a note to the
19 Prime Minister setting out what I thought we should
20 focus on, which was to say, "This is not Kosovo. This
21 is not Afghanistan. If you are thinking about Iraq, you
22 have to think about it in a different way. You have to
23 be able to put it in a political context". I referred
24 back to the Chicago speech and what he set out there.
25 I said, "You need to think about the long term, about

1 the Middle East peace process and where you could get to
2 on that, and how you'd put Saddam in a sort of proper
3 framework to consider this sort of action".

4 BARONESS USHA PRASHAR: What were your reasons for providing
5 that kind of advice? Why -- what were the options? Why
6 were you providing him with those options?

7 MR JONATHAN POWELL: I wasn't providing him with options.
8 I was trying to help him focus prior to his meeting with
9 President Bush. There were notes from others, including
10 Jack Straw at that time, setting out their views. So
11 there were a number of different views going to the
12 Prime Minister.

13 The view I always had was it was very important on
14 to ensure that the Prime Minister has as wide a range of
15 views as possible and not confined to just one or two
16 people, because if that happens, you can fall into the
17 trap of *pensée unique*, you always think the same thing.
18 You need it to be challenged from different directions.

19 BARONESS USHA PRASHAR: We have heard from different
20 witnesses about the development of the UK policy, in
21 late 2001/2002. Some have said that containment was
22 dead as a viable policy in the aftermath of 9/11, and
23 that, before Crawford, the UK policy had, in effect,
24 shifted, and others have said that this was kind of
25 a gradual evolution of policy and that containment

1 remained UK policy in the first part of 2002. Which was
2 it?

3 MR JONATHAN POWELL: Containment was dying in 2001. I mean,
4 remember the context for us on Iraq. We had started
5 dealing with Iraq in 1998 in government when we bombed
6 Iraq together with President Clinton's administration.
7 Iraq was not a new subject to us.

8 After that, there had been a long wrangle trying to
9 get inspectors back into Iraq. We had wrestled with
10 Saddam, who had played every trick possible. The
11 reason, in 2001, that people were looking at smart
12 sanctions was because sanctions weren't working. They
13 were hurting the wrong people. People were really
14 suffering in Iraq as a result. Saddam was cheating and
15 getting what he needed out of it. Support for sanctions
16 was disappearing. There was no way we could continue
17 containment on the same basis as we had before.

18 BARONESS USHA PRASHAR: So your view was that containment
19 was no longer a liable policy?

20 MR JONATHAN POWELL: Containment didn't look to us as if it
21 was going to survive in 2001. That's why Robin Cook was
22 discussing ways of changing it with Colin Powell, and
23 then John Sawers carried out his exercise that you have
24 heard about before for reviewing the policy. By the
25 time 9/11 happened, it really wasn't going to work

1 any more, the Americans had moved off it.

2 THE CHAIRMAN: Substantively, Lord Turnbull told us just
3 last week that Robin Cook didn't agree with the notion
4 that containment was finished. He also commented he
5 thought Cook was right at that time. So there were
6 differences of view on that single containment issue, as
7 a viable policy.

8 MR JONATHAN POWELL: Yes, I mean, Robin had ceased to be
9 foreign policy at that stage. At that stage, he was
10 leader of the House and Jack Straw was then Foreign
11 Secretary. I don't think anyone in those government
12 positions at the time felt that containment was a viable
13 way forward. We would really have lost the whole thing
14 very shortly thereafter. Of course, people had
15 different views about it.

16 BARONESS USHA PRASHAR: But your personal view and advice to
17 the Prime Minister was that containment was kind of
18 a risky route?

19 MR JONATHAN POWELL: I didn't actually address containment
20 in the note that I did to him on that occasion. I was
21 talking about how we could influence the Americans.

22 Remember what our objective was with the Americans
23 when we went to Crawford: we were trying to replicate
24 what we had done after 9/11 on Afghanistan. We were
25 trying to say to them, "Don't rush into anything. Move

1 at a deliberate pace, and, above all, build a coalition.
2 Talk to people, go the UN route. Don't just rush into
3 unilateral action". We believed unilateral action would
4 have been a terrible thing by America, and we wanted to
5 try and put it in a much wider political context.
6 That's what we went to Crawford to try to do and what we
7 tried to do subsequently during that year.

8 BARONESS USHA PRASHAR: Were they listening?

9 MR JONATHAN POWELL: Yes, they were, I think it is fair to
10 say, both at Crawford, and then, in July, when the --
11 when David Manning went there and there was a discussion
12 of the thoughts the Prime Minister had sent to the
13 President and the phone call with the President.

14 So that phone call at the end of July, the President
15 said, yes, he would give consideration to the UN route,
16 and then, when he called us at the end of August,
17 I think it was 28 August, he said, yes, he was up for
18 the UN route and would go that way.

19 BARONESS USHA PRASHAR: But the point really is it seems, or
20 it is alleged, that we had given a kind of unconditional
21 commitment that we would be with them regardless.

22 Against that background, how was it feasible that
23 they would actually pay much attention to those sort of
24 conditions or the influence we were trying to exercise?

25 MR JONATHAN POWELL: Yes, that's a misunderstanding that

1 I noticed had been put to this Committee a short while
2 ago. I was at Crawford, David Manning was at Crawford,
3 Christopher Meyer was not at Crawford. He was at Waco,
4 about 30 miles away.

5 The Prime Minister gave us an account of his
6 conversation with the President and the Prime Minister
7 the previous evening. We were there from the morning,
8 and most of the discussion with the President then was
9 on the Middle East, but they also recapped their
10 discussion of Iraq. There was no undertaking in blood
11 to go into war on Iraq. There was no firm decision to
12 go on war.

13 In fact, if -- the record which was sent to
14 Christopher Meyer of that meeting says Bush acknowledged
15 the possibility that Saddam would allow inspectors in
16 and let them go about that business. If that happened,
17 we would have to adjust our approach accordingly.

18 So it was absolutely clear we were not signing up
19 for a war on this, we were signing up for going down the
20 UN route and giving Saddam a chance to comply.

21 BARONESS USHA PRASHAR: But military options were discussed?

22 MR JONATHAN POWELL: I don't recall them getting into any
23 sort of discussion of military options. We agreed that
24 a cell could go to CentCom and discuss the planning that
25 was going on there, but I don't think we talked about

1 military options.

2 I think the Prime Minister's message to the
3 President was: if you are going to do this, you have got
4 to do it in the most intelligent manner possible, like
5 after Afghanistan, like after 9/11. You have got to put
6 this on a political track. You have got to build
7 support. You have got to go down the UN route. You
8 have got to exhaust that UN route and you have got to
9 give Saddam a chance to comply. That was his message
10 again and again at Crawford.

11 BARONESS USHA PRASHAR: We have declassified today the
12 official diplomatic telegram coming out of the Crawford
13 meeting, and this telegram went to a large number of
14 posts overseas. Is this a comprehensive account of the
15 discussion?

16 MR JONATHAN POWELL: No, it is not. It's a -- I have seen
17 that telegram, and it is a briefing telegram. It is
18 a telegram that is sent out after such meetings to give
19 lines to take to very large numbers of posts. It does
20 not set out the full, intimate and confidential details
21 of the discussion. That was contained in a separate
22 record by David Manning, which was copied to
23 Christopher Meyer and a few others.

24 BARONESS USHA PRASHAR: Is there anything in that that you
25 want to draw to my attention?

1 MR JONATHAN POWELL: Well, yes, I think, looking back at it,
2 one of the things that is so interesting is that the
3 Prime Minister was talking at that stage about the
4 things that you would need to do to make this
5 successful. The first was to put the Middle East peace
6 process in a different place. Arab leaders were telling
7 us privately that maybe you could go ahead with Iraq,
8 but you could only do it if the Middle East peace
9 process was being seriously addressed. That strikes me
10 as a fundamental point that he repeated again and again
11 subsequent to that meeting.

12 THE CHAIRMAN: Sorry, slower.

13 MR JONATHAN POWELL: Sorry. We ought to have a government
14 metronome or something!

15 He talked about what would happen on the day after.
16 If you go into Iraq, what are you going to be prepared
17 for that happens thereafter? So I think he in many ways
18 listed all the right questions at that stage when he was
19 talking to Bush at Crawford.

20 BARONESS USHA PRASHAR: It seems to me you were registering
21 all the right sorts of questions, but do you think they
22 were being registered? What sort of response were you
23 getting from President Bush?

24 MR JONATHAN POWELL: We were getting a very positive
25 response from President Bush. Does that mean that all

1 of them were subsequently implemented? No. I guess
2 that's what we're going to discuss later, but they were
3 certainly being registered, yes.

4 BARONESS USHA PRASHAR: When he came back, how did you
5 ensure that the action coming out of this meeting was
6 set in hand?

7 MR JONATHAN POWELL: The action largely was for the
8 Americans at this stage to think about what we said, but
9 we then went ahead to plan a major meeting in July with
10 the defence chiefs, with the relevant ministers and
11 officials. This was prepared by the Cabinet Office, who
12 produced all the various documentation we needed to
13 discuss where we thought the Americans were going and
14 what we needed to do.

15 We knew that a military plan would be put to
16 President Bush on 4 August and we wanted to be clear
17 where we were and the points we wanted to make to
18 President Bush before that happened.

19 BARONESS USHA PRASHAR: But who did you involve in this when
20 you put in action in hand? Was it a sort of restricted
21 distribution, or did you involve a wide range of people
22 when you came back?

23 MR JONATHAN POWELL: Do you mean in reporting the Crawford
24 meeting?

25 BARONESS USHA PRASHAR: In reporting and planning, yes.

1 MR JONATHAN POWELL: No, the letter, as I said, went to
2 a restricted number of people, to the Foreign Secretary,
3 the Defence Secretary --

4 BARONESS USHA PRASHAR: Why was that the case?

5 MR JONATHAN POWELL: Because you wouldn't want to have
6 a leak of all of that information. Your relations with
7 the United States depend on you being able to keep
8 discussions with them confidential. If you want to have
9 influence on the United States, you need to be able to
10 have a private discussion with them.

11 There had been an awful lot of leaking around that
12 period of all sorts of information and we were
13 determined to try to keep it very closely held. It is
14 not unusual, in terms of transatlantic relations or indeed
15 other conversations with other people such as
16 President Chirac or President Putin.

17 SIR LAWRENCE FREEDMAN: I just want to go back over some of
18 the things you have told us.

19 First, the conversations with Vice-President Cheney.
20 When the Prime Minister mentioned a law of unintended
21 consequences, what sort of unintended consequences did
22 he have in mind?

23 MR JONATHAN POWELL: Well, by definition, being unintended
24 consequences, we didn't know what they were, but things
25 going wrong. There could be violence that we hadn't

1 anticipated, there could be the most awful ecological
2 disaster. Those sort of things were what we were
3 saying. We had experience of military action before,
4 a number of times, during Tony Blair's time in
5 government, and we knew that the best laid plans
6 disappear in the fog of war and you need to be prepared
7 for the expected, and that's what we were warning of.

8 SIR LAWRENCE FREEDMAN: What did Cheney say in response?

9 MR JONATHAN POWELL: I think Cheney took a very optimistic
10 view of the way things would go. But he was going off
11 to the Middle East to discuss with Middle East leaders,
12 so he was not definitive about it at all.

13 SIR LAWRENCE FREEDMAN: On that trip, he found Middle East
14 leaders less than enthusiastic about what he proposed
15 while the violence in Palestine was continuing. Is that
16 fair?

17 MR JONATHAN POWELL: Not unusually, leaders in all parts of
18 the world will say different things to different people
19 in private and you get very different mixed messages on
20 this. I think he got a message, "You have got to move
21 on the Middle East", but beyond that, I don't think he
22 got a wave of opposition to action in Iraq.

23 SIR LAWRENCE FREEDMAN: Just going back a bit before that,
24 you mentioned that David Manning had picked up the
25 stirrings about Iraq in the United States and in late

1 2001 and that you were putting some ideas around. What
2 sorts of ideas were you considering at the time? What
3 sort of proposals did you have in mind?

4 MR JONATHAN POWELL: Well, we didn't really have a serious
5 discussion of proposals at that stage, or we weren't
6 clear, and I jotted down some ideas on a piece of paper
7 which I would rather forget at the moment, about
8 encouraging people in Iraq to resist, Shi'ites, Sunnis
9 and military leaders.

10 SIR LAWRENCE FREEDMAN: You have just made it much more
11 interesting, however. So what -- I mean, that sounds
12 like an Afghanistan sort of model.

13 MR JONATHAN POWELL: Yes, it was a sort of Afghanistan
14 model, but it wasn't a very serious piece of work and it
15 didn't go anywhere. The Prime Minister did me the good
16 grace of not commenting on it.

17 SIR LAWRENCE FREEDMAN: Let's talk about the
18 Prime Minister's approach. When you were talking about
19 Crawford, you said if you -- the Prime Minister is
20 saying to the President, "If you are going to do this",
21 meaning Bush, and then suggesting things about how it
22 could be done better. Was it the case that the
23 Prime Minister was also keen on the objective?

24 MR JONATHAN POWELL: Yes, the Prime Minister was always
25 clear that the world would be better off without

1 Saddam Hussein. I think he was always clear on that
2 from the very beginning, even back to the time of
3 President Clinton.

4 SIR LAWRENCE FREEDMAN: How did the Prime Minister at the
5 time envisage that this might be achieved?

6 MR JONATHAN POWELL: Well, I think he thought the best way
7 to pursue this, as with Afghanistan, would be to go down
8 the UN route to try and give Saddam every chance to
9 comply, but, if he didn't, to build a wide coalition to
10 deal with him.

11 SIR LAWRENCE FREEDMAN: I'm interested naturally in what you
12 said about -- saying it is not like Kosovo, and then you
13 mentioned the Chicago speech -- and I should say that
14 something about my own contribution to that has just
15 been put on the web -- but the Chicago speech was at the
16 time of Kosovo and very much Kosovo-related. Why do you
17 think that Kosovo was not necessarily a good guide to
18 how to look at Iraq?

19 MR JONATHAN POWELL: I think Kosovo was a good guide of how
20 to look at Iraq, and it set out five conditions --

21 SIR LAWRENCE FREEDMAN: The Chicago?

22 MR JONATHAN POWELL: The Chicago speech, sorry, set out five
23 conditions on when it would be sensible to take military
24 action, and the two pertinent ones for the case of Iraq
25 in particular were: do you have the military means to do

1 so.

2 So, for example, I might want to get rid of the
3 regime in North Korea, or I might want to get rid of the
4 regime in Burma, but I have no means to do so. So the
5 first relevant factor is: do you have the military means
6 to take this action?

7 The second is: are you prepared for the long term?
8 If you go in there, you can't just rush off and do
9 nothing. So you have to be properly prepared, and that
10 was the point of the warning we were making to the
11 President, repeatedly, about the need to be prepared for
12 unintended consequences.

13 SIR LAWRENCE FREEDMAN: The first of the Chicago conditions
14 was: are we sure of our case? At this time, were you
15 sure of the case? Were there any doubts in your mind
16 about the aspects of the case relating to weapons of
17 mass destruction or was that separate to the case
18 relating to the desirability of getting rid of
19 Saddam Hussein?

20 MR JONATHAN POWELL: No, I had no doubts about weapons of
21 mass destruction, and I think rather too much emphasis
22 has been put on intelligence for why I believed that.
23 Why anyone believed that.

24 Again, if you go back into the context of our
25 government, when Tony Blair formed his government, we

1 were dealing with an Iraqi regime that had had weapons
2 of mass destruction, had used weapons of mass
3 destruction, had lied about getting rid of weapons of
4 mass destruction, had been caught out lying by the
5 defection of his son-in-law. They had had to admit the
6 existence of biological weapons.

7 So the reason we bombed Iraq in 1998, together with
8 the Clinton administration, was that we believed they
9 had weapons of mass destruction. So it would have taken
10 something pretty dramatic to persuade us that he had got
11 rid of those weapons. So, yes, I absolutely believed
12 that he had weapons of mass destruction.

13 SIR LAWRENCE FREEDMAN: How did this issue relate to regime
14 change? As you know, there has been a lot of discussion
15 that suggests that this particular issue was believed,
16 but it was just one aspect of the various charges that
17 could be laid against Saddam Hussein, and that there was
18 a much broader issue that it would be much better just
19 to get rid of the man, and, if that issue didn't exist,
20 then another one could be found.

21 MR JONATHAN POWELL: As I said a few moments ago, I think
22 you can believe that it is good to get rid of
23 a dictator, and, as a progressive -- as a socialist,
24 I believe getting rid of fascist dictators is a good
25 thing. You can believe that about Burma, or about North

1 Korea, or about Zimbabwe, but not be able to do anything
2 about it.

3 In Iraq, the case was that he was in breach of
4 UN Resolutions on weapons of mass destruction. The will
5 of the UN had to be enforced and that was the case for
6 action in Iraq. Those two things are perfectly
7 compatible, you can believe them at the same time.

8 SIR LAWRENCE FREEDMAN: If you look at the speech the
9 Prime Minister made in Texas just after Crawford on
10 8 April, he said:

11 "I have been involved, as British Prime Minister, in
12 three conflicts involving regime change: Milosevic, the
13 Taliban and Sierra Leone."

14 Now, are any of these three good guides for dealing
15 with Iraq and Saddam Hussein?

16 MR JONATHAN POWELL: Can I just say something else about
17 that speech, because I notice that Christopher Meyer
18 suggested that in some way this speech was developing
19 a new policy on Iraq. I was very surprised when he said
20 that, so I went to have look at the speech, and I can't
21 find any reference here to regime change in Iraq.

22 I helped draft the speech. We certainly had no
23 intention of changing policy on regime change in Iraq --

24 SIR LAWRENCE FREEDMAN: The passage on regime change comes
25 before the passage on Iraq.

1 MR JONATHAN POWELL: Yes, but if we had been intending to
2 say something about this, we would have (a) said it and
3 (b) made sure that everyone noticed that we'd said it,
4 as opposed to only Christopher Meyer noticing that we'd
5 said it.

