

## STATEMENT REQUEST FOR RT HON TONY BLAIR

### 1. Pre-April 2002: The end of Containment

In December 2001, Sir David Manning visited Washington DC. Around this time a number of papers were produced weighing up Iraq policy. Amongst them there was explicit reference to regime change.

**a) Did you ask for them? What instructions did you give?**

It has been suggested that more could have been done with Iraq's neighbours to strengthen the sanctions regime (such as raising the Syrian pipeline with the Syrians during your visit to Syria in October 2001 or targeting Saddam's bank accounts held in Jordan).

In your previous evidence to the Inquiry, you said "before I went to see President Bush (at Crawford in April 2002), there was quite intensive interaction on this whole issue ... smart sanctions, because I needed to get a sense whether this policy ... was really going to be a runner or not"(page 36-7). In his private evidence, Mr Rycroft told us "by the time I joined Downing Street (in February 2002) the British government had essentially decided that continued containment was not going to work"

**b) What action did you take with Iraq's neighbours? When?**

**c) When did you conclude that containment would not work?**

### 2. April –September 2002: Emerging strategy and discussions with the Americans

Between April 2002, and your discussions at Crawford with President Bush, and September 2002, when the UK began negotiation of what would be UNSCR 1441, you had several important interactions with President Bush and British policy towards Iraq evolved considerably.

**a) Was there an explicit, recorded statement of what the UK objectives were in April 2002?**

**b) How had they been agreed?**

**c) What process did you use to revise those objectives between April and September 2002?**

**d) What were the UK's objectives in September 2002?**

On 5 June 2002 you told Mr Rumsfeld "[REDACTED]". At the end of July 2002 you sent a letter to President Bush which began "[REDACTED]".

**e) How did you find the United States Administration had interpreted your comments?**

**f) Did that correspond with the degree of UK commitment you wanted to give?**

**g) Did you have any concerns that this pre-empted collective discussion with your Cabinet Colleagues?**

3. **WMD including your public statements on the subject**

- a) **Before your press conference in Sedgefield on 3 September 2002 had you refreshed your memory of the 15 March JIC paper?**
- b) **Who was involved in the preparation of your statement to the House of Commons on 24 September 2002?**
- c) **Who cleared the statements on intelligence it contained?**

4. **The UN route and negotiation of UNSCR 1441**

In "A Journey" (page 407) you talk of meeting President Bush on 7 September and that you sought to persuade him to go down the UN route. In his autobiography, President Bush refers to a meeting with his advisers on the same day in which he decided to go down the UN route (page 238-9).

- a) **What was your understanding of President Bush's objectives in relation to the UN?**
- b) **What were your objectives and strategy in the negotiation of 1441?**
- c) **Were you aware of differences between the UK's position and prevailing American objectives for 1441?**
- d) **What were the implications of those differences for your strategy?**

In evidence to the Inquiry you said of the Attorney General's advice of July 2002 "What I took from the advice that we were given was that we needed a fresh resolution. I do point that out – because this was why, at a later stage, I became concerned as to what the legal problem was, because of course we got a further resolution." (Blair transcript pages 144-145) Later in your evidence you said that the Attorney General's advice was very helpful because "he focused our minds, quite rightly, on the need to get the right resolution in 1441" (page 148).

- e) **What was "the right resolution"?**
- f) **What was your understanding of what the resolution needed legally to achieve?**

We have seen and heard from a number of sources that it was a central UK objective that the terms of the resolution that became UNSCR 1441 should be sufficient to authorise the use of force without the need for a further determination by the UN Security Council. On 22 October Lord Goldsmith told you that, as things stood, the resolution in draft at that time did not on its own authorise military action because the provisions of OP10 made clear that the Council would convene for a further discussion if a breach was reported (recorded in David Brummell letter to Sir David Manning, "Iraq: Attorney General's meeting with the Prime Minister, 22 October", 23 October 2002. Request for declassification made on 19 November). He repeated that view in a telephone conversation with Jonathan Powell on 11 November after the resolution had been adopted.