6 So there certainly was no intention to change policy
7 with that speech, and, in fact, what is interesting, and
8 what sticks in my mind, was the worry we had going into
9 the press conference at Crawford that we had different
10 position on regime change from President Bush.

11 We spent some time discussing how could we avoid
12 there being a breach, a gap between what the two said
13 about regime change. This is on the British side, we
14 discussed how to avoid that. So on the contrary from
15 trying to change our position on regime change, we were
16 worried about how we wouldn't reveal to public
17 discussion a huge gulf between us.

18 SIR LAWRENCE FREEDMAN: So why was that section there? What
19 was the Prime Minister trying to signal by saying we
20 would -- he has had a lot of experience of regime
21 change?

22 MR JONATHAN POWELL: He is trying to show that we have to be
23 prepared, if the international community is to mean
24 anything, to take action when we need to take action,
25 but you can't do so just on the basis of the wish for

1 regime change.

2 SIR LAWRENCE FREEDMAN: Just taking -- I don't want to go
3 into detail -- the three examples, Sierra Leone is about
4 saving a regime more than changing it, the Taliban
5 clearly. But we had the discussion with John Sawers
6 about Milosevic, with the implication that Milosevic
7 somehow did indicate that the British Government,
8 working with others, was able to do something about
9 dictators such as that, but, in the end, of course, it
10 was the Serbian people who removed Milosevic.

11 So I'm just wondering why the Prime Minister
12 highlighted Milosevic as a model potentially for future
13 regime change?

14 MR JONATHAN POWELL: I think he was being consistent with
15 the arguments he set out in Chicago. One of the
16 interesting things in the case of Iraq is that Saddam
17 clearly got a message from Afghanistan and started
18 trying to send messages through various routes about his
19 worries about what was going to happen to him next.

20 So I do think there are comparisons between them,
21 but, as you say, they are all extremely different.

22 SIR LAWRENCE FREEDMAN: Given that Saddam, as you have just
23 said, was sending messages, was there any interest in
24 following those up to see if there was a way by which
25 some sort of resolution of a long-term crisis could be

1 found?

2 MR JONATHAN POWELL: No, our experience of dealing with
3 Saddam, over quite a long period by that stage, was he
4 only responded if he thought there was going to be
5 military action. The only reason that he allowed the
6 inspectors back in in the autumn was because he could
7 see what was going to happen if he didn't.

8 So our experience of Saddam was you have to be
9 pretty muscular to persuade him to take action and you
10 don't want to get yourself bogged down in long
11 discussions with him because he will play them for as
12 long as he possibly can.

13 SIR LAWRENCE FREEDMAN: But there was no interest in
14 a diplomatic resolution of this with the Government of
15 Iraq?

16 MR JONATHAN POWELL: I don't think we believed you could get
17 to any serious conclusion with Saddam, that he would
18 ever stick to anything that he promised to do. The
19 diplomatic solution we sought was down the UN route.

20 SIR LAWRENCE FREEDMAN: In a question that Sir Roderic Lyne
21 raised with Alastair Campbell last week, he spoke about
22 the PM's correspondence with Mr Bush. Presumably you
23 have also seen this correspondence?

24 Mr Campbell said:

25 "The tenor of that correspondence was we share the

1 analysis, we share the concern, we are absolutely with
2 you in making sure that Saddam Hussein is faced up to
3 his obligations and that Iraq is disarmed. If that
4 can't be done diplomatically, it has to be done
5 militarily, Britain will be there."

6 When did that sort of message start to be given to
7 the President? Did that start at Crawford or did it
8 develop later on?

9 MR JONATHAN POWELL: It started at Crawford, but the note
10 you are referring to is a very important one. This was
11 not, to be clear, a correspondence with President Bush.
12 As the Chairman mentioned earlier, the Prime Minister
13 had a habit of writing notes, both internally and to
14 President Clinton and to President Bush, on all sorts of
15 subjects, because he found it better to put something in
16 writing rather than to simply talk about it orally and
17 get it much more concretely and focused in focused
18 terms.

19 That note was a very important one following up from
20 Crawford, trying to make it clear the basis on which we
21 thought it would be sensible to go ahead and the basis
22 on which we thought you should go to the UN.

23 Again, as I say, the thing he was talking about was
24 the danger of unintended consequences. Supposing it all
25 got militarily tricky, Iraq suffered unexpected civilian

1 casualties and the Iraqis feel ambivalent --

2 SIR LAWRENCE FREEDMAN: Slowly.

3 MR JONATHAN POWELL: Sorry. The Iraqis feel ambivalent

4 about being invaded. If we win quickly, everyone will
5 be our friend. If we don't, and they haven't been bound
6 in beforehand, the recriminations will start fast. So
7 he was warning of these unintended consequences and
8 arguing to put this in a political context and to do it
9 in a way that would win support of a wide coalition as
10 with Afghanistan.

11 SIR LAWRENCE FREEDMAN: So in terms of the Prime Minister's
12 strategy with the President at this time, is he
13 essentially trying to offer Britain's support when it
14 comes to the crunch in return for influence over the
15 means by which you get to the crunch?

16 MR JONATHAN POWELL: Obviously, there is a trade-off between
17 convincing someone that you are with them, that you
18 believe what they are trying to do and you are going to
19 try to help them and getting some influence. If you
20 just go to someone and say, "You're completely wrong.
21 Forget it", the amount of influence you are likely to
22 have -- or you say, "I'm not going to do anything with
23 you", your amount of influence is less.

24 So, yes, there is a trade-off between indicating you
25 are with someone and then persuading them to move down

1 a particular route.

2 SIR LAWRENCE FREEDMAN: Once you do that, especially, as you
3 have indicated, you believe in it yourself, what real
4 leverage do you have?

5 You have mentioned things that would be necessary
6 for there to be success, Middle East peace process,
7 going through the UN. Are these red lines for Britain,
8 things that are absolutely essential, we will lose
9 interest if we can't do anything about them, or are
10 these things that would be nice to have and be helpful
11 but, whatever happens, we will go along with the policy?

12 MR JONATHAN POWELL: The point of these notes is to try and
13 set out the right way to do it. I think, thinking of
14 them in terms of conditions is the wrong way to look at
15 it. We weren't trying to say, "If you tick off all
16 these boxes, then we will be with you". We were saying,
17 "We are with you, in terms of what you are trying to do,
18 but this is the sensible way to do it. We are offering
19 you a partnership to try and get to a wide coalition".

20 But being with the Americans didn't necessarily mean
21 going to war. The Prime Minister said repeatedly to
22 President Bush that if Saddam complied with the
23 UN Resolutions, then there would not be any invasion and
24 President Bush agreed with him on that.

25 I noted down three particular occasions

1 in April 2002 at the meeting in Crawford -- sorry,
2 6 April 2002 at Crawford, at Camp David on 7 September
3 of that year and a phone call in October, and, again, as
4 late as 19 February 2003. So the Prime Minister was
5 saying, "We are with you. We need to go down the UN
6 route, but that does not necessarily mean war. It may
7 well be that Saddam could comply well short of war".

8 SIR LAWRENCE FREEDMAN: Can I just clarify what compliance
9 would mean? This goes back to evidence that we have
10 heard from, say, Tim Dowse and Sir William Ehrman and
11 others. If you -- if Saddam had allowed inspectors in,
12 which was the main demand of the time, it was by no
13 means certain that things would be found, what sort of
14 guarantees would have been required for it to have been
15 considered that Saddam Hussein had complied? How would
16 we know?

17 MR JONATHAN POWELL: This was something that became very
18 live in the later stages at the end of the year and the
19 beginning of 2003, and it is the distinction between
20 active compliance or active cooperation and passive
21 cooperation, and Hans Blix was telling us, in 2002,
22 something rather different than he says now, but at the
23 time he was saying to us there was not active
24 cooperation. They hadn't changed their attitude. They
25 were still trying to hide things, even though they had

1 allowed inspectors in.

2 SIR LAWRENCE FREEDMAN: We will come on to that and we want
3 to look at that more carefully. I'm just trying to work
4 out, in principle, the problem that was faced, because
5 even under the Clinton administration, the view in the
6 United States was that it was almost impossible for
7 Saddam Hussein himself to give comfort to the
8 United States and the rest of the international
9 community that he had disarmed. There could never be
10 belief that that had been fully achieved. Was that the
11 view of the United Kingdom as well?

12 MR JONATHAN POWELL: No, and that was why -- again, you'll
13 probably want to come on to this later, but in February
14 and March 2003, we set the five tests based on the
15 clusters document that Hans Blix produced to show that
16 there were ways in which he could satisfy us that he was
17 co-operating.

18 One of the important ones was interviews, as you
19 will remember.

20 SIR LAWRENCE FREEDMAN: We will come on to that later. So
21 even at this stage, there is a potential divergence
22 between the United States and the United Kingdom over
23 what compliance with the UN Resolutions might mean in
24 practice?

25 MR JONATHAN POWELL: There was a potential divergence with

1 parts of the American administration, but not with the
2 President at this stage. The President was certainly
3 agreeing with us that we would go down the UN route. If
4 Saddam complied, then there would be a military action.

5 SIR LAWRENCE FREEDMAN: I would like to go on at this
6 pointed to the weapons of mass destruction issue, but
7 maybe I should pause and see if colleagues want to come
8 in on what has been said.

9 THE CHAIRMAN: Unless there is something urgent, I think we
10 ought to get on to weapons of mass destruction. What
11 I'm minded to think is that in about 10 to 15 minutes we
12 will call a break, and then, if the witness is content,
13 we might then have another break after an hour and go on
14 a little bit after five o'clock.

15 SIR LAWRENCE FREEDMAN: Okay. On to weapons of mass
16 destruction.

17 What would you say was the main reason that you were
18 concerned about Iraqi weapons of mass destruction?
19 Because there were a number of potential arguments that
20 might have been used.

21 MR JONATHAN POWELL: Well, the Prime Minister had been
22 warning about weapons of mass destruction and about
23 terrorism and about the nexus between the two of them at
24 least since the Chicago speech. It came up prominently
25 at his first meeting with President Bush in 2001 at

1 Camp David, where he said that weapons of mass
2 destruction and terrorism would be the main issue, he
3 thought, for President Bush's presidency in foreign
4 policy terms.

5 SIR LAWRENCE FREEDMAN: But if you look at any lists of
6 foreign policy priorities being produced at that time,
7 you will find weapons of mass destruction and terrorism,
8 but the link between the two was not necessarily going
9 to be made.

10 MR JONATHAN POWELL: Well, the reason we thought there was
11 a link -- and the Chairman will stop me if I get into
12 wrong territory here -- was because of what we thought
13 Osama bin Laden was up to, and what we thought AQ Khan
14 and the tinnners(?) and all these people who were engaged
15 in proliferation, who were trying to get these weapons
16 and trying to find ways of using them. So we were very
17 concerned about that.

18 THE CHAIRMAN: This is all on the public record. It is
19 fine.

20 SIR LAWRENCE FREEDMAN: Did you see Iraq having any links
21 with those sorts of terrorist groups?

22 MR JONATHAN POWELL: No, we spent quite a long time
23 disagreeing with the Americans about the link between
24 Al-Qaeda and Saddam.

25 SIR LAWRENCE FREEDMAN: So there was a hypothetical issue

1 that a country producing weapons of mass destruction
2 might at some point link them with terrorists, but --
3 and AQ Khan network was -- the connection with Pakistan
4 was something to be worried about, but Iraq wasn't
5 necessarily one of those countries?

6 MR JONATHAN POWELL: No, the worry with Saddam was that he
7 would, if sanctions stopped, be able to develop weapons
8 of mass destruction faster and be able to find ways of
9 deploying them. So the worry with Saddam was not the
10 link with Al-Qaeda.

11 SIR LAWRENCE FREEDMAN: But the intelligence -- and this is
12 again on the public record -- with regard to nuclear
13 weapons was that it would take five years after the end
14 of sanctions before nuclear weapons could be produced,
15 which is the most serious threat, whereas Libya, Iran,
16 not to mention Pakistan, North Korea, these were much
17 more immediate problems.

18 MR JONATHAN POWELL: Well, it is entirely in the eye of the
19 beholder which is the most immediate.

20 SIR LAWRENCE FREEDMAN: Certainly in terms of development of
21 actual weapons.

22 MR JONATHAN POWELL: Yes. But that's not the same as saying
23 that they are more of a threat to use those particular
24 weapons, whether they develop them or -- India had
25 nuclear weapons, Pakistan has nuclear weapons.

1 I think the issue really is that Iraq was the
2 country that was in breach of UN Resolutions; the other
3 countries weren't. So he was somewhere -- here was
4 a case where we could actually act on weapons of mass
5 destruction, where we couldn't act on weapons of mass
6 destruction elsewhere. There simply was no legal base,
7 there was no legal way you could act on it. Here was
8 a legal base, he was in contravention. The message that
9 we sent by dealing with it would be an important one,
10 and it is notable that Libya did decide to give up its
11 weapons of mass destruction just at the time that Saddam
12 was overthrown. I don't think anyone would dispute
13 there was a connection between those two things.

14 SIR LAWRENCE FREEDMAN: I think I can actually dispute it,
15 because discussions had been going on for quite a long
16 time in which the Prime Minister had been directly
17 involved.

18 MR JONATHAN POWELL: That's when he made his decision.

19 SIR LAWRENCE FREEDMAN: So what you are saying is that you
20 have the -- the issue that was always pushed to the
21 fore, that this is a country in violation of
22 Security Council Resolutions, that this was a bad thing
23 in itself, but that -- but it also gave you
24 a opportunity to deal with one of a number of threats,
25 that you wouldn't have had with other countries.

1 MR JONATHAN POWELL: Yes, the United Kingdom by itself has
2 no capacity to deal with any of these threats, it can
3 only do so in conjunction with a superpower like the
4 United States.

5 SIR LAWRENCE FREEDMAN: But in terms of the point that was
6 made regularly in speeches and so on, how much was this
7 about a country that was in violation of
8 Security Council Resolutions which might have been on
9 quite modest matters, and how much was it about the fact
10 that this was a potential direct threat in terms of
11 being prepared to use these weapons?

12 MR JONATHAN POWELL: It was both. He was a potential threat
13 and he was in breach of the Security Council
14 resolutions, so we could do something about it.

15 SIR LAWRENCE FREEDMAN: Mr Campbell, in his evidence to us
16 last week, referred to a step change in the intelligence
17 on Iraq. Were you aware that there was a sense of
18 a step change in how Iraq was developing its weapons of
19 mass destruction?

20 MR JONATHAN POWELL: It is quite hard to remember back over
21 that period of time, but I guess there was certainly
22 more intelligence at that stage, yes.

23 SIR LAWRENCE FREEDMAN: But you don't have any particular
24 recollection?

25 MR JONATHAN POWELL: It doesn't particularly stick in my

1 mind, but there must have been more.

2 SIR LAWRENCE FREEDMAN: In the Butler Report there is
3 a quote from the document produced pre-Crawford that
4 says:

5 "What has changed is not the pace of
6 Saddam Hussein's weapons of mass destruction programmes
7 but our tolerance of them post-11 September."

8 It says the Prime Minister had told Butler that this
9 was his position. So in a sense the problem was that
10 you had a different view of these programmes rather than
11 there was any new intelligence coming through of what
12 the Iraqis were doing.

13 MR JONATHAN POWELL: I think that is correct. Our tolerance
14 after 9/11 -- the American tolerance in particular, but
15 also our tolerance -- of potential threats had
16 increased. We didn't want to wait sitting until we were
17 hit.

18 SIR LAWRENCE FREEDMAN: So what might have been a position
19 based on the intelligence coming through prior to that
20 time, which suggested, as it did, that this was
21 a programme that had been set back by sanctions, by
22 Desert Fox, by a whole series of other things, and was
23 still some distance from reaching where Saddam Hussein
24 might like it to be, this, nonetheless, had been turned
25 into something else by the concerns that had developed

1 after 9/11?

2 MR JONATHAN POWELL: Yes, as I said earlier, 9/11 did change
3 everything as far as the Americans were concerned, to
4 a lesser extent in Europe, but for us also.

5 SIR LAWRENCE FREEDMAN: Again, we have heard that the
6 intelligence estimates used the words "sporadic and
7 patchy", they definitely referred to the sparsity of
8 good intelligence on Iraq. Were you aware of that?
9 Were you concerned that the intelligence was, as you
10 suggested before, possibly, dependent upon past
11 experience with Iraq and influences drawn from that
12 experience rather than hard evidence about what was
13 actually known?

14 MR JONATHAN POWELL: Well, of course, intelligence isn't
15 hard evidence, intelligence is something that suggests
16 things to you, it is not something that proves
17 something.

18 I think, as I said earlier, we had an assumption,
19 and we had that assumption because Saddam had used
20 weapons of mass destruction. We had that assumption
21 because he had lied about getting rid of it. We had
22 that assumption because he had got rid of the weapons
23 inspectors when we bombed him in 1998. So it would have
24 taken some quite strong intelligence saying he had got
25 rid of them to convince us he had indeed got rid of

1 them, because, logically, you would think, if he was
2 getting rid of them, he would make something of it, he
3 would tell us and allow the inspectors to prove that
4 fact, and he wasn't prepared to do so.

5 So I think, in retrospect, much too much emphasis is
6 put on the dossier and on intelligence. At the time,
7 the dossier was not such a big deal as the Butler Report
8 concludes. I think we had the assumption he had weapons
9 of mass destruction. The intelligence confirmed that.
10 We didn't really have any doubts about it, and not many
11 people were suggesting doubts to us about it.

12 SIR LAWRENCE FREEDMAN: This may be true, but there is one
13 thing to step up your diplomacy and eventually go to war
14 on the basis of a plausible working hypothesis. It is
15 another thing, when you have got hard evidence that the
16 international community is being deceived, lied to and
17 that in fact something which is said not to be there, is
18 actually there.

19 So if the Prime Minister had said, "We don't know,
20 but this is what we think", would that have had the same
21 impact on public and international opinion?

22 MR JONATHAN POWELL: There was a reason that most people
23 thought that Saddam had weapons of mass destruction at
24 that stage. That was that he had had them, he had used
25 them, we bombed him because we thought he had them. In

1 1998 we didn't bomb him in doubt that he had weapons of
2 mass destruction. We didn't say to try and force the
3 inspectors back in to complete the --

4 SIR LAWRENCE FREEDMAN: This is true, but all through the
5 1990s, the inspectors had been at work. In the early
6 1990s, they had dismantled most of the nuclear
7 capability. You referred to what had happened in 1995,
8 with the revelations about biological weapons, but then
9 a whole series of materials was found as a result of
10 that.

11 So that, although it was the case that he had lied,
12 things had happened, there had been a pretty intensive
13 pressure on his weapons of mass destruction programme
14 throughout the 1990s. So to say that, because of the
15 past, you could assume it was still there, doesn't give
16 much credit to what had been done through the 1990s.

17 MR JONATHAN POWELL: It does, because, of course, the whole
18 point was that Saddam had cheated, was caught out when
19 his son-in-law defected. Had to confess to the
20 biological programme. The inspectors went back in to
21 try dismantle that, and the inspectors at that time had
22 concluded that there was still a large amount of
23 material that hadn't been decommissioned.

24 I note, for example, on 6 September 2002, when Blix
25 came to see the Prime Minister, he said that Saddam had

1 not met his obligations for full and frank disarmament.
2 There was no evidence he had destroyed his biological
3 weapons. 10,000-litres was still unaccounted for of
4 anthrax, and there could be much more. So there were
5 reasons to believe he still had weapons of mass
6 destruction.

7 SIR LAWRENCE FREEDMAN: No doubt, as you will be aware, the
8 son-in-law actually said that the stuff had been
9 destroyed, but the records weren't good. So it again
10 gets back to the problem of: how do you prove
11 compliance?

12 If they have destroyed it, but they haven't actually
13 kept very good records of it, which seems in some cases
14 to have been the case, then there was never any way out
15 of this particular problem. There were plenty of
16 assertions on the record to say that it had been
17 removed.

18 MR JONATHAN POWELL: That's why I really disagree with you,
19 because he could have cooperated actively, had he wanted
20 to demonstrate there were no weapons of mass
21 destruction. Again, on 22 November 2002, Blix said to
22 the Prime Minister the Iraqis were co-operating on
23 practical arrangements, but there was no real change of
24 approach to giving up weapons of mass destruction. He
25 could have cooperated, if he had wanted to.

1 SIR LAWRENCE FREEDMAN: That, no doubt, was his mistake, but
2 we are trying to understand the quality of the evidence
3 with which very large decisions of war and peace were
4 being taken.

5 There is a difference between hard intelligence that
6 confirms this and a perfectly plausible but still no
7 more than a working hypothesis which suggests it.

8 MR JONATHAN POWELL: I have difficulty with this notion of
9 hard intelligence as opposed to soft intelligence.
10 I mean, if you find him in flagrante with something,
11 then you have the evidence. Throughout the period
12 of October through March, once the inspectors were back
13 in, we were constantly giving them intelligence of where
14 particular bits of equipment might be, and they were
15 chasing after it to try and find it, only to find a mob
16 to beat them when they got there and attempts to stop
17 them finding what we believed to be there.

18 So we were confident that he had weapons of mass
19 destruction, and, once our forces went in, we were
20 absolutely amazed to discover there weren't any weapons
21 of mass destruction. It leaps out of the pages of the
22 files that you have been reading.

23 SIR LAWRENCE FREEDMAN: I want to talk now about the
24 dossier, but I think it is probably a good time to
25 break.

1 THE CHAIRMAN: Yes, let's have a ten-minute break and come
2 back at quarter past. Thank you.
3 (3.05 pm)
4 (Short break)
5 (3.15 pm)
6 THE CHAIRMAN: Well, let's resume, if we may. Sir Lawrence,
7 over to you.
8 SIR LAWRENCE FREEDMAN: Thank you. I now want to talk about
9 the September 2002 dossier. What role did you play in
10 the decision to produce the dossier and its actual
11 production?
12 MR JONATHAN POWELL: Very little, apart from a few well
13 publicised emails.
14 SIR LAWRENCE FREEDMAN: Can we go through those well
15 publicised emails?
16 MR JONATHAN POWELL: Please.
17 SIR LAWRENCE FREEDMAN: One of your concerns was the
18 distribution of the dossier to European leaders, which
19 was the subject of quite a few emails. Why was this so
20 important?
21 MR JONATHAN POWELL: That was an instruction from the
22 Prime Minister to get it in advance to European leaders,
23 so to get it to them before it was actually published.
24 SIR LAWRENCE FREEDMAN: What method did you choose to
25 deliver it to them?

1 MR JONATHAN POWELL: I think we asked our embassy to hand it
2 over in capitals.

3 SIR LAWRENCE FREEDMAN: Matthew Rycroft, in one of these
4 well publicised emails said:

5 "The idea is to brief them in advance on some of the
6 content in the dossier, ie some of the intelligence,
7 rather than give them the dossier itself. This then
8 avoids the problems of Parliamentary privileged leaks
9 drawing the line", et cetera.

10 Was that your recollection?

11 MR JONATHAN POWELL: That must be correct. I was wrong when
12 I said before we handed --

13 SIR LAWRENCE FREEDMAN: It is only interesting because there
14 has been some reference in regard to the Dutch
15 Commission of a letter sent by the Prime Minister to the
16 Dutch Prime Minister that only he could read and had to
17 hand back. I was just wondering if this was the
18 occasion when that happened.

19 MR JONATHAN POWELL: I am afraid I have no idea.

20 SIR LAWRENCE FREEDMAN: Okay. Can I turn to the foreword?
21 Do you agree that it is quite separate from the main
22 text?

23 MR JONATHAN POWELL: Yes.

24 SIR LAWRENCE FREEDMAN: Now, we have already discussed the
25 quality of intelligence and these phrases "limited",

1 "sporadic", "patchy". You have just told us that
2 intelligence isn't hard evidence, it is not something
3 that proves, quoting what you said before the break. So
4 we come again to this sentence in the foreword:

5 "What I believe the assessment has established
6 beyond doubt is that Saddam has continued to produce
7 chemical and biological weapons."

8 Was that a wise phrase to put in the foreword?

9 MR JONATHAN POWELL: I think you can subject documents like
10 this to a degree of textual analysis they are simply not
11 going to bear after the event. This was a document that
12 was produced in the autumn of 2002. It was regarded at
13 the time, as Butler puts it, as something that attracted
14 more attention after the war than at the time, and it
15 was seen to be cautious and dull, inasmuch as the two
16 bits don't marry up, the preface and the main body of
17 the text, obviously, it would be better if they did,
18 but I don't think it really changed anyone's mind at the
19 time. So I think there is a danger of dancing on the
20 head of a pin on these things.

21 SIR LAWRENCE FREEDMAN: An awful lot of time and effort --

22 MR JONATHAN POWELL: I'm talking about the preface, not the
23 document.

24 SIR LAWRENCE FREEDMAN: Okay. You said in one of these
25 emails, expressing concern that the whole document, the

1 document itself, did not convey a sense of threat. You
2 were reassured by Alastair Campbell that the preface
3 did, the foreword did. So it was important to the
4 extent that you had this information being produced and
5 the question which we were talking about before is: what
6 do you make of it?

7 MR JONATHAN POWELL: Well, I thought that my email at the
8 time was talking about the need not to over-claim, not to
9 claim that there was an imminent threat, but that he was
10 a potential threat. The danger of Saddam was not that
11 he was going to strike us tomorrow, but that, if we left
12 him unchecked, if the UN gave up on him, he would then
13 be able to hit us.

14 I think, having the emails in front of me, my
15 objective was to make sure we didn't put something in
16 that was an overclaim, but I haven't got the whole
17 sequence of emails so I can't be sure.

18 SIR LAWRENCE FREEDMAN: Interestingly in that, in the first
19 draft the dossier it says:

20 "The case I make is not that Saddam could launch
21 a nuclear attack on London or on another part of the UK.
22 He could not."

23 Which is the point you are making, but in the second
24 draft that's taken out. So in a sense, if you were
25 trying to reinforce that point about not overstating it,

1 it is surprising that that sentence was taken out.

2 MR JONATHAN POWELL: Again, I fired off a few emails and you

3 read the thing maybe once, maybe twice. I don't recall

4 reading the preface, so I think, again, too much can be

5 read into a few emails.

6 SIR LAWRENCE FREEDMAN: You did send an email on the

7 foreword --

8 MR JONATHAN POWELL: Did I?

9 SIR LAWRENCE FREEDMAN: You did. So you did look at it. So

10 your view on the "beyond doubt" is that this was

11 a phrase that we are attaching too much to or not to be

12 taken too seriously? It is a very strong statement,

13 when we are building up to something that is clearly

14 going to be quite important.

15 MR JONATHAN POWELL: I think you are attaching too much

16 importance to a preface which at the time had very

17 little impact. The document itself had more impact, the

18 preface had very little impact, and you are just

19 attaching too much importance to it, given the whole

20 issue of Iraq, the war and the aftermath.

21 SIR LAWRENCE FREEDMAN: I think what we are concerned about

22 is how intelligence that is "patchy" and "sporadic" and

23 "limited" is being presented to the wider public in

24 order to help make a case, not for war at this moment,

25 but for certainly taking a much stronger and more

1 determined position. So how that is presented to the
2 wider public by the Prime Minister, I think is a matter
3 of legitimate concern.

4 If it is continually being presented in a very
5 dogmatic way, isn't that an issue?

6 MR JONATHAN POWELL: I think in retrospect maybe the right
7 thing to have done would be to publish the JIC reports
8 themselves rather than to put them into the dossier at
9 all. The trouble is it is easy to say these things in
10 retrospect rather than at the time. You remember we put
11 out a dossier after 9/11, before the invasion of
12 Afghanistan, which had been in a way the model for this,
13 and the IISS had put out a dossier shortly before --

14 SIR LAWRENCE FREEDMAN: That's the International Institute
15 for Strategic Studies?

16 MR JONATHAN POWELL: Yes, the International Institute for
17 Strategic Studies had put out a dossier. So there was
18 a case for showing people what was coming across our
19 desks, showing what the intelligence was showing, and
20 actually, in retrospect, I don't think it would have
21 done any damage to national security, and given that
22 they have been published in full subsequently, I think
23 it must be clear that it wouldn't have. I think that
24 would be a better way to do it.

25 SIR LAWRENCE FREEDMAN: That's interesting and helpful. Can

1 we just talk about one area where one of your emails may
2 have made a difference? In the third version it
3 states -- there are four versions in all:

4 "Intelligence indicates that Saddam is prepared to
5 use chemical and biological weapons if he believes his
6 regime is under threat. We also know from intelligence
7 that, as part of Iraq's military planning, Saddam is
8 willing to use chemical and biological weapons against
9 an internal uprising by the Shia population."

10 It then goes on to the 45 minutes claim. You then
11 said in an email on 19 September to John Scarlett and
12 Alastair Campbell that you are concerned that:

13 "This backs up the 'Don McIntyre' argument that
14 there is no CBW threat and we will only create one if we
15 attack him. I think you should redraft the paragraph."

16 Then that particular bit is removed in the final
17 draft. Is that your understanding --

18 MR JONATHAN POWELL: It was my understanding from the Hutton
19 Inquiry, having re-read the Hutton Inquiry evidence,
20 yes.

21 SIR LAWRENCE FREEDMAN: Why were you concerned about this
22 argument on -- suggestion that he would only use it if
23 the regime is under threat?

24 MR JONATHAN POWELL: My concern was there was an argument
25 that you weren't addressing. It seemed to me that you

1 should, if you are going to refer to this, set out more
2 fully what the argument would be to try and explain how
3 the -- how -- I put something at the end of this saying:

4 "I think you should redraft the paragraph."

5 My memory of the intelligence is he had set up plans
6 to use CBW on western forces -- that's chemical and
7 biological weapons -- and that these weapons are
8 integrated into his military planning. So I was trying
9 to catch what I thought the intelligence was to put it
10 in there and to address the Don McIntyre argument.

11 SIR LAWRENCE FREEDMAN: What was the Don McIntyre argument?

12 MR JONATHAN POWELL: As I can recollect from the time, it
13 was that, if you left him alone, it will be fine, but if
14 you attack him, he will zap you with chemical and
15 biological weapons.

16 SIR LAWRENCE FREEDMAN: What was wrong with that as an
17 argument?

18 MR JONATHAN POWELL: Because our argument was that he was
19 a threat in the longer term, that we had to -- this ties
20 in with my point about no imminent threat. In other
21 words, he wasn't about to send a missile to Cyprus, but,
22 if we left him alone, he would be able to develop these
23 weapons and use them. That's the danger we should be
24 addressing in the dossier, rather than making other
25 claims.

1 My view is that he wouldn't have been -- he wouldn't
2 have remained no threat at all if we hadn't taken
3 action. There was, of course, the danger of chemical
4 and biological warfare attack on our troops, and that's
5 we prepared for them, but that wasn't a reason in itself
6 not to deal with them.

7 SIR LAWRENCE FREEDMAN: So to be clear on this, your concern
8 was to try to convey a sense that, over the long term,
9 this was something that had to be dealt with. Yet, at
10 the time, there is a degree of urgency being injected
11 into the whole politics of the issue.

12 One conclusion, from your view, was that you should
13 sustain the international pressure, but there was no
14 need to worry -- no -- a need to worry, but no need to
15 hurry.

16 MR JONATHAN POWELL: No. My view was that what you should
17 do is carry on down the UN route, put pressure on Saddam
18 to comply. If you had no threat at the end of the UN
19 route, he certainly would not comply.

20 SIR LAWRENCE FREEDMAN: So if we are talking now about how
21 this was presented -- you mentioned that there were not
22 going to be missiles on Cyprus and so on, but, as you
23 will be aware, that was precisely how some newspapers
24 chose to interpret the dossier.

25 Were you concerned, when you saw the headlines, that

1 exactly the wrong impression had been created?

2 MR JONATHAN POWELL: Looking back at it, I simply can't
3 remember what my reaction was the next day, other than
4 it had been a little bit of a damp squib. But beyond
5 that, I can't really recall.

6 SIR LAWRENCE FREEDMAN: One of your emails asks the question
7 what would the Evening Standard's headline be. What did
8 you want it to be?

9 MR JONATHAN POWELL: I had no idea. I was asking Alastair
10 what it would be, which relates back to an in-joke from
11 opposition time, when he once came to us and told us
12 that he had dealt with a particular problem to do with
13 Ken Livingstone and there would be no coverage of it at
14 all, and 20 minutes later, somebody brought in a copy of
15 the Evening Standard with Ken Livingstone splashed right
16 across it. It was a reference back to his skills at
17 seeing what the Evening Standard might say. So it was
18 a bit of a sort of a dig, I am afraid, rather than
19 a serious point.

20 SIR LAWRENCE FREEDMAN: Historians might find that detail
21 very helpful.

22 The concern, though, being serious about this, is
23 that the 45-minute claim, which had a reference again in
24 the foreword, was mentioned by the Prime Minister, was
25 picked up by the press and did create a sense that there

1 was a degree of urgency to the situation, but what you
2 have just said suggests that there possibly wasn't.

3 It is very difficult to push forward the argument
4 that we must take all these exception measures, take all
5 these risks of unintended consequences on the basis of
6 something that might develop some years down the line.

7 MR JONATHAN POWELL: Well, you see, we are just coming at
8 this from a different angle. I'm saying that he was
9 a threat, that we had to deal with him. He was in
10 breach of the UN Resolutions. We had finally got the
11 inspectors back in and we now had to make sure that they
12 really disarmed him and demonstrated that they had
13 disarmed him. That was the urgency, not the urgency of
14 45 minutes and the rest of it.

15 SIR LAWRENCE FREEDMAN: Did you understand the difference
16 between munitions and missiles --

17 MR JONATHAN POWELL: It is incredibly difficult to put
18 yourself back into your mindset then. I do understand
19 the difference between munitions and missiles, but
20 whether I thought about it in this context, I have no
21 idea.

22 SIR LAWRENCE FREEDMAN: So you lost interest in the dossier
23 essentially almost as soon as it was published?

24 MR JONATHAN POWELL: I didn't spend a lot of time on the
25 dossier, either before or after its publication.

1 I think its importance is exaggerated, in retrospect.

2 SIR LAWRENCE FREEDMAN: But it was the basis of the
3 government's case. The Prime Minister had attached
4 considerable importance to it in terms of getting it
5 produced.

6 MR JONATHAN POWELL: No, it wasn't the basis of the
7 government's case. It was evidence that we wanted to
8 demonstrate what was coming across the Prime Minister's
9 desk. As I say, in retrospect, you'd have been better
10 just to have published the JIC reports. It would have
11 been far more dramatic to do so.

12 SIR LAWRENCE FREEDMAN: Thank you.

13 THE CHAIRMAN: Let's turn to Sir Roderic?

14 SIR RODERIC LYNE: I wonder if I can just pick up one or two
15 points?

16 Just going back to what you said at the beginning
17 about your role, combining, co-ordinating the political
18 and the Civil Service side of the House -- and at one
19 point you described yourself as looking at things from
20 the point of view of a progressive and a socialist -- to
21 what extent was Iraq a political issue as opposed to an
22 issue of the government's foreign and security policy?
23 I mean, how much of a distinction is there between those
24 things?

25 MR JONATHAN POWELL: I think I would find it quite hard to

1 distinguish. I think your foreign policy of
2 a government would usually be highly political. Whether
3 it is Europe, as we see the divisions between the
4 parties on that, or Iraq. Although in this case, of
5 course, the opposition parties supported on Iraq.