- g) **Why did the UK continue to negotiate and adopt a resolution that the Attorney General advised at that time did not achieve one of its central policy objectives?**

## 5. Inspections

- a) **Given the doubt expressed about inspections and the ability of Iraq to deceive and conceal, what did you think would be achieved by inspections?**
- b) **What were your expectations about Iraqi co-operation with UNMOVIC?**

## 6. Second Resolution

We understand that there was a debate inside Government about whether to go for a "Second" Resolution.

- a) **When did the UK Government formally make a decision to pursue a second resolution?**
- b) **Who was involved in that process?**
- c) **What were you advised about the likelihood of success?**
- d) **When and why was a decision taken to withdraw the Second Resolution?**
- e) **On 18 March 2003, you told the House of Commons that "Last Monday (ie 10<sup>th</sup> March) we were getting very close to it. We very nearly had the majority decision". On what basis did you make that statement?**
- f) **Did you consider the international consequences of failing to get a Second Resolution? What were you advised on this issue?**

## 7. Legal Advice

### Unreasonable veto

On 3 October 2002 Peter Ricketts sent a note to the Foreign Secretary's Private Secretary, copied to David Manning. (Note from Sir Peter Ricketts to Sir David Manning, "Iraq: the Kosovo Option", 3 October 2002. Request for declassification made on 30 November) In that note he stated that the "Kosovo option" did not help as the UK had had an alternative legal basis, i.e. preventing an overwhelming humanitarian catastrophe, that would not be credible as grounds for action in Iraq. Mr Ricketts advised that "as far as I can see, failure to get a Second Resolution would leave us with no plausible legal basis."

In your meeting with the Attorney General on 22 October 2002, (recorded in David Brummell letter to Sir David Manning, "Iraq: Attorney General's meeting with the Prime Minister, 22 October", 23 October 2002, request for declassification made on 19 November) you asked for his view on the position if, following a flagrant violation by Iraq, one of the other P5 members "unreasonably vetoed" a second resolution authorising the use of force. The Attorney General (according to David Brummell's letter) advised that it was not easy to see that a condition of reasonableness could be implied as a precondition for the lawful exercise of a veto, but that he would give it further consideration.

In his draft advice handed to you on 14 January 2003 (Lord Goldsmith draft advice of 14 January 2003, declassified), Lord Goldsmith advised that he did not believe that a condition of reasonableness, as regards the veto, could be implied, and that if one of the P5 were to veto a further Council decision, there would be no Council authorisation for military action. He confirmed that view in his advice of 7 March 2003.

On 15 January 2003, you said in the House of Commons: “We have said that a second UN resolution is preferable, because it is far better that the UN come together. We have also said that there are circumstances in which a UN resolution is not necessary, because it is necessary to be able to say in circumstances where an unreasonable veto is put down that we would still act. That is the position that the Government have set out throughout, and it is the position that remains.”

On 6 February 2003, you told Jeremy Paxman on Newsnight: “If the inspectors do report that they can’t do their work properly because Iraq is not co-operating there’s no doubt that under the terms of the existing UNSCR that that is a breach of the Resolution. In those circumstances there should be a further resolution. If, however, a country were to issue a veto, because there has to be unanimity amongst the Permanent Members of the Security Council, if a country unreasonably in those circumstances put down a veto then I would consider action outside of that.”

- a) **Do you consider that what you said on those occasions was compatible with the Attorney General’s advice?**
- b) **Had you received any other legal advice on this issue?**
- c) **Was your view that action could be taken in the event of an “unreasonable veto” derived from the use of force without a UNSCR in relation to Kosovo?**
- d) **Were you aware of Sir Peter Ricketts’ advice on the significance of the Kosovo “option” to Iraq?**
- e) **Action had been taken in Kosovo on the basis of the need to avert an overwhelming humanitarian catastrophe. That would not provide a basis for military intervention in Iraq. On what legal basis did you say that the UK would act “in those circumstances”?**

#### Your response to the Attorney General’s draft advice of 14 January 2003

The central question addressed in the Attorney General’s draft advice was the interpretation of resolution 1441 and whether the Council had, in that resolution, reserved to itself the power to decide what further action was required to enforce the ceasefire in the event of a further material breach by Iraq. The Attorney indicated that it was his opinion that 1441 did not in itself revive the authorisation to use force contained in resolution 678 in the absence of a further decision of the Security Council.

Jonathan Powell commented on the advice that “We should get Jeremy Greenstock over to suggest alternatives to him.” You noted “We need to explore, especially (a) whether we could revive self-defence etc arguments or (b) whether the UNSC could have a discussion, no resolution authorising force, but nonetheless the terms of the discussion and/or decision make it plain there is a breach.” (Note from Jonathan Powell to Prime Minister, undated but covering Lord Goldsmith draft advice of 14 January 2003 - request for declassification made on 19 November)

- f) **What was the purpose in asking Sir Jeremy Greenstock to speak to the Attorney General?**

Matthew Rycroft told the Inquiry that it was your view all along that legally there was no need for a second resolution, although the advice from the Attorney General at that time was that a second resolution would be necessary.

- g) Was that an accurate assessment of your view?**
- h) On what were you basing your view of the legal position, when the advice of the Attorney General was at that time contrary to that position?**

The Attorney General's note to you of 30 January 2003

On 30 January 2003 Lord Goldsmith sent you a note in advance of your meeting with President Bush the following day making it clear that he “remained of the view that the correct legal interpretation of UNSCR 1441 was that it did not authorise the use of military force without a further determination by the Security Council pursuant to paragraph 12 of the resolution, that Iraq’s conduct indicated that it had failed to take the final opportunity granted by the Council”. (Lord Goldsmith’s note to the Prime Minister, “Iraq”, 30 January 2003. Declassified) David Manning noted that this was “Clear advice from the Attorney on the need for a further resolution.” You wrote next to the Attorney’s words “I just don’t understand this”.

- i) What did you not understand about the Attorney General’s advice?**
- j) Had you before this point had the opportunity to consider the detail of the legal advice you had received?**

On 31 January you met President Bush. Sir David Manning’s note records that you told the President that you were “

[REDACTED]

- k) Does this extract accurately record this aspect of your conversation with President Bush?**
- l) Why did you not tell President Bush that your legal advice was that a further determination by the Security Council would be necessary in order to authorise the use of force?**
- m) At that time, on what legal basis did you [REDACTED] [REDACTED]?**

Discussions with the Attorney General on 11 March 2003

The Inquiry has seen a note made by No10 staff in advance of your meeting with the Attorney General, Defence and Foreign Secretaries, Chief of Defence Staff and others that records that you and the Attorney General had discussed the legality of the use of military force before the meeting with the other attendees. (Note from Matthew Rycroft to the Prime Minister, “Iraq Military: 1300 Meeting”, 11 March 2003 - no request for declassification as the note simply records the fact of the discussion, not the content.) It is not clear whether the discussion took

place on the telephone or in person, and we have seen no note of the content of the discussion.

- n) **What discussion did you have with the Attorney General on 11 March 2003 before the meeting with the Chief of Defence Staff and others? What was the conclusion of that discussion?**

8. **Military Timetable**

- a) **At what point did you conclude that the US had definitely decided on military action in March 2003? How did this affect your approach to the various proposals to give the inspections process more time?**

9. **Military Planning**

On 19 March 2003 as the invasion began, the Foreign and Defence Secretaries advised you "It would be necessary to draw down our current commitment to nearer a third by no later than the Autumn to avoid long-term damage to the armed forces". (Foreign and Defence Secretaries joint minute to the Prime Minister "Iraq: UK Military Contribution to Post Conflict Iraq" PM/03/023 dated 19<sup>th</sup> March 2003 –declassified 2<sup>nd</sup> July 2010)

- a) **Was this advice new to you?**
- b) **What did you understand that this would mean for the UK's ability to fulfil its obligation to maintain security and law and order as an Occupying Power under the Hague and Geneva Conventions?**

10. **Planning for post Saddam Iraq**

In his evidence Sir David Manning said that you were "insistent throughout that a lot of thought needed to be given to what happened on what has been called "the morning after" (page 41). You considered an effective plan for the aftermath to be key to a successful strategy.

- a) **Given the importance you attached to this issue, what mechanisms did you put in place to ensure it was addressed?**
- b) **Who did you hold accountable for this aspect of planning and its subsequent delivery?**

In your note at the end of July 2002 to President Bush you said that [REDACTED]

- c) **What advice did you commission? From whom?**
- d) **What advice did you receive? When?**
- e) **Who saw this advice? Was it shared with the Americans? If so, with whom?**
- f) **How did that affect the strategic direction you gave to political governance?**

On 3 April 2003, your Private Secretary requested advice on a range of issues concerning the aftermath.