6 SIR RODERIC LYNE: Yes, and the advice you were receiving,
7 the intelligence advice on which policy was based, the
8 military advice and so on, was not political?

9 MR JONATHAN POWELL: Correct.

10 SIR RODERIC LYNE: So it wasn't really a sort of political
11 issue as such, or it was?

12 MR JONATHAN POWELL: In the end, this is a decision that
13 a leader has to make, not civil servants or even
14 military men, and they will make it on political and on
15 the grounds of the evidence that is presented to them.

16 SIR RODERIC LYNE: You were very firm that, in 2001,
17 containment was dying, you said, and you portrayed it as
18 effectively dead by the early part of 2002.

19 If containment was not viable as a policy, and you
20 said it wasn't viable at that stage, what was the
21 government's policy when containment ceased to be
22 viable?

23 MR JONATHAN POWELL: That was exactly our worry. Our worry
24 was not so much viable, it was viable, when it was
25 happening it wasn't sustainable. Our fear was that

1 diminishing support for containment would lead to its
2 collapse and disappearance and then we would be left
3 with nothing. We would have our planes in the
4 No Fly Zones exposed every day, we would have no way of
5 checking Saddam's ambitions. So our worry was this
6 gradual decline and disappearance of the sanctions.

7 SIR RODERIC LYNE: So what did you put in its place as
8 a policy, as it ceased to be sustainable?

9 MR JONATHAN POWELL: Hence the idea of trying to use the UN
10 to go back to what we had done successfully on
11 Afghanistan, which was to persuade the Americans to take
12 a multilateral approach, to put the focus on the UN, to
13 give Saddam a chance to comply with the UN Resolutions
14 and to force the issue there.

15 As I said earlier, the only way you can get Saddam's
16 attention is by the threat of military force.

17 SIR RODERIC LYNE: So this was instead of containing him, it
18 was a shift to a policy of disarmament through coercion,
19 through coercive diplomacy?

20 MR JONATHAN POWELL: It was a shift to a policy of
21 disarmament through the UN, yes.

22 SIR RODERIC LYNE: That was by threatening, ultimately,
23 regime change, if he didn't comply?

24 MR JONATHAN POWELL: Threatening military action, and
25 that's, in the end, the only way, with people like

1 Saddam, you can have effective progress with the UN.

2 SIR RODERIC LYNE: Military action to topple Saddam Hussein?

3 MR JONATHAN POWELL: If that is what was necessary to remove

4 the threat of weapons of mass destruction, yes.

5 SIR RODERIC LYNE: Yes. Now, in this period of the first

6 half or so of 2002, when it was your view that

7 containment wasn't sustainable -- not a viable way

8 forward, was what you said earlier -- was that the

9 universal view within the government?

10 MR JONATHAN POWELL: I doubt anything is a universal view

11 within government. As I think one of you said earlier,

12 Robin Cook was certainly -- would still be attached to

13 maintaining sanctions. I think Jack Straw had

14 probably -- but you will be able to go and ask him

15 himself -- moved on from it, yes.

16 SIR RODERIC LYNE: You mentioned earlier that minutes were

17 sent to the Prime Minister in March before the Crawford

18 meeting, and some of these minutes seem to have found

19 their way into the public domain. At that time, did you

20 feel that Jack Straw had come off containment and on to

21 another policy?

22 MR JONATHAN POWELL: I forget exactly the timing of all of

23 these notes, because Jack sent a number of notes over

24 the course of the year and a bit that we are talking

25 about, particularly relaying the views of Colin Powell

1 who had severe doubts about the way the American
2 administration was going. So they would have reflected
3 that, but I can't remember, I am afraid, the specific
4 wording of that note. But I would be surprised if he
5 thought that containment was going to last in the views
6 of the American administration.

7 SIR RODERIC LYNE: But both in March and at what you
8 described as the key meeting on 23 July, which had been
9 described by Alastair Campbell in his diaries, was
10 Jack Straw vigorously arguing that we should go out to
11 change the regime in Iraq, or was he still really
12 arguing for alternative options?

13 MR JONATHAN POWELL: I think he was arguing for alternative
14 options, as far as I recall, but you will need to look
15 at the records of the meeting. I think he was thinking
16 about it, particularly politically, and the domestic
17 political difficulties that this would cause for the
18 Parliamentary Labour party and more generally. I think
19 that was his main focus that I recall.

20 SIR RODERIC LYNE: You mentioned Colin Powell, and earlier
21 you on talked about the fact that there were clear
22 divisions within the American administration. What was
23 the Colin Powell view that was being fed back to you in
24 this period? You said he didn't agree with the by then
25 prevailing view of the administration.

1 MR JONATHAN POWELL: He was particularly worried, I noticed,
2 in July, about the day after, what the preparations
3 would be, how you'd deal with an army of occupation.
4 That was his focus at that stage.

5 At different times he had different concerns, and,
6 of course, Colin Powell had been involved in the first
7 Gulf War. So he was very conscious of the strength of
8 the Iraqis and the difficulties you face militarily as
9 well as what happened afterwards.

10 SIR RODERIC LYNE: He and people who thought like him, were
11 they arguing effectively that containment had frozen
12 Saddam's nuclear programme, had prevented him, since
13 1991, from seriously threatening his neighbours, and
14 that if you could make containment more effective
15 through smarter sanctions, by maintaining No Fly Zones,
16 Naval embargo, the military deterrent, all the measures
17 that were in place, very importantly the embargo on
18 military imports, that it was still a viable option?

19 MR JONATHAN POWELL: Certainly, in 2001, he and Robin Cook
20 were discussing at length the idea of so-called smart
21 sanctions, which essentially were slimming down the
22 existing sanctions and trying to make them more targeted
23 to see if, on that basis, you could somehow get some
24 lasting value in sanctions, get them to be sustained.
25 That was his objective, yes.

1 SIR RODERIC LYNE: In 2002?

2 MR JONATHAN POWELL: I think, in 2002 -- it is difficult for
3 me to answer for Colin Powell, but my memory was that
4 he, too, by that stage, had seen the way the wind was
5 blowing in his own administration and did not believe
6 that that would be sustainable from an American point of
7 view as a viable option.

8 SIR RODERIC LYNE: He was not happy with the way the wind
9 was blowing?

10 MR JONATHAN POWELL: He was not at all happy with the way
11 the wind was blowing, and he repeatedly asked us to make
12 his case for him in the White House, and on a number of
13 points we did so.

14 SIR RODERIC LYNE: His unhappiness was being fed through to
15 you through Jack Straw?

16 MR JONATHAN POWELL: Through Jack Straw.

17 SIR RODERIC LYNE: So he wanted the wind to blow in
18 a different direction, which might have been continued
19 containment?

20 MR JONATHAN POWELL: It could have been, but it could have
21 been a number of different options too, I suppose, but
22 particularly trying to get things on to the UN route
23 where he was very supportive of what we were trying to
24 do.

25 SIR RODERIC LYNE: Now, you say that in 2001 Robin Cook and

1 Colin Powell were working for smarter sanctions. If my
2 memory serves me right, the first attempt to get
3 a so-called smart sanctions resolution failed in June
4 and July of 2001, but that wasn't the end of the story
5 and the British and American governments continued to
6 pursue this into -- well, until about May of 2002, when
7 a resolution on the Goods Review List was actually
8 adopted by the Security Council.

9 So were we, at that stage, effectively pursuing two
10 policies, the one we were discussing privately with the
11 White House from January onwards, and then still on
12 a containment track at the UN?

13 MR JONATHAN POWELL: I am afraid I'm simply not across what
14 happened in the UN on the containment matter through
15 2001 and 2002. I just don't know the details and it
16 wouldn't probably have figured large in my life at the
17 time.

18 SIR RODERIC LYNE: I think that was the policy that was
19 going on. But let's turn now -- I just want to ask one
20 or two questions, not about the detail of the dossier,
21 but about September of 2002.

22 You said that the dossier was not, if I paraphrase
23 you, of enormous importance, it didn't change people's
24 minds, and you said it was not such a big deal. It was
25 something that had been discussed on more than one

1 occasion between the Prime Minister and President Bush,
2 the idea of putting intelligence into the public domain.
3 So it can't have been that unimportant.

4 Wasn't it the case, if you look at
5 Alastair Campbell's diaries again, that in
6 early September 2002, Number 10 were worrying about the
7 hard questions on Iraq and:

8 "The hardest was: why now? What was it that we knew
9 now that we didn't before that made us believe we had to
10 do it now?"

11 That the dossier, and, indeed, the Prime Minister's
12 speech in Parliament in September, when Parliament was
13 reconvened were all part of the effort, a very important
14 effort, to answer that question.

15 MR JONATHAN POWELL: Well, I think it goes back earlier than
16 that. At Crawford, I think we put to the Americans that
17 the two key questions they would have to answer is: why
18 Iraq, and why now? Very fundamental questions.

19 That was what -- that was the whole purpose of
20 trying to put them on the UN route, to explain to them
21 you couldn't just rush into Iraq unilaterally, you had
22 to persuade people you have given Saddam a chance to
23 comply and he had failed to do so. So it goes well back
24 before that. But, yes, the dossier and other things
25 were trying to make it clear why Iraq was important.

1 I'm not saying it is insignificant. I was simply
2 quoting what the Butler Report said at the time. It
3 attracted more attention after the war than at the time,
4 when it was seen to be cautious and dull.

5 SIR RODERIC LYNE: But it was part of a big effort to get
6 a point of view across, and in the House of Commons on,
7 I think it was 24 September, the Prime Minister said of
8 Saddam's programme his WMD programme is active, detailed
9 and growing.

10 Now, had evidence been presented that sustained the
11 idea that his programme at this stage was growing?

12 MR JONATHAN POWELL: Again, my memory is not going to allow
13 me to give you a correct answer to that, but I suspect
14 you have the answer yourself. So you can tell me.

15 SIR RODERIC LYNE: We asked the question of
16 Alastair Campbell, we will ask it of others because,
17 self-evidently, we are struggling to find that evidence.
18 Alastair Campbell referred to something said by the JIC
19 in 2001, but the Prime Minister said in his foreword to
20 the dossier -- using the phrase twice, he said:

21 "In recent months I have seen things that have had
22 me increasingly alarmed."

23 Obviously he would have considered his words to the
24 House of Commons with very great care. If he used the
25 word "growing", that would not have been accidental or

1 unimportant.

2 MR JONATHAN POWELL: The textual analysis of this is going
3 past me. You are doing the PhD and I have only got the
4 O level. I simply can't remember from the time the ins
5 and outs of the wording.

6 SIR RODERIC LYNE: But it is a very important word to use?

7 MR JONATHAN POWELL: Which word, sorry?

8 SIR RODERIC LYNE: The word "growing".

9 MR JONATHAN POWELL: "Growing". That is an important word
10 to use, yes.

11 SIR RODERIC LYNE: Because the question is: is this man
12 becoming more threatening, or is it contained? This
13 question of answering the question of "Why now?", that
14 Alastair Campbell referred to, if you say it is growing,
15 that provides an answer to that question. So it is an
16 important word.

17 MR JONATHAN POWELL: As I made clear in my comments on my
18 email on the dossier, I didn't think it was right to
19 claim there was an imminent threat. The threat that
20 I saw was that, if you didn't deal with Saddam, you
21 would face a very serious threat later on.

22 SIR RODERIC LYNE: Just a couple of questions about our --
23 the way we handled this diplomatically, particularly
24 with the Americans and at the UN. As you have
25 mentioned, we expressed a number of points to Washington

1 that were very important to us, going down the UN route,
2 which you talked about, gaining international support,
3 making progress on the Middle East peace process, making
4 sure the thing was done on a correct legal base. Were
5 those expressed as pre-conditions for us participating
6 with the Americans in a military action?

7 MR JONATHAN POWELL: As I said earlier, I think conditions
8 is the wrong way to look at this. We weren't going in
9 there and saying, "If you do A, B and C, we will then
10 join you in military action".

11 I noticed Christopher Meyer saying the other day we
12 should have asked them for flying rights for
13 Richard Branson in America as a condition for military
14 action. I think that's the wrong attitude to take.

15 SIR RODERIC LYNE: I don't think that's how he put it in his
16 evidence.

17 MR JONATHAN POWELL: Maybe I misread it. It appeared to be
18 suggesting that. Maybe he didn't mean that. Anyway,
19 I think setting those sorts of conditions is actually
20 a mistake when you are trying to build an alliance with
21 someone, particularly when you are trying to influence
22 them in the direction that they move.

23 I think you have to say, "Here is a framework. If
24 you do it this way, there is a chance of being
25 successful. If you do it this way, you can deal with

1 the law of unintended consequences. If you do not, it
2 is going to be more difficult". That's what we were
3 trying to do.

4 SIR RODERIC LYNE: So you don't recall the Prime Minister
5 being advised to refrain from committing himself fully
6 to the Americans and advised to really press very hard
7 on these points before he committed himself fully to the
8 Americans?

9 MR JONATHAN POWELL: I have seen some things said
10 subsequently about the suggested failure of the
11 Prime Minister to be sufficiently assertive with the
12 Americans. I think that is just plain wrong.

13 I think the reason that the Prime Minister had many
14 of his meetings with President Bush by himself, one on
15 one, was to try and press him very firmly to move in
16 these directions, and he was successful in doing so on
17 a number of counts. So I think the notion that we
18 weren't assertive enough was wrong. I think the idea of
19 putting these forward as pre-conditions would have been
20 a mistake too.

21 We were suggesting a way of doing this in an
22 intelligent way that would succeed, and that's the
23 reason we set out -- the framework we set out at
24 Crawford, repeated in the note in July, and repeated
25 again at Camp David in September.

1 SIR RODERIC LYNE: Sir Christopher Meyer suggested that the
2 Americans effectively took us for granted, for two
3 reasons: one was that they knew we were joining in
4 military planning down in Florida and they were making
5 an assumption, right or wrong, that we would send
6 significant forces; but the other reason was that -- his
7 assertion that the Prime Minister, whether at Crawford
8 or some other time, had committed himself to
9 President Bush to the point where he assumed that we
10 would be with them more or less whatever the conditions.

11 Is that a false reading of the situation?

12 MR JONATHAN POWELL: Yes, I think it is. That we -- we were
13 setting out the conditions -- setting out a framework
14 for the way that they could proceed. We weren't saying
15 to them, "Here are firm conditions", we were trying to
16 persuade them to move in a particular direction.

17 The Americans did not need us militarily. They
18 could perfectly easily have conducted this attack by
19 themselves --

20 SIR RODERIC LYNE: That's a separate question.

21 MR JONATHAN POWELL: -- just as they could in 1998. So they
22 did not need us. So taking us for granted militarily is
23 a bizarre thing to think about as a way of --

24 SIR RODERIC LYNE: Did they not find us quite useful?

25 MR JONATHAN POWELL: What they presumably would like us for

1 was as part of a coalition. What they wanted, as the
2 Prime Minister, again repeatedly, made this point to
3 them from April onwards, was that a coalition is needed
4 not militarily, but politically. The wider the
5 coalition you have, the bigger the base of support, the
6 more chance of sustaining this, if it takes a long time
7 and is difficult.

8 SIR RODERIC LYNE: Some of our military witnesses have said
9 that the Americans were very keen to have some of our
10 niche capabilities and they were definitely very keen to
11 have us on board --

12 MR JONATHAN POWELL: But they didn't need us.

13 SIR RODERIC LYNE: -- so this was significant.

14 MR JONATHAN POWELL: But they didn't need us.

15 SIR RODERIC LYNE: The Americans said publicly that they
16 could do this without. I think the point our military
17 witnesses were making was that they would much rather do
18 it with us, from a military point of view, not just
19 a coalition point of view.

20 But just coming back to the question of the
21 assumption, if we were now looking at the correspondence
22 between the Prime Minister and President Bush and what
23 they said to each other in private and so on, would it
24 appear from that that the Prime Minister, at a fairly
25 early stage, made a very firm commitment to

1 President Bush that he would go all the way with
2 President Bush whatever?

3 MR JONATHAN POWELL: As I said earlier, there is a -- if you
4 are going to persuade people of taking a particular
5 course, you need to convince them that you are with
6 them. If you go into it and say, "By the way, I'm
7 having nothing to do with this. We're right here on our
8 own, but you go ahead and we think you should do it that
9 way", your advice is likely to be treated more
10 sceptically.

11 SIR RODERIC LYNE: Was this a tactical commitment? Was it
12 something he could have got out of later on if he needed
13 to.

14 MR JONATHAN POWELL: Well, yes, as we know, because
15 President Bush said to him, in March, "We can go ahead
16 without you. We don't want regime change in London".
17 So there was a way out, and he wanted it in March, and
18 Rumsfeld also said it publicly, of course.

19 SIR RODERIC LYNE: If we just turn to the very end of the
20 process, Alastair Campbell, the other day, talking about
21 the period in late March -- the second half
22 of March 2003, when the UN Security Council draft
23 resolution was withdrawn and then the coalition went to
24 war. He said that, at that point, diplomacy had failed.
25 Had diplomacy definitively failed by then?

1 MR JONATHAN POWELL: I think diplomacy had definitively
2 failed by 14 March 2003. We put a particularly
3 intensive bout of diplomatic activity in place in March.
4 We had asked President Bush to have more time to try and
5 build the coalition. When we looked as if we were
6 getting nowhere on the second resolution, we then tried
7 the idea of establishing five tests built on the
8 clusters document, and we particularly spent a lot of
9 the time trying to persuade the Chileans and the
10 Mexicans to support this.

11 We had gone to the length of putting in a Brent
12 secure telephone into the presidential palace in Chile
13 so we could speak to the President there privately while
14 the Prime Minister was at Hillsborough dealing with
15 Northern Ireland. We put an enormous amount of effort
16 in.

17 A number of times the President told us he was
18 secure that we could get our nine votes in the Security
19 Council, and we really, really tried to get it, but by
20 the time we had got to 14 March, the French pulled the
21 plug by saying they would veto the UN Resolution, we no
22 longer had any negotiating leverage with the Mexicans
23 and the Chileans. The Mexican President retired to
24 hospital and stopped taking telephone calls and the
25 Chilean made it clear he wouldn't move without the

1 Mexican.

2 SIR RODERIC LYNE: So we had completely exhausted the UN
3 route by then?

4 MR JONATHAN POWELL: I think by the time we got to 16 March,
5 we had faced a binary choice; we no longer could keep on
6 down the UN route.

7 SIR RODERIC LYNE: I mean, Sir David Manning and
8 Sir Jeremy Greenstock both said, but differently, that
9 they would have liked to have had more time, but you
10 don't agree with that?

11 MR JONATHAN POWELL: No, we asked for more time repeatedly
12 from January onwards of the President, and we got more
13 time in each case. Eventually, by the time we got to
14 mid-March, he wasn't going to give us more time and the
15 French veto knocked any chance --

16 SIR RODERIC LYNE: He wasn't going to give us more time. If
17 we had had more time, if the inspectors had had longer,
18 there had been longer to build up the picture and you
19 had continued these extraordinary diplomatic efforts
20 that you described, would there not have been a chance,
21 at that stage, of actually gathering the international
22 support that we had not managed to gather by then?

23 MR JONATHAN POWELL: No. I mean, if you think about it,
24 Iraq didn't have weapons of mass destruction. We were
25 wrong. The intelligence was wrong. So, no matter how

1 long you had carried the inspections on, they weren't
2 going to find anything, and, from what we know of
3 Saddam, it is extremely unlikely that he would have
4 cooperated. So we would have been in exactly the same
5 situation for months and months and months. There would
6 have been no discovery of weapons of mass destruction,
7 but --

8 SIR RODERIC LYNE: But one way or the other they might have
9 built up a more convincing picture, if they had had more
10 time.

11 MR JONATHAN POWELL: A convincing picture of what?

12 SIR RODERIC LYNE: Well, a picture to convince the people
13 who weren't not convinced by our arguments in March.

14 MR JONATHAN POWELL: But if there weren't weapons of mass
15 destruction, we wouldn't have been able -- you are
16 asking me in retrospect, "Would we have had more time?"
17 The answer is more time would have achieved nothing.

18 SIR RODERIC LYNE: Thank you very much.

19 SIR LAWRENCE FREEDMAN: Can I just come in on that?

20 Lord Turnbull suggested there was a sort of a trap that
21 we thought we had set for Saddam Hussein, that either he
22 could comply, in which case he would lose the weapons
23 that he wanted, or he wouldn't comply, in which case he
24 had given us the cases for military action.

25 This trap depended to a large extent on Hans Blix.

1 It depended on the inspectors saying that there is no
2 compliance. Now, in January 2003, that is what
3 Hans Blix said, but by February that advice was
4 changing, certainly in terms of his presentation to the
5 UN Security Council. So isn't that a turning point,
6 where there is a shift in how this issue is going to be
7 viewed? So it is not necessarily the case that this
8 issue would have gone on and on and on, because already
9 there had been a change of view in UNMOVIC?

10 MR JONATHAN POWELL: No, I don't think that is right. It is
11 true that the two reports were different from Blix, but,
12 even in March, Blix was not suggesting that Saddam was
13 co-operating. The issue of interviews of being able to
14 take people away from Saddam's secret police to
15 interview them and ask them about weapons of mass
16 destruction was a very live one. So I don't think it is
17 as if everything was going the other way to prove that
18 Saddam was co-operating, no.

19 SIR LAWRENCE FREEDMAN: But he had already had a sort of
20 clean bill of health from the -- on the nuclear side.
21 So that issue already had been dealt with. So the trend
22 was pretty clear, that there had been an expectation,
23 perhaps unrealistic, of some sort of smoking gun. It
24 hadn't been found. The tenor of Hans Blix's remarks
25 were changing, and, therefore, it was going to become

1 much more difficult to generate the international
2 support that might have been there if the tenor of
3 the January remarks had continued.

4 MR JONATHAN POWELL: You are right to distinguish between
5 the two reports, but, no, I don't think -- I guess you
6 are suggesting that action happened because we were
7 worried it was running away from us in the UN.

8 SIR LAWRENCE FREEDMAN: No. I'm saying that it isn't
9 necessarily the case that nothing would have changed in
10 a number of months on. There had been movement. We had
11 evidence that the British Government had given the
12 inspectors a number of sites to look at, some of them
13 had shown up things, a bit of nuclear information,
14 something on missiles where he clearly was in breach,
15 but a number of others hadn't and there were other sites
16 to go through. It doesn't seem to be wholly likely that
17 another few months of that would have left you in
18 exactly the same position you were in the middle
19 of March.

20 MR JONATHAN POWELL: I mean, just looking at it from now,
21 I don't see how things would have changed from the point
22 of view of inspections. I think that you might have had
23 more time and you might have discovered a few more
24 marginal things, you might have discovered nothing, but
25 Saddam was clear, when he was interrogated, that he was

1 not going to co-operate, because he wanted people to
2 think he still had weapons of mass destruction. So you
3 could have carried this game on indefinitely without
4 satisfying either side, either the Americans or those
5 who were against action. So I think more time for
6 inspections wouldn't really have solved the problem.

7 There is another argument, which is more time for
8 diplomacy and that was, in particular, what we had asked
9 for, and we got more time, but, in the end, the
10 diplomatic approach ran into the sand. We set the
11 ultimatum, we set the five tests, but we couldn't get
12 the support for it that we wanted as a way of forcing
13 Saddam to choose one way or the other.

14 SIR LAWRENCE FREEDMAN: Just to conclude with this, even on
15 the nuclear side, Vice-President Cheney had said he
16 wasn't convinced by the determination that there was
17 nothing to -- there were no grounds for belief that
18 there was an active nuclear programme. So basically,
19 the position was that nothing could have happened that
20 would have satisfied the United States that Saddam
21 wasn't being very clever in hiding what he was up to.

22 MR JONATHAN POWELL: You would never have been able to
23 satisfy some in the US administration, but that's not
24 the same as saying you could never satisfy the
25 US administration as a whole. We have heard how there

1 were different strands from Colin Powell to Dick Cheney
2 and Donald Rumsfeld.

3 SIR LAWRENCE FREEDMAN: We have also heard who was more
4 important at the time.

5 Thank you.

6 THE CHAIRMAN: I think Sir Martin has a question.

7 SIR MARTIN GILBERT: I have another question about the UN.
8 From September 2002, after the President had committed
9 himself to the UN route, and given the Prime Minister's
10 stress on the UN route as the indispensable legal means
11 of disarming Saddam, what I would like to know is -- and
12 it is very difficult to find the answer from this in our
13 papers -- what discussion was there at that
14 time, September/October/November, about what Britain
15 would do if the UN route were to fail? How, then, would
16 Saddam be disarmed without the UN mandate?

17 MR JONATHAN POWELL: Well, we didn't, I don't think, discuss
18 that hypothetical question. We were focused on two
19 other issues. The first was the danger that the
20 Americans might act unilaterally. We had cause, even
21 for people in the White House saying, "Get the
22 Prime Minister on the phone to the President". There is
23 a danger of people not waiting but going ahead, and we
24 were preoccupied with the negotiation of the
25 UN Resolution, where there was a tendency by some on the

1 American side to overload the resolution in a way that
2 we thought would make it fail.

3 So we had very difficult, tense and lengthy
4 negotiations with the Americans on that. We thought we
5 were parked firmly on the UN route. We weren't looking
6 at the hypothetical, weren't discussing with them the
7 hypothetical situation of what would happen if we
8 failed, although, of course, the military planning was
9 continuing.

10 SIR MARTIN GILBERT: That wouldn't have been a prudent thing
11 to do, given the tremendous efforts that were being made
12 to push the UN route and the difficulties along the way?

13 MR JONATHAN POWELL: We didn't want to encourage anyone in
14 the American administration to give up on the UN route
15 and cut to the chase.

16 SIR MARTIN GILBERT: And internally, without the Americans
17 knowing what we were planning, what we were envisaging
18 as a possible scenario?

19 MR JONATHAN POWELL: I think that they would presumably have
20 hoped that we would be with them if we had exhausted the
21 UN route.

22 THE CHAIRMAN: I think we would like to spend a few minutes
23 on the military run-up before we take our next break,
24 a break after around 4.10, 4.15. So Lawrence?

25 SIR LAWRENCE FREEDMAN: How important did you think

1 a military support from the United Kingdom was
2 politically to the President?

3 MR JONATHAN POWELL: I think that it was significant but not
4 fundamental. I think the point that
5 Vice-President Cheney made to us in March really was the
6 position of the administration the whole way through,
7 that a coalition would be good, but not essential.

8 SIR LAWRENCE FREEDMAN: In that light, what sort of military
9 contribution do you think it was necessary to make? We
10 have again had regular evidence on the variety of
11 options available. How did you view these options?

12 MR JONATHAN POWELL: As you have heard from previous
13 witnesses, there were three -- well, actually there was
14 a prior stage, where, up to July, we were talking about
15 a generated start or a running start.

16 SIR LAWRENCE FREEDMAN: That was on the American side?

17 MR JONATHAN POWELL: On the American side, and if there had
18 been a running start, there was no way that the British
19 would have been able to participate because we couldn't
20 have got a division ready in time. The generated start
21 then became the accepted wisdom in the summer.

22 SIR LAWRENCE FREEDMAN: Which means that there is going to
23 be a period of mobilisation.

24 MR JONATHAN POWELL: A period of mobilisation, getting the
25 troops in place and then finally planning for their use.

1 We looked, as you know again from previous evidence, at
2 three options: a sort of light support, a heavier Naval
3 and air support, and a third option of ground forces.
4 Those were the three that were under discussion right
5 through to October -- late-ish October 2002.

6 SIR LAWRENCE FREEDMAN: From the point of view of
7 Downing Street -- and you have indicated a political
8 perspective as well as a governmental perspective -- how
9 did you view these different options? Did you think it
10 was essential to go with the option 3 which involved the
11 army division?

12 MR JONATHAN POWELL: No, it was not essential to go with
13 that option, or, indeed, either of the other two
14 options. I think it would have been difficult if we had
15 not allowed the Americans to use our bases, particularly
16 Diego Garcia and Cyprus, because, if they had not been
17 able to use those, they would have had real
18 difficulties. But we didn't have to provide a division.

19 There were two reasons, I think, that militated in
20 favour of that. The first was the attitude of the
21 military themselves, who wanted to participate at
22 a command level. They felt that they should stand by
23 the Americans. They thought it was important to their
24 relationship with the American military, on which they
25 crucially depended, and I think, in the end, when the

1 Prime Minister had to make his decision, he felt that,
2 if we were going to do it, we should be with the
3 Americans properly, rather than saying from the
4 sidelines, "Oh, yes, we agree with you", but not
5 actually joining them militarily and fully on the
6 ground.

7 SIR LAWRENCE FREEDMAN: We have heard arguments that it was
8 assumed the larger the force, the greater the influence.
9 Did you see that sort of correlation?

10 MR JONATHAN POWELL: No. I do think that a lot of this
11 discussion of conditions and, "If you give a little bit
12 here, you will get a bit more there", I just think
13 that's not true. They allowed us to participate in the
14 CENTCOM planning unit from May onwards when they had no
15 idea how we would participate.

16 SIR LAWRENCE FREEDMAN: So you think the argument in terms
17 of -- for the division was that -- essentially almost
18 internal to the UK, that we should be seen to be doing
19 it properly and that it would sort of sustain morale
20 amongst the army, make them feel that they have got
21 a big job to do?

22 MR JONATHAN POWELL: The military troops indicated to us
23 that it would be important for the morale that we were
24 involved properly, yes.

25 SIR LAWRENCE FREEDMAN: What about the cost considerations

1 in all of this?

2 MR JONATHAN POWELL: They were discussed with Gordon Brown
3 and with the Treasury, and in government more widely,
4 but they were serious considerations, the costs we were
5 putting in.

6 There was also the consideration of the firemen's
7 strike which you will recall, in 2002, initially at
8 least would have meant that we would not be able to
9 participate with a division. That seems to have changed
10 some time in October when the military decided they
11 could participate, even if there were a firemen's
12 strike.

13 SIR LAWRENCE FREEDMAN: What comes over from this is
14 a considerable degree of enthusiasm for -- from the
15 armed forces to be involved as fully as possible. Is
16 that a fair assessment?

17 MR JONATHAN POWELL: Yes, I think that's a natural state of
18 affairs for the military high command, as in Afghanistan
19 for that matter.

20 SIR LAWRENCE FREEDMAN: In accepting the logic of
21 a division, at the time this was through the northern --
22 so-called northern route, through Turkey. How realistic
23 did you think that it was going to be to be able to
24 follow that path, given the issues with Turkey?

25 MR JONATHAN POWELL: As far as I recall, we accepted the

1 advice from the military chiefs and from the American
2 military that it would be possible, they would be able
3 to persuade the Americans, and we would have been left
4 in charge of Tikrit, which, at that stage, as
5 I remember, our sphere of influence was going to be
6 after an invasion.

7 SIR LAWRENCE FREEDMAN: That's quite important. So it was
8 always accepted that there would be some part of Iraq
9 where there would be a UK presence afterwards, where we
10 would be responsible for -- essentially, the
11 responsibilities of an occupying power.

12 MR JONATHAN POWELL: I can't find any papers on the files
13 that suggest that, but that is my memory of the
14 circumstances. I remember being told by the military
15 that Tikrit would be where we would be responsible.

16 SIR LAWRENCE FREEDMAN: Given that that is Saddam's home
17 town, that would have been quite a responsibility?

18 MR JONATHAN POWELL: That's correct. I pointed that out to
19 the military.

20 SIR LAWRENCE FREEDMAN: What did they say?

21 MR JONATHAN POWELL: They correctly thought that they were
22 extremely good at counterinsurgency and had years of
23 experience of it.

24 SIR LAWRENCE FREEDMAN: This would have been quite a test,
25 because this issue didn't arise because we agreed at the

1 start of 2003 on the southern route through Kuwait.
2 Were you surprised at how late this change came to the
3 military planning?

4 MR JONATHAN POWELL: Yes, I noted down that it was 3 January
5 that we finally discovered -- when we first discovered
6 that the Turkish route was not going to be possible, and
7 that did come as a surprise to us. But the ability of
8 the military to shift, and, as I say, the skills of the
9 enablers to shift from the Turkish route to the Kuwaiti
10 route was quite extraordinary.

11 SIR LAWRENCE FREEDMAN: But you had been given no warning
12 before 3 January that this was likely to happen?

13 MR JONATHAN POWELL: I don't think so, but I can't be
14 certain.

15 SIR LAWRENCE FREEDMAN: The consequences of the move through
16 Kuwait were potentially twofold: first, that it would
17 possibly have a greater role in American planning. Is
18 that fair? Because of the need to secure the area
19 through which most of the other forces would be passing
20 through?

21 MR JONATHAN POWELL: I'm not sure that was a fundamental
22 factor in making the decision.

23 SIR LAWRENCE FREEDMAN: But you were aware that that was
24 a potential implication?

25 MR JONATHAN POWELL: To be honest, no, I don't remember that

1 coming up, but I may just have forgotten it.

2 SIR LAWRENCE FREEDMAN: The second, which goes back to the
3 question of our sphere of influence, as it were, is that
4 it would then be likely that we would be given a box, as
5 it has been put to us, in the south to look after. How
6 aware were you of that as a potential implication?

7 MR JONATHAN POWELL: I must admit, having read the evidence
8 to your Committee, I hadn't -- in my memory, that wasn't
9 sort of a discussion we had and sat down and talked
10 about, "We are taking responsibility for Basra".
11 I hadn't -- I don't recollect being aware of that at the
12 time, but that doesn't mean to say that others weren't
13 aware of it. Just not me.

14 SIR LAWRENCE FREEDMAN: But in terms of consequences, that's
15 quite important.

16 MR JONATHAN POWELL: Yes, although, I suppose, having gone
17 in with ground forces, you would expect to be
18 responsible for some part of Iraq rather than simply to
19 leave.

20 SIR LAWRENCE FREEDMAN: In terms of our planning,
21 particularly for the aftermath, it meant that there was
22 a particular area that we were going to have to focus
23 on?

24 MR JONATHAN POWELL: Yes.

25 SIR LAWRENCE FREEDMAN: But you are saying that it hadn't

1 occurred to you in Downing Street that there was a clear
2 logic in the military planning that would leave us in
3 control of Basra?

4 MR JONATHAN POWELL: I don't remember that having occurred
5 to me at the time, about the importance of the American
6 supply routes, no.

7 SIR LAWRENCE FREEDMAN: How did that fit in, then, with
8 other planning that was going on for Phase 4? We will
9 have some more questions on this probably after the
10 break, but just in terms of your understanding of where
11 all this was leading us, was there an appreciation that
12 in the aftermath we were going to have to do quite a lot
13 somewhere or other? It seems hard to work out how we
14 could have had that sort of planning without
15 a particular part of Iraq in mind.

16 MR JONATHAN POWELL: I feel that, once we had invaded, we
17 were responsible for the whole of Iraq, not just for
18 part of Iraq. We had a duty to try and make sure that
19 Iraq succeeded as well as possible. Occasionally we had
20 debates later on about -- I noticed this word you have
21 been bandying around about exemplary approach in Basra.

22 SIR LAWRENCE FREEDMAN: It wasn't from us.

23 MR JONATHAN POWELL: I always thought the key thing was,
24 however good you made Basra, that would take you nowhere
25 unless you were dealing with Baghdad and the rest of the

1 country, and we were not in a position to ignore what
2 was happening in the rest of Iraq, we had to be
3 involved, and we wished to be involved, in the planning
4 for the whole of Iraq.

5 SIR LAWRENCE FREEDMAN: We will no doubt talk about that in
6 some detail very soon, because that's a very important
7 distinction that you have made. Can I discuss a couple
8 more questions just on the build-up to war?