- g) **Was this the first time that you had asked for this advice?**
- h) **If so, on what basis had you been making judgements and decisions about the UK taking responsibility for what might be found in Iraq and what the implications would be for UK planning?**

At a meeting on 6 March 2003, you deferred making a decision about the UK taking on sectoral responsibility for Southern Iraq.

- i) **When was the decision taken?**
- j) **Who was involved?**
- k) **What advice did you receive on the implications and the UK's ability to carry out that role?**

In the run up to the conflict, Treasury officials were repeatedly advising the Chancellor that he should discuss with you the resource implications of taking on responsibility and liabilities in Iraq. Mr Brown told the Inquiry "At every point I made it clear that we will support whatever option the military decided upon with the Prime Minister and the Cabinet and that there would be no financial barrier to us doing what was necessary to be done" (page 26).

- l) **What advice did you have about the resource implications and the risks involved in the UK's potential involvement in Iraq?**
- m) **What agreement did you have with the Chancellor before the conflict about the overall level of resources available to i) military and ii) civilian efforts in Iraq? How was that recorded? Was the agreement revised? If so, when and how?**

#### **11. The decision to take military action**

In "A Journey" you recall Jack Straw warned you about the perils of taking military action in Iraq without a second resolution (page 429).

- a) **Did the Foreign Secretary or any of your Cabinet colleagues try to dissuade you from taking military action in Iraq?**
- b) **If so, when and how?**

Sir David Omand told us that the JIC warned "on 10 February, that the threat (to the UK) from AQ would increase at the onset of any attack on Iraq and that we should all be prepared for a higher threat level to be announced and for more terrorist activity in the event of war"(page 39).

- c) **Had you read this JIC Assessment?**
- d) **What weight did you give this Assessment when you decided to take military action?**
- e) **Were you satisfied that the UK was prepared for an increased threat?**

#### **12. The immediate aftermath of the invasion**

In "A Journey" you comment, "this was the first time I would be committing ground troops to an action to topple a regime where we would be the junior partner, where we would not be in charge of all the arrangements" (page 435). The FCO were seeking to negotiate a Memorandum of Understanding with the US. This initiative ultimately failed.

- a) **What mechanisms did you want to put in place to ensure that the UK would be consulted on major decisions?**
- b) **How did consultation work in practice?**

On the eve of the invasion there appears to have been a three stage plan for the aftermath: military government; a transition to civilian led administration; transition to an Iraqi government. However it seems that many of the details had not been pinned down risking differing interpretations and assumptions about what was involved.

- c) **Had the diverging assumptions within this plan been identified and addressed?**
- d) **What was the expectation about the nature and length of any potential occupation?**
- e) **Were you satisfied that this been reflected in the planning?**

Within weeks the Coalition Provisional Authority (CPA) had been created and Paul Bremer appointed as its head.

- f) **Were you consulted about the decisions to: i) establish the CPA; and ii) subsequently appoint Paul Bremer?**

### 13. **UNSCR 1483**

In your previous evidence you said the UK took on responsibility for being an occupying power in UNSCR 1483 “Because we were the key partner of the US in this. We believed in it. We believed it was right to be there ... and we were prepared to accept responsibility of then putting the country right” (page 175). Yet other coalition partners did not become joint occupying powers.

- a) **When was a formal decision made that the UK should formally become one of only two joint occupying powers under 1483?**
- b) **How was that decision taken? Who was involved?**
- c) **What were you advised about the implications and legal responsibilities flowing from that decision?**
- d) **What were you advised about whether the UK had the resources and capabilities to fulfil those responsibilities?**
- e) **Were you aware that senior Iraqis had strongly advised against the US and UK being formally designated as “occupiers”?**

### 14. **The CPA and its accountability**

UNSCR 1483 made the UK a joint occupying power with the US through the CPA. It also stated that major decisions could not be made without consultation with the UN Special Representative and the Iraqi Governing Council.

- a) **Were you satisfied that the CPA was accountable to London in practice?**
- b) **Were you satisfied that the CPA consulted the UN Special Representative and the Iraqi