9 First, going back to what we were discussing before
10 about the timetable, how important was the military
11 consideration in terms of the deadline? You have
12 suggested that diplomacy had run its course, it was
13 exhausted, nothing was going to change with the
14 inspectors, but another part of this argument is that
15 the American military were ready to go, it was going to
16 get hot, it was going to get more difficult to fight.
17 If you didn't fight in March, you would have to fight in
18 the autumn. How important was that in setting
19 a deadline?

20 MR JONATHAN POWELL: It was certainly a factor that
21 President Bush put to us when we were asking for nine
22 more weeks to make progress on this. He said they were
23 worried on two counts: one, that they were losing
24 altitude with the surrounding Arab leaders; and,
25 secondly, that the troops could not remain through the

1 summer, and if the troops were withdrawn, taken back
2 home, that would be a victory for Saddam and we would
3 never be able to deal with Saddam in the future.

4 SIR LAWRENCE FREEDMAN: The nine more weeks were linked with
5 these clusters?

6 MR JONATHAN POWELL: Linked at that stage, as of 5 March,
7 with the diplomatic initiative we were pursuing full
8 tilt at the time.

9 SIR LAWRENCE FREEDMAN: That would have taken you into the
10 start of June?

11 MR JONATHAN POWELL: Yes.

12 SIR LAWRENCE FREEDMAN: So we tried on that and did not
13 succeed?

14 MR JONATHAN POWELL: Correct.

15 SIR LAWRENCE FREEDMAN: What advice were you getting from
16 the British military about their ability to stay in
17 desert conditions over the Kuwaiti summer?

18 MR JONATHAN POWELL: I'm afraid, I can't recall that.

19 SIR LAWRENCE FREEDMAN: But as far as the Americans were
20 concerned, the need for the armed forces to move was --
21 was -- basically set the deadline?

22 MR JONATHAN POWELL: Yes.

23 SIR LAWRENCE FREEDMAN: Thank you.

24 THE CHAIRMAN: Sir Martin? Sir Roderic? Let's take another
25 break now and let's be back in about ten minutes. Thank

1 the renewal of the previous UN Security Council
2 Resolutions. We had been through it in Kosovo where we
3 had no UN Security Council Resolution and needed the
4 legal advice of the Attorney General for action.
5 Afghanistan, of course, and particularly targeting and
6 bombing both in Iraq and Afghanistan. So we were
7 familiar with the process of working with the Attorney
8 General on getting legal advice.

9 THE CHAIRMAN: You are describing, as it were, the function
10 of the office, but, of course, tragically, the office
11 holder had to change with the death of Lord Williams.

12 MR JONATHAN POWELL: It changed twice, because it had been
13 John Morris before that. So we had dealt with three
14 different Attorney Generals on these issues.

15 This was very much uppermost in our minds. If you
16 look at the files in January 2002, when David Manning
17 met Condi Rice, she made the point that we would have to
18 get the advice of the Attorney General on this before
19 any action at any stage would be possible.

20 On 19 July, preparing for the ministerial meeting on
21 23 July on Iraq, the Cabinet Office circulated papers
22 including a description of legal advice, and at that
23 meeting on 23 July, the Attorney General set out his
24 advice, which was that the potential legal routes would
25 be self-defence, which didn't apply, humanitarian

1 crisis, which didn't apply, and that the route used in
2 1998 would not work in this case. So those were his
3 views set out at that meeting.

4 THE CHAIRMAN: 1998 being a matter of, in effect,
5 self-defence?

6 MR JONATHAN POWELL: I forget the actual legal basis.

7 THE CHAIRMAN: Anyway, let's not worry about that.

8 So we are in late July 2002. Can we just look at
9 the period between then and November 2002, when the
10 taking of the UN route bore its real and perhaps only
11 edible fruit in the shape of the Security Council
12 Resolution 1441?

13 Was there any evolution in the sense of the legal
14 advice between July and November? Because I would like
15 to come on to the immediately post-November in a moment.

16 MR JONATHAN POWELL: The Attorney General was kept informed
17 of the negotiations in the UN, because negotiations are
18 important as well as the resolution itself, in terms of
19 legal advice. He had asked to meet Jeremy Greenstock
20 and American lawyers at some point during that period as
21 well. I think it may have been later.

22 THE CHAIRMAN: I think later.

23 MR JONATHAN POWELL: Sorry.

24 THE CHAIRMAN: Right. Now, the Attorney by then

25 Lord Goldsmith is, it appears from what we read, to be

1 anxious that his advice should be properly recorded and
2 on the record.

3 Was there a concern that you were aware of, or
4 indeed part of, that, because the situation was
5 developing, both on the diplomatic track, the UN track,
6 and on the ground, that any advice would be, as it were,
7 provisional to the moment it was given as opposed to
8 determinative whatever the situation was later?

9 MR JONATHAN POWELL: Precisely. I mean, the advice that he
10 gave in July 2002 was everyone completely obviously
11 agreed with that, and that was one of the reasons we
12 were going down the UN track because there wouldn't be
13 a legal base without that.

14 So that was -- then move forward, the UN Resolution
15 happened, he participated it and he set out his views on
16 that.

17 THE CHAIRMAN: Because we come after 1441, after November,
18 to the pursuit of the second UN Resolution, how far was
19 that because of legal concerns about the sufficiency of
20 1441 standing on its own to provide a legal base for
21 military action and how far was it, as it were, the
22 pursuit of essentially diplomatic, political objectives,
23 to bind in as much and more of the international
24 community?

25 MR JONATHAN POWELL: The Prime Minister set this out in his

1 contacts with President Bush, where he said the purpose
2 of the second resolution, which we eventually persuaded
3 the Americans to follow at the end of January 2003, was
4 to build a wider coalition to get the political support
5 you needed for the attack. It was principally primarily
6 to get a political-wide coalition.

7 THE CHAIRMAN: Yet, the Attorney General, immediately after
8 1441 was secured, said he would need some time to
9 reflect on it, and it appears from what we read that he
10 did not feel convinced at that time -- I'm talking about
11 post-November, before March -- that standing on its own
12 it would be a secure base.

13 MR JONATHAN POWELL: Well, as I say, he recorded his views
14 on a number of occasions. I'm not really able to say
15 what his views were. I'm not capable, as an individual,
16 of describing what they were, but they were on the
17 record, yes.

18 THE CHAIRMAN: There is some reason to suppose that he might
19 have liked to give written advice, albeit it might have
20 been interim, but was discouraged from doing so. Is
21 that your recollection?

22 MR JONATHAN POWELL: No, he gave written advice -- I don't
23 know if you would call it written advice, he expressed
24 his opinions in -- oh, sorry, you are making a different
25 point?

1 THE CHAIRMAN: No, the point was a verbal one, actually.
2 An opinion is even more serious than advice, if it is
3 a law officer's opinion. Was he communicating concerns
4 about the sufficiency of 1441?

5 MR JONATHAN POWELL: On A number of occasions before 1441
6 and after 1441, he did set out his views in writing on
7 it, yes.

8 THE CHAIRMAN: Before we come to 7 March, when he does
9 provide a definitive opinion for the Prime Minister,
10 there were a series of discussions with him between
11 people such as yourself, Sally Morgan and others.

12 Was the purpose of this to elicit from him a sense
13 of the way his mind was moving or was it to give him the
14 opportunity to communicate to the Prime Minister through
15 yourself?

16 MR JONATHAN POWELL: I don't really remember the meeting
17 itself. There was a meeting on either 27 or 28 February
18 with David Manning and myself, and certainly it is not
19 clear from my diaries which of those days it was, but
20 one of them happened.

21 I'm not, I'm afraid, able to remember precisely what
22 happened at that meeting. I imagine it was a discussion
23 about where we were, was a military campaign really
24 going to happen, and things like that.

25 THE CHAIRMAN: I think our understanding is that it was at

1 that point he reached a view that -- which he gave in
2 writing on 7 March -- that a reasonable case could be
3 made that 1441 was capable of reviving the original
4 authorising resolutions back in 1991 without a further
5 UNSCR, although we were still pursuing that possibility,
6 with diminishing hope of securing it, I think.

7 But between 7 and 17 March, is an important period,
8 because it is in that period that the Attorney has to
9 make up his mind finally what advice he will give to the
10 Prime Minister and to the Cabinet, and, indeed, to the
11 military.

12 So were there discussions between those two dates?

13 MR JONATHAN POWELL: Yes. As far as I can tell from the
14 records, on 11 March, the Prime Minister met the
15 Attorney and then there was a meeting with the Attorney
16 and the Chief of Defence Staff and Andrew Turnbull and
17 others, in which both the CDS and the Cabinet Secretary
18 asked for short paragraphs from the Attorney General on
19 the legal base.

20 THE CHAIRMAN: What is clear is that the Attorney's mind --
21 and we will be asking him, but I'm asking you really
22 about the handling and the understanding of what was
23 going on -- is that he starts with -- and this is
24 post-1441 -- concerns and questions in his own mind and
25 before he can come to a final judgment, whether on its

1 own it would be enough. It would clearly, at best, be
2 a balanced judgment, and it could go either way.

3 He then has discussions with his American
4 counterparts in the State Department and the White House
5 and he is made aware, is he, that there will be a need
6 for a definitive view from him on a -- at a time which
7 is now becoming very urgent?

8 MR JONATHAN POWELL: Yes, I don't know whether he was asked
9 for a definitive view before 11 March. He was certainly
10 asked for a definitive view on 11 March. I cannot be
11 certain, before then, when he was asked for a definitive
12 view.

13 THE CHAIRMAN: Yes. Is he perceiving from discussions he is
14 having that there is, in effect, pressure on him to firm
15 up his opinion, because, at the end of the day, it will
16 have to be clear?

17 MR JONATHAN POWELL: Well, you really have to ask him,
18 because I can't speak for his mind on the issue. But
19 you are right that, in my experience of life, lawyers
20 often have, "On the one hand ... on the other", but
21 sometimes they have to have come down to a decision one
22 way or the other on an issue, you can't have it both
23 ways, and I think that was what was happening in that
24 period.

25 BARONESS USHA PRASHAR: But were you having conversations

1 with him? What was the message you were trying to
2 convey to him? You know, you were the messenger, you
3 have staff. What were you trying to get across to him?

4 MR JONATHAN POWELL: As I say, I cannot recall the content
5 of that meeting on 27 or 28 February, but I imagine we
6 would have been saying to him, "Look, this is looking
7 pretty serious. We may well have to go to war and we
8 may well have to make a decision."

9 THE CHAIRMAN: Is it clearly understood in Number 10 by the
10 Prime Minister, by his closest advisers, at this time,
11 that, without the Attorney General's, in effect,
12 certificate of legality -- not legitimacy, but
13 legality -- the military, and, indeed, civilian
14 administration in our country would not go to war?

15 MR JONATHAN POWELL: It was very well understood. As
16 I said, at 20 January 2002, David Manning was making
17 exactly this point to Condi Rice.

18 THE CHAIRMAN: But that was, as it were, in a speculative
19 forward context. Now we are coming right into the
20 reality of the thing. One man, the Attorney General,
21 could stop of the whole show in its tracks.

22 MR JONATHAN POWELL: Absolutely, and this was true for
23 Kosovo or Iraq earlier, or Afghanistan, or, indeed, for
24 individual bombing raids.

25 THE CHAIRMAN: The government would not want it to be

1 stopped in its tracks, so he is carrying a very heavy
2 burden of responsibility and experiencing a very heavy
3 pressure of persuasion?

4 MR JONATHAN POWELL: No. It wasn't -- I mean, you are not
5 able to bully the Attorney General, but he was bearing
6 a very heavy burden of decision, absolutely.

7 THE CHAIRMAN: One final thing, and it is a question again
8 we shall want to ask others, when the Attorney gave his
9 advice to Cabinet on 17 March, he did so, not by way of
10 tabling a formal law officer's opinion, or, indeed,
11 a memorandum of legal advice with all the caveats that
12 will come with that inevitably, but, rather, in the
13 shape of what should be said in a Parliamentary
14 statement. Why was it done that way, do you know?

15 MR JONATHAN POWELL: I saw that Andrew Turnbull had talked
16 about that when he came to see you. I am afraid I don't
17 recollect where, but I do remember us saying at the time
18 that the Attorney General was there, so he could answer
19 questions and discuss it in front of the Cabinet, if
20 they had questions. So he was physically present, which
21 would not always have been the case in the past in such
22 circumstances, but why it was that format, I can't tell
23 you.

24 THE CHAIRMAN: Were you, as it happens, present in the
25 Cabinet for that discussion?

1 MR JONATHAN POWELL: I would have certainly been present,
2 yes.

3 THE CHAIRMAN: Do you recall from that how much discussion
4 there was? We have seen the Cabinet minutes, but they
5 don't record, of course, every to and fro.

6 MR JONATHAN POWELL: No. I mean, I recall what
7 Andrew Turnbull said, or I saw somewhere, in preparing
8 for this, there was a reference to him saying, "We can
9 read it", or something, rather than asking questions.
10 That's what I recall.

11 THE CHAIRMAN: Thank you. Now, I think, because we have
12 evidence on the substance and content of the legal
13 advice, as it develops coming up, from a number of
14 witnesses, I think, unless my colleagues have further
15 questions on that, we'll move on to the post-conflict
16 period. Just before we do, Usha?

17 BARONESS USHA PRASHAR: My question really is, it is
18 similar, because, if you look at the intelligence
19 evidence, that has got to be caveated, and the legal
20 advice has got seven caveats.

21 In your experience, was an opportunity provided when
22 all different dimensions of both the intelligence
23 information and that of the legal advice were actually
24 considered by the Cabinet as a whole?

25 MR JONATHAN POWELL: Well, the Cabinet as a whole wouldn't

1 have had access to the intelligence. So, no, that
2 certainly didn't happen. It would have happened
3 obviously in the War Cabinet and in the smaller
4 committees, but not in the Cabinet itself.

5 In terms of the legal advice, no, they did not
6 debate the full version. As the Chairman said, they had
7 before them the answer to the PQ. To the best of my
8 memory, we didn't have such debates either on previous
9 occasions, ie 1998, Iraq, or Kosovo or elsewhere.
10 I don't recall such debates happening in Cabinet, but
11 I would need to check to be certain.

12 THE CHAIRMAN: We shall look forward to pursuing these
13 threads with other witnesses in the days to come. So
14 may we turn now to the aftermath, both the planning for
15 it and the managing of it, Sir Martin?

16 SIR MARTIN GILBERT: You told us just before the break that
17 the United Kingdom wished to be involved in the planning
18 for the whole of Iraq. I was wondering what advice you
19 were giving to the Prime Minister on aftermath planning
20 before March 2003?

21 MR JONATHAN POWELL: I think that the advice we were
22 getting -- I wouldn't put myself in a particular
23 position of expertise on it, but the advice we were
24 getting was to prepare for things like huge refugee
25 flows for water and food crisis, for the Middle East

1 bursting into flames, for Saddam using chemical and
2 biological weapons, for an environmental disaster when
3 he torched the wells, for a long siege of Baghdad, for
4 an oil price spike, and even for another Saddam trying
5 to take over. So we were being warned of a series of
6 things and we were trying to prepare for those, but
7 actually none of those happened. So we were prepared
8 for eventualities that did not happen.

9 The one eventuality that we were conscious of was
10 the danger of sectarian violence between the Shia and
11 the Sunni. After the first Gulf War, the Shia had risen
12 up and had been bloodily suppressed by Saddam and the
13 Sunni and had not been supported by the west at all and
14 we had left them to die. So we were very conscious
15 there would be revenge killing, and, again, if you look
16 at the files, you will see notes from me and the
17 Prime Minister raising this with President Bush. So we
18 were conscious of the danger of those two communities
19 fighting, and conscious of the need to find some way of
20 inserting ourselves between them.

21 SIR MARTIN GILBERT: With regard to the wider aspects of
22 aftermath planning, basically governance, reconstruction
23 and governance, we have heard a certain amount about the
24 conflict within the United States policy, effectively
25 that considerable planning that had been done by the

1 State Department and then the switch of that
2 responsibility to the Department of Defence.

3 To what extent were you aware of these disputes, and
4 how far were you able to insert what you knew about
5 American policy into our own post-war planning?

6 MR JONATHAN POWELL: I think, in retrospect, it was clearly
7 a mistake to allow post-war planning to remain with the
8 Department of Defence, with the Pentagon and
9 Donald Rumsfeld. I think you will find many in the
10 American administration at the time who will accept that
11 shouldn't have happened. The State Department had done
12 the planning, they were probably better able at -- at
13 running things and it should have been left in the
14 State Department and not taken away.

15 As a junior coalition member, we weren't in
16 a position to force that to happen, although we did
17 raise it with the White House and make the point that it
18 should -- they should have looked at doing it in another
19 way, but that it didn't, in the end, happen.

20 SIR MARTIN GILBERT: At what level was it raised? At
21 Prime Ministerial level?

22 MR JONATHAN POWELL: No. National Security Adviser.

23 SIR MARTIN GILBERT: Was there a serious dialogue or were we
24 simply told that this was not our concern?

25 MR JONATHAN POWELL: There was agreement on the point, but,

1 unfortunately, it wasn't able to be implemented.

2 SIR MARTIN GILBERT: On the point that it shouldn't be the
3 Department of Defence?

4 We have heard from a number of witnesses about the
5 problems of co-ordination within Whitehall in terms of
6 aftermath planning. In fact, witnesses have been quite
7 emphatic on this. General Cross, for example, said:

8 "I got no sense of a single coherent focus within
9 the UK that it was beginning to grapple with some of
10 these issues."

11 Could you comment on this, and, in particular, what
12 were you able to do? What were you, as
13 Chief of Staff at Number 10, able to do to take this
14 planning mechanism forward more effectively?

15 MR JONATHAN POWELL: Yes, I mean, I think it is right that
16 the planning mechanism did not work well. I think, as
17 I say, we were looking -- the things we had been warned
18 about were things that didn't actually happen. So we
19 were quite well planned for water or refugee movements.
20 We weren't planning for the things that actually did
21 happen. I think the machinery could have been better,
22 and I wish it had been better, but I think, in the end,
23 this is a bit on the margin, because the real problem in
24 Iraq was the lack of security. It wasn't the lack of
25 planning for more electricity in Basra, because that

1 couldn't happen without security. We found ourselves in
2 the same bind that we find ourselves in now in
3 Afghanistan. This is the vicious circle between
4 security and being able to rebuild infrastructure,
5 rebuild the economy.

6 Now, in Iraq, as in Afghanistan, you cannot get
7 electricity going for Basra again, however well you have
8 planned, if there is no security, if people are blowing
9 up the power lines every time you put them up, if the
10 DFID expert can't get to the power station to get the
11 turbine working again.

12 If you read the pages of the Number 10 files from
13 2003 through 2007, what leaps out at you is the
14 frustration, the inability to break this cycle between
15 the violence and getting things moving. So we weren't
16 able to do it because we didn't have the security.

17 SIR MARTIN GILBERT: You tell us, having been the generator,
18 as it were, of many of these files, what your own advice
19 was, particularly with regards to security and with
20 the -- both the security services in Iraq, and, more
21 particularly, the police, how you saw their role.

22 MR JONATHAN POWELL: Yes, I think the problem was that, as
23 I say, we had anticipated Sunni/Shia violence. What we
24 had not anticipated was either the scale of that
25 violence, the blowing up of the mosque, the retaliatory

1 attacks, and nor had we anticipated the engagement of
2 Al-Qaeda and of the Iranians into this battle, which
3 made it a lot worse.

4 I remember the Prime Minister asking military chiefs
5 in 2007, would they have been able to cope with the
6 insurgency, had it not been for the intervention of
7 Al-Qaeda and the Iranians, and them saying, absolutely,
8 they would have been able to manage in those
9 circumstances, but we weren't able to manage it.

10 We had ideas on how to do it and they largely
11 revolved around having more troops, particularly in the
12 American sector, having ways of ensuring those troops
13 had a proper counter-insurgency strategy. The American
14 troops that first arrived in Baghdad were war-fighting
15 troops. They remained in their tanks, they were
16 exhausted, they had fought a very good fight, but they
17 weren't capable of carrying out a counter-insurgency
18 strategy in Baghdad and we needed to have that strategy,
19 we needed to have the troops, and we needed to have
20 a dialogue with those who were attacking us.

21 Until very late in the day, many on the American
22 side were reluctant to talk to those Sunnis with blood
23 on their hands. It is entirely understandable that you
24 would not want to talk to those who are killing your
25 troops, but our observation from Northern Ireland is you

1 do need to speak to these people, you need to find a way
2 of negotiating with them.

3 We started a dialogue in Jordan with the Sunni
4 leaders, many of them associated with the Ba'ath Party
5 and others, to try and reach out to them with help from
6 Saudi Arabia and others, to try and find a way of
7 engaging them politically.

8 In the end, that resulted in a successful policy,
9 the American surge, Petraeus's inkspot strategy for
10 settling areas, and the dialogue with the Sunnis that
11 led to the Anbar awakening, but it all happened late.
12 It would have been better, with retrospect, had it
13 happened earlier.

14 SIR MARTIN GILBERT: Was this something we had been pressing
15 the Americans on earlier?

16 MR JONATHAN POWELL: Again, it is interesting, if you look
17 through the files, the number of times we raised it with
18 President Bush, but I do not want to claim that we had
19 some magic solution to this; we were having as much
20 difficulty with the aftermath as the Americans were. It
21 was something that had to be learned over time.

22 SIR MARTIN GILBERT: I would like to take up a point with
23 regard to our difficulty. There was, of course, a hope
24 that we would be able to draw down our troops within
25 a certain timetable, and you were involved in the

1 discussion of how, in a sense, troop timetables had now
2 to be replaced by a concept of success, that our mission
3 had to succeed. What did you see as success and what,
4 again, were you able to advise the Prime Minister with
5 regard to what would constitute the success of our
6 mission?

7 MR JONATHAN POWELL: Are you talking about the final years,
8 2006/2007?

9 SIR MARTIN GILBERT: Yes.

10 MR JONATHAN POWELL: I think the final success really was
11 something that happened later, which was the Charge of
12 the Knights. Now, in 2006/2007 the Prime Minister asked
13 our military to see if they could find ways of -- sorry
14 yes, 2006/2007, December 2006 -- the Prime Minister
15 asking that we take on the JAM in Basra and engage in
16 that similar sort of activities. You had to be very,
17 very firm with them in those circumstances. That was
18 what success would require, but Maliki, the
19 Prime Minister at the time, did not want us to undertake
20 that attack, and we waited, and it was in the end Maliki
21 who commanded it to happen with Iraqi forces, and it
22 happened very successfully in May 2008.

23 But that was what we would have seen success as
24 being, to try and deal with the gangs and the militia in
25 Basra, because, of course, the difficulty there was

1 quite different from the difficulty in Baghdad or the
2 rest of Iraq, where you had the Sunni/Shia rivalry and
3 the reciprocal killings. That wasn't the problem in
4 Basra.

5 SIR MARTIN GILBERT: I would like to focus for a moment
6 on September 2007, again a period of intense insurgency,
7 and you made a series of suggestions to the
8 Prime Minister as to how we should in a sense redefine
9 our mission and in particular engage again with public
10 opinion here in Britain; you were concerned that the
11 public had in a way turned aside from this enterprise.

12 Can you give us some picture, some detailed picture,
13 of what your advice was and how it was taken up?

14 MR JONATHAN POWELL: You mean 2006, perhaps?

15 SIR MARTIN GILBERT: Yes.

16 MR JONATHAN POWELL: We had left government by September
17 2007. But I am afraid I haven't seen that note in my
18 preparations for this, so I don't know what wisdom I had
19 at the time.

20 SIR MARTIN GILBERT: What did you feel was the problem with
21 public opinion at that time, in terms of --

22 MR JONATHAN POWELL: I think they felt that Iraq was
23 hopeless, that we were never going to succeed, that we
24 had been there a long time, a lot of people had died and
25 we were never going to achieve our ends.

1 SIR MARTIN GILBERT: And it was not felt at Downing Street
2 that it was hopeless, so how did you address this?

3 MR JONATHAN POWELL: There is a very important point here,
4 which is whether the West has staying power in these
5 sort of conflicts, most notably Afghanistan. You know,
6 we showed in Bosnia and in Rwanda what happens when you
7 don't intervene. We showed in Kosovo what happens if
8 you intervene quickly -- or Sierra Leone and succeed.
9 Afghanistan and Iraq are a different case. They are
10 cases where we have intervened, where it has taken
11 a very, very long time, where you do not get success and
12 you lose support, and in those circumstances the
13 fundamental question is: are we prepared to stay for
14 those long conflicts or do we give up? That's what
15 I felt. We had to get across the sense, this is
16 painful, it is bloody, but in the end we can succeed,
17 and if you look at Iraq now, it is true that Iraq is now
18 in a much better situation than it was at the time of
19 Saddam: the violence is right down, the economy is
20 succeeding, people are in a much better position.

21 SIR MARTIN GILBERT: What efforts in September 2006 did you
22 suggest that should be taken?

23 MR JONATHAN POWELL: I fear I can't remember, although
24 I notice there was a note, again from the Prime Minister
25 to Bush, in which he talked about building up forces,

1 getting security and electricity in Baghdad and reaching
2 out to the Sunnis, but that wouldn't have been Basra,
3 that would have been for Iraq as a whole, so I'm afraid
4 I don't know.

5 SIR MARTIN GILBERT: I would like to turn now to the later
6 period, and we have heard that there was growing
7 pressure -- we have heard from military witnesses --
8 really from 2005 on, to transition in Iraq because of
9 the growing problems of Afghanistan, and several
10 military witnesses have spoken to us about this. What,
11 from your perspective, was the relative priority of Iraq
12 and Afghanistan at that period?

13 MR JONATHAN POWELL: It is worth going back to the
14 beginning, to 2002, when the Prime Minister first met
15 Dick Cheney on this issue in March 2002 and when he met
16 the President at Crawford and subsequently. He kept
17 emphasising the importance of not taking our eye off
18 Afghanistan, that we needed a renewed effort in
19 Afghanistan and that we should make a further push there
20 rather than leave it to one side because of Iraq.

21 And I think that was -- we were conscious of that
22 the whole way through, although we may not have
23 succeeded in doing that. So I think, when troops were
24 required for Afghanistan, the military were keen to take
25 on the challenge of Helmand. I think we felt that that

1 was the right thing to do and that would, by necessity,
2 require less troops in Iraq.

3 We also had the slightly unfortunate comments from
4 General Dannatt about the British army being part of the
5 problem and not achieving much in Basra, which must have
6 been very demoralising and made it harder to sustain the
7 effort there at that time.

8 SIR MARTIN GILBERT: Do you think the Afghan dimension
9 accelerated our exit from Iraq?

10 MR JONATHAN POWELL: There was a very conscious decision
11 about, if you want troops for Afghanistan, you can't
12 just leave them in Iraq, yes.

13 SIR MARTIN GILBERT: In that sense our mission wasn't
14 accomplished?

15 MR JONATHAN POWELL: In the case of Basra, if we were not
16 going to be allowed to carry out this Charge of the
17 Knights, the number of troops there was not essential to
18 getting to the end state we wanted, and in the end this
19 was carried out, as I said, by the Iraqi forces rather
20 than by British forces.

21 SIR MARTIN GILBERT: So the word you didn't like us using
22 but which was in a way the word from Downing Street,
23 that we would have an "exemplary" presence -- in a sense
24 this was, while obviously an admirable concept, not
25 something that we were able in any way to carry out?

1 MR JONATHAN POWELL: I think "in any way" would be going
2 a bit far. I think we did do our very best in Basra and
3 our military and our civilian workers there really tried
4 their hardest. It was a different problem from Baghdad
5 and the overall problem of Iraq, which was a different
6 issue really.

7 SIR MARTIN GILBERT: Finally, with regard to your belief
8 that we had a responsibility for the whole of Iraq, and
9 that its future was, therefore -- I mean, it was not
10 just the future of Basra or the southern governance that
11 was our concern -- how do you assess our achievement, in
12 retrospect?

13 MR JONATHAN POWELL: Well, I think it is too early to tell
14 really yet what the overall historical judgment will be
15 on Iraq. I think in ten years' time/15 years' time we
16 will have a better assessment of what has really
17 happened in Iraq.

18 But I do notice that, as I said earlier, things are
19 a lot better in Iraq now. If you look at the security
20 attacks, the graph goes like this, up to its ghastly
21 crescendo, and then down to a lower level now than at
22 the beginning of the conflict. The economy is doing
23 much better and, above all, people have democratic
24 elections, with another one coming this year, and the
25 last one having 80 per cent participation. I think

1 that's something worth fighting for, yes.

2 THE CHAIRMAN: Right. There are all sorts of follow-up final
3 questions but I have got one or two of my own, so,
4 selfishly, I'm going to raise those and then turn to my
5 colleagues.

6 I suppose the first one is, coming back to the
7 post-conflict planning, there was a distinction between
8 the humanitarian planning -- there was foreseen the
9 possibility, which mercifully did not eventuate, of
10 warfare, including WMDs, with humanitarian consequences.
11 There was not the humanitarian crisis, though it has
12 been argued by some witnesses that was because of the
13 action that was taken both by the coalition and indeed
14 by the NGOs early on.

15 What does seem to be clear, however -- this is the
16 question: how far was the Prime Minister's mind -- and
17 how far were his advisers pointing his mind to the need
18 actively to consider the different scenarios that might
19 arise in post-conflict Iraq, since that would inevitably
20 be the real test, after the conflict was over, of
21 success for the strategy or otherwise?

22 We know that in February 2003 the Prime Minister's
23 mind is directed to it. That's terribly late. So what
24 about the long-ish period before that?

25 MR JONATHAN POWELL: Yes, I mean, there were a series of

1 meetings on this earlier, even before February, not
2 involving the Prime Minister, but planning meetings and
3 the Prime Minister commissioning papers and what have
4 you. But, as I said, I don't think -- and I think
5 things could be done better -- and it is well worth
6 looking at the lessons that could be learned from all of
7 this. But I don't think we should kid ourselves to
8 think that that would have been the solution for Iraq
9 because the issue was the security issue and unless we
10 had a way of dealing with that, it is difficult to see
11 how we would have achieved the rest.

12 THE CHAIRMAN: But isn't that actually the flaw in the
13 diamond, that post-conflict planning, preparation for
14 aftermath, is about security first. We know that now.
15 That is, as you rightly say, a lesson. But was it not
16 foreseeable then that, of different scenarios that might
17 happen in Iraq immediately after an invasion and the
18 fall of the regime, one would be massive intercommunal
19 conflict?

20 MR JONATHAN POWELL: As I said, that was a problem we
21 anticipated -- was the problem of the Shia and the Sunni
22 conflict.

23 THE CHAIRMAN: But -- and I'm looking as much to our
24 understanding of American planning for the aftermath as
25 our own -- the military forces required to manage, cope,

1 suppress, that kind of large-scale -- if not quite civil
2 war but at any rate major insurgency and intercommunal
3 strife -- would be far greater than our resources even
4 in the south-east or in the coalition across the
5 country?

6 MR JONATHAN POWELL: Two points on that. One is that
7 politicians are in no position to say how many troops
8 you need to contain violence.

9 THE CHAIRMAN: But they are in a position to ask how many do
10 you need or would you need.

11 MR JONATHAN POWELL: Yes, and actually, whenever we were
12 asked for more troops in Basra, for example in July of
13 that year, we gave more troops. In the case of the
14 United States, we had argued for more troops later on,
15 as things deteriorated, and I don't think you can really
16 expect a politician to know whether you need 100,000
17 troops, 300,000 or 500,000 to keep the security.

18 The second point I would make is --

19 THE CHAIRMAN: Just before you make your second point -- but
20 is it not the politicians' duty/responsibility to ask
21 against all reasonable possible outcomes what will be
22 needed and to ask the military: can you do it?

23 MR JONATHAN POWELL: We certainly asked the military could
24 they do it and what numbers did they need, but this was
25 about Basra that we were asking.

1 THE CHAIRMAN: You have said earlier that we were -- and we
2 were, of course, as occupying power, responsible for the
3 whole country.

4 MR JONATHAN POWELL: Absolutely, which is why we did, when
5 things began to deteriorate in July and we saw that they
6 didn't have enough troops, start demanding, why -- that
7 they should -- not demanding, we started suggesting --

8 THE CHAIRMAN: At which point, the Americans, who, like us,
9 from pre-war planning, were in a position of trying to
10 bring about drawdown -- "Iraqi-ification", I think,
11 was their word, at one point -- quite early -- there had
12 to be a complete turnaround in the approach to troop
13 levels, even before the Petraeus surge, but this was not
14 one of the foreseen scenarios that the coalition would
15 have to cope with, was it?

16 MR JONATHAN POWELL: No, I think it is fair to say that
17 there were quite a few people in the American
18 administration, and probably some in the British
19 government too, who were overly optimistic about what
20 the situation would be like and what would be required,
21 but I would say, as we have discovered in Northern
22 Ireland, actually sometimes you just have to sit out an
23 insurgency, take a long time to fight it, and eventually
24 you will come up with a strategy of militarily bearing
25 down on it, to make it difficult for the terrorists, and

1 the other side giving a political perspective, to get
2 people off the military campaign, which is what happened
3 with the Sunnis in the end.

4 So, even if we had had the best planning in the
5 world, the greatest foresight in the world, you would
6 still have had to fight a campaign over a period of
7 time.

8 THE CHAIRMAN: The decisions that were taken very early by
9 the Coalition Provisional Authority, by, in effect,
10 Jerry Bremer, have attracted a great deal of criticism,
11 not only from witnesses before this Inquiry but all
12 around, notably, of course, the acceptance, as well as
13 the active bringing about of the disbandment of the
14 Iraqi army -- many of them went home with their weapons
15 but they could, it is argued to us, have been easily
16 reconstituted but for that decision -- and then the
17 well-known argument on de-Ba'athification, which all our
18 witnesses here have said -- at any rate it was far too
19 much and went far too far down the hierarchy. It was
20 arguably, simply, a big bad mistake.

21 How far, at the level of Prime Minister, President,
22 Number 10, White House, was there awareness of the
23 significance of those two key decisions?

24 MR JONATHAN POWELL: Firstly, I would say that it is easy --
25 I am always a bit chary of taking the easy course of

1 criticising other people after the event, and Bremer,
2 when he arrived in the job, was a breath of fresh air.
3 He had clear objectives, which I noted down: law and
4 order and to improve public services, the revival of the
5 economy and then renewal of civil society and politics.
6 He had the right objectives, starting with security and
7 leading on to the others.

8 I think it is right that it was a mistake to go so
9 far with de-Ba'athification. It is a similar mistake
10 the Americans made after the Second World War with
11 de-Nazification and they had to reverse it. Once it
12 became clear to us, we argued with the administration to
13 reverse it, and they did reverse it, although with
14 difficulty because the Shia politicians in the
15 government were very reluctant to allow it to be
16 reversed, and at the time we were being criticised for
17 not doing enough de-Ba'athification. So a lot of this
18 is with the benefit of hindsight.

19 In terms of the army, the army largely ran away, so
20 it would have been difficult to sustain it. However,
21 I think it was a mistake in retrospect not to pay the
22 salaries of soldiers, and that is something that should
23 have been done.

24 THE CHAIRMAN: We have had testimony here that the rebuild
25 potential was still there and was lost, which simply

1 extended the time and the cost of eventual rebuilding of
2 the army. But that's another thing.

3 I have got one last question on a specific point and
4 I will turn to my colleagues. We were discussing the
5 question of the legal advice available to the Cabinet,
6 and you were there, you told us just now?

7 MR JONATHAN POWELL: Yes.

8 THE CHAIRMAN: Was there any appetite around the Cabinet
9 table to discuss the legal advice? Was there any
10 awareness that it was inevitably caveated, balanced?
11 Was there any awareness that it might, not perhaps in
12 the advice as expressed but from earlier exchanges, have
13 brought risk in terms of crimes, either under an
14 international or even, conceivably, domestic law?

15 MR JONATHAN POWELL: On the second point, I can't remember
16 any discussion of that or what was in people's minds,
17 but I don't remember anything specific on that. On the
18 first point, as I said earlier, the only thing
19 I remember is what I have read in preparing for this,
20 which is about the, "We don't need to read it -- I'm
21 sorry: "We don't need your answers, we can read it."

22 THE CHAIRMAN: So, when Clare Short -- it was made publicly
23 known that she would have liked to discuss the legal
24 advice -- that would have been thought to be offside:
25 not how we do these things?

1 MR JONATHAN POWELL: I don't think we ever managed to stop
2 Clare Short raising whatever she wanted in Cabinet, to
3 the best of my memory.

4 THE CHAIRMAN: Okay, thank you. Well, I'll turn to my
5 colleagues for any final questions they may have.
6 Lawrence?

7 SIR LAWRENCE FREEDMAN: Yes, just a couple.

8 First, on what we have just been talking about in
9 terms much security, there were major debates in the
10 United States, involving the head of the army, amongst
11 others, that suggested half a million troops would be
12 needed to maintain order in Iraq after a conflict, and
13 that was set against the evident concern of
14 Donald Rumsfeld to demonstrate that this was a campaign
15 that we fought with as few troops as possible. Were you
16 aware of that debate going on?

17 MR JONATHAN POWELL: At this distance of time I can't tell
18 you whether I remember noticing it or not, but certainly
19 Rumsfeld was perceived as having this desire to have the
20 fewest possible troops. I do recall that, yes.

21 SIR LAWRENCE FREEDMAN: Because that in a sense
22 pre-determined the outcome; it wasn't going to be
23 a surprise, because when you think about the numbers of
24 Iraqis and the number of troops that were going to have
25 to be spread amongst them, especially as many of them --

1 of the troops would have just been through major combat,
2 it was always going to be a problem.

3 MR JONATHAN POWELL: Well, clearly you didn't need more
4 troops for the invasion because that worked; what you
5 needed was more troops later on. But if you rely on
6 politicians to come up with those sorts of answers,
7 I think that's not going to work. I remember, when we
8 were discussing the initial invasion of Afghanistan,
9 being told by the military chiefs we needed 250,000
10 troops to go into Afghanistan. In the end it was done
11 with a few special forces. So I'm not sure how clear
12 a science there is to these things, how you would know
13 in Iraq, just by multiplying the population by some
14 number, you come to the right answer. But certainly we
15 got it wrong and I just don't think we had the expertise
16 to know the answer to that.

17 SIR LAWRENCE FREEDMAN: Might this have been one of the
18 unintended consequences that had been spoken of a year
19 or so earlier.

20 MR JONATHAN POWELL: Well, the violence was an unintended
21 consequence, which is one of the consequences the
22 Prime Minister specifically mentioned in one of his
23 notes.

24 SIR LAWRENCE FREEDMAN: Can I ask you about April 2004,
25 which strikes me as being one of the most difficult of

1 the first year or so of the insurgency? What advice was
2 the Prime Minister giving President Bush on what was
3 going on in Fallujah?

4 MR JONATHAN POWELL: He was very worried about a full-on
5 assault on Fallujah and was keen that it wasn't done in
6 that way.

7 SIR LAWRENCE FREEDMAN: And how was that communicated?

8 MR JONATHAN POWELL: In a series of telephone calls and,
9 I think, a meeting around then as well, although I am
10 afraid I do not have the detail here.

11 SIR LAWRENCE FREEDMAN: When you then add the Sadrist
12 uprising, which brings the Shia community in, was there
13 a sense at this point that things might be getting even
14 worse, that it might be even harder to contain the
15 violence?

16 MR JONATHAN POWELL: Yes, it was. Again, the Prime Minister
17 wrote a note around that time to the President, saying,
18 "Look, we have an opportunity to turn things around,
19 even though they are very serious. What we need to do
20 is have an empowered government here in Iraq, a genuine
21 transfer of sovereignty. We need to follow up
22 General Petraeus's proposals for Iraqi-isation of
23 security forces and deploy those forces." So we were
24 looking at what I think were in the end the right
25 answers, but it took us a long time to get to them.

1 SIR LAWRENCE FREEDMAN: So how responsive was the President
2 at that time, because there was a feeling, especially
3 with Fallujah, that this was a direct challenge to the
4 United States that had to be dealt with?

5 MR JONATHAN POWELL: Yes, I think that's right. I think
6 that the President did hold off -- I forget my timings
7 on this because there were a number of aspects to
8 Fallujah, but I think they did hold off and then did the
9 attack in a different way, as far as I recollect.

10 SIR LAWRENCE FREEDMAN: There was the later attack
11 in November.

12 MR JONATHAN POWELL: Yes.

13 SIR LAWRENCE FREEDMAN: Then lastly in that month,
14 Abu Ghraib. Did you have any awareness that this issue
15 was going to hit the headlines?

16 MR JONATHAN POWELL: No.

17 SIR LAWRENCE FREEDMAN: What was your feeling when those
18 images of the prison became public?

19 MR JONATHAN POWELL: I think the same as any other member of
20 the public in the United States or here: horrified by
21 it.

22 SIR LAWRENCE FREEDMAN: What did you think needed to be done
23 in response to that?

24 MR JONATHAN POWELL: You needed to try and get the whole
25 internee problem under control, because there were

1 equally horrible things going on, then and later, in
2 Iraqi-run gaols that needed to be got under control.

3 SIR LAWRENCE FREEDMAN: Did you -- Lord Turnbull said that
4 people felt sullied by it. Was there a sense that this
5 undermined much of the claims that we had been making as
6 to why we were going into Iraq?

7 MR JONATHAN POWELL: Certainly that is true of such events,
8 and this wasn't unique in terms of that. But when these
9 sort of ghastly events happen, of course it undermines
10 every wish of achieving what we were trying to achieve
11 in Iraq.

12 SIR LAWRENCE FREEDMAN: Then just as a final question: was
13 there a point when you considered, despite what you've
14 said about the need to stick on with it, to hold
15 a position -- a sense of the potential of strategic
16 failure?

17 MR JONATHAN POWELL: Well, a number of times, I noticed
18 again, looking at the files, people would write in
19 suggesting we were near to strategic failure. I notice
20 John Sawers did it at one stage in Iraq and
21 David Manning at another stage. So I think that there
22 was a consciousness of that danger, yes.

23 SIR LAWRENCE FREEDMAN: And how did this affect the
24 Prime Minister, given the investment he had put into
25 this --

1 MR JONATHAN POWELL: Well, further galvanisation, and on one
2 particular occasion he demanded that Whitehall go back
3 on a war footing to deal with these issues, rather than
4 treating them more as a day-to-day matter.

5 SIR LAWRENCE FREEDMAN: What effect did his galvanisation
6 have on the rest of Whitehall?

7 MR JONATHAN POWELL: It meant that there was more activity.
8 But these were not problems that could simply be
9 resolved by a fiat from the centre. As I say, in
10 Northern Ireland, if we could have resolved the issue by
11 a fiat from the centre, we would have done so but it
12 took 30 years.

13 SIR LAWRENCE FREEDMAN: Thank you.

14 THE CHAIRMAN: Any colleagues? Roderic?

15 SIR RODERIC LYNE: Just back on trying to work out what
16 lessons can be learned from what didn't go right, I
17 mean, you emphasised the fact that it is difficult now
18 to get the degree of resilience and staying power in
19 support and acceptance of long-running conflicts -- you
20 mentioned Afghanistan as well as Iraq -- more difficult
21 than it used to be, and we were in a situation in which,
22 of course, our own military were not instructed to plan
23 for keeping combat troops in Iraq for six years. That
24 was not the assumption that the politicians and the
25 policy makers asked them to plan for. We did not

1 anticipate, in March 2003, that we were going to be the
2 co-occupying power for Iraq. We didn't anticipate that
3 we were going to have to, in a very hands-on way, take
4 responsibility for the south-east region.

5 Now, could more have been -- I mean, you said that
6 this war arose, as others have said before you,
7 John Sawers in particular -- that we had not anticipated
8 the scale of the Sunni/Shia violence or the scale of the
9 Al-Qaeda insurgency in Iraq. If the policy had been
10 subjected -- the strategy had been subjected to more
11 rigorous stress-testing, to more diverse views, to more
12 challenge, in the process you talked about earlier, do
13 you think -- and particularly from experts in the
14 region -- do you think that we might have been better
15 able to anticipate what went wrong afterwards than we
16 were?

17 MR JONATHAN POWELL: Well, I think it is always worth having
18 stress-testing. One of the things that I observed later
19 in Iraq was the utility of both the Red Cell, in the
20 CIA, and the Red Team, in Iraq. Those units were great
21 at putting alternative viewpoints, challenging, pushing.
22 I'm not sure they led to very many different decisions
23 on the big issues, but probably on the margin they did.
24 So that sort of challenge is always worth having. But
25 suggesting that the Prime Minister was not challenged on

1 his views on Iraq all the way up to March 2003 would be
2 wrong. That challenge doesn't need to happen around the
3 Cabinet table, it can happen in private meetings, with
4 the Secretary of State for foreign affairs or indeed
5 even with his political advisers, who were people with
6 many alternative views, and nor were we dismissive of
7 the protesters and those who were opposed to the war.
8 There was a huge demonstration against the war and it
9 made a big impression on us. We could see the
10 possibility of the Prime Minister losing his job
11 in March as a result of this. I remember
12 Andrew Turnbull used to regularly pop into my office in
13 that period and ask me for the Labour Party rules on a
14 change of Prime Minister, which wasn't altogether
15 encouraging.

16 So we knew there was a huge political opposition to
17 this, we knew there were alternative arguments, and the
18 Prime Minister, ironically -- Tony Blair, ironically --
19 had been accused of being a politician who followed
20 focus groups in the earlier part of his political
21 career. At this stage he decided to do something that
22 was unpopular because he thought it was right, and he
23 stuck to his convictions on that and that's what he did.

24 SIR RODERIC LYNE: In the sort of earlier stages, before we
25 got locked into a particular course of action with the

1 administration in Washington, had this process of debate
2 and discussion included the Prime Minister having access
3 directly to the views of experts in the Middle Eastern
4 region, people who knew Iraq, knew the area around? Was
5 that part of the challenge?

6 MR JONATHAN POWELL: I mean, the government machine had
7 access to all of the experts, all of the -- they were
8 perfectly capable of conveying their views to the
9 Prime Minister through the machinery of government.
10 That's not a difficult thing to do. I mean, are you
11 suggesting he should have had meetings with the
12 ambassadors in Cairo and Syria or ...?

13 SIR RODERIC LYNE: I'm wondering what views got through to
14 him that disagreed with the course that he was getting
15 on to, and particularly views informed by people who
16 might have forecast the trouble that was going to
17 happen. I mean, Jeremy Greenstock referred to the
18 Egyptian ambassador at the UN, subsequently Egyptian
19 Foreign Minister, accurately warning that there would be
20 considerable violence after this event. Did that kind
21 of viewpoint ever get before the Prime Minister?

22 MR JONATHAN POWELL: As I said earlier, leaders in the Arab
23 world were saying very different things to different
24 people about this. Many of them were saying, "If you
25 act very speedily, with maximum force, then this will be

1 solved very quickly." They weren't necessarily warning
2 of those dangers. And what our ambassadors were warning
3 in post was that there was a rising on the Arab street
4 against the coalition, and that actually didn't happen,
5 that wasn't the problem; the problem was the scale of
6 the violence inside Iraq and the addition of Al-Qaeda
7 and Iran, which made it so difficult to manage for so
8 long.

9 SIR RODERIC LYNE: But we did end up, we and the Americans,
10 having made a major miscalculation of what actually was
11 going to happen after Saddam Hussein was toppled. Are
12 you saying that there is no way that could have been
13 avoided?

14 MR JONATHAN POWELL: Well, the only way you could have
15 avoided it is by not having the war. By foreseeing it,
16 what could you have done differently, apart from more
17 troops, a better strategy and talking to the Sunnis,
18 which were the three things I had been suggesting.

19 SIR RODERIC LYNE: If you had foreseen it, it might indeed
20 have changed the calculus about whether or not military
21 action, or military action on that timing or in that
22 form, was the right policy?

23 MR JONATHAN POWELL: You certainly would have thought very
24 hard about it, but I don't think you would want, either,
25 to run away from the threat of Al-Qaeda, saying that they

1 were going to -- say, if you put it the other way and
2 Al-Qaeda had threatened at that stage, "If you go into
3 Iraq, we are going to fight you on every front we can,"
4 would that have made you stop doing it, that you were
5 going to run way away from Al-Qaeda's threat in those
6 circumstances? I don't think so.

7 On the other hand, looking back, the tragic death of
8 so many people -- perhaps as many as 20,000 killed by
9 Al-Qaeda suicide bombers -- is a horrific thing, and
10 I think that's very hard to live with.

11 SIR RODERIC LYNE: On Al-Qaeda, they weren't, of course, in
12 Iraq before the conflict; the conflict created a new
13 theatre for Al-Qaeda. So, from the point of view of the
14 combat with Al-Qaeda, did the conflict help or did it
15 actually make things worse?

16 MR JONATHAN POWELL: Make which aspect of it worse? They
17 killed more people.

18 SIR RODERIC LYNE: The fact that Al-Qaeda had an additional
19 cause -- the conflict in Iraq -- they poured a lot of
20 forces into it, they recruited people in Iraq. Did that
21 not make the war against terrorism on a larger scale
22 than it had been before 2003?

23 MR JONATHAN POWELL: I am not sure that's right. If you
24 look at the war on terrorism now, it is in Afghanistan
25 and in Pakistan and in Yemen; it does move around.

1 I actually think one thing we haven't talked about would
2 have made a big difference, and that is in the
3 Middle East. If we had achieved more in the
4 Middle East, to put it in a different place, that would
5 have removed a cause that Al-Qaeda exploit -- they don't
6 believe in it but they exploit it -- and if we had had
7 the opportunity to try and remove that, we would have
8 been in a far better place.

9 Now, we did persuade the Americans to produce a road
10 map, we did persuade them to opt for the two-state
11 solution, but they didn't deliver as we'd hoped and as
12 they gave us reason to expect might happen: a Madrid
13 conference, such as had followed the first Gulf War, or
14 an envoy, permanently dealing with this problem, or
15 indeed what President Bush said when he came to
16 Hillsborough in Northern Ireland, where he had a joint
17 press conference with the Prime Minister in which he
18 said he would devote as much time and as much effort to
19 the Middle East as the Prime Minister had to Northern
20 Ireland. I think, if those things had happened, we
21 would have found ourselves in a different place.

22 SIR RODERIC LYNE: So that was a bit of a disappointment,
23 that we didn't get more progress from the Americans?

24 MR JONATHAN POWELL: For me personally, a major
25 disappointment, yes.

1 SIR RODERIC LYNE: Thank you. I think we should finish on
2 that note.

3 THE CHAIRMAN: Sir Martin, any final questions? No? Usha?

4 BARONESS USHA PRASHAR: Mr Powell, in response to an earlier
5 question, you said that the commitment given by Prime
6 Minister Blair at the time to George Bush, that he is
7 with him no matter what, was a tactical move. If that
8 was the case, then why did he, in a recent interview on
9 television, say that he would have gone to war even if
10 there was no WMD, for actual regime change, and he would
11 have deployed different arguments?

12 MR JONATHAN POWELL: Well, it was the point I was trying to
13 make earlier, which is that I can believe, as I firmly
14 do, that it would be a good thing to remove the Burmese
15 regime, or to remove Mugabe in Zimbabwe. However, that
16 is not the same as being able to do that, even if I were
17 Prime Minister of the United Kingdom. I do not have the
18 military means to do it and I do not have the legal base
19 to do it. So I can believe that it is right to get rid
20 of Saddam or right to get rid of Mugabe. I have the
21 right to pursue that aim but I can't pursue it by
22 military means unless there is a legal base and support
23 for doing it, and those two points you can have
24 simultaneously in your mind without any conflict, in my
25 opinion.

1 BARONESS USHA PRASHAR: So that's your opinion?

2 MR JONATHAN POWELL: Yes.

3 BARONESS USHA PRASHAR: That there is no conflict in those
4 two positions?

5 MR JONATHAN POWELL: No. I think there is a sort of
6 misunderstanding about the two -- the wish to be rid of
7 a dictator and the ability to be rid of a dictator.

8 THE CHAIRMAN: I think I have got one final question, and
9 I hope you will think it is fair. It is simply: is it
10 possible to measure the success or failure of a long
11 strategy, as the Iraq strategy has been, by the abiding
12 opinion of the British people themselves about it?

13 MR JONATHAN POWELL: I think, as I said before, the only way
14 you can assess this really will be in 10 or 15 years'
15 time, and actually it won't be the opinion of British
16 people but the opinion of Iraqi people, on what they
17 think about it, and that's what will make the
18 difference.

19 THE CHAIRMAN: Okay. Are there any final comments you would
20 like to make, things that you would have liked to have
21 covered or said --

22 MR JONATHAN POWELL: Well, there are lots but I will give it
23 a pass, thank you.

24 THE CHAIRMAN: Well, I think in that case we will close the
25 session now. I thank our witness and not least all

1 those of you in the room, and indeed outside, who
2 followed this afternoon's testimony.

3 We shall convene again at 10 o'clock tomorrow
4 morning, when we shall be taking evidence from
5 Mr Geoff Hoon, formerly Secretary of State for Defence.

6 With that, I close the session. Thank you.

7 (5.20 pm)

8 (The Inquiry adjourned until 10.00 am the following day)

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MR JONATHAN POWELL1

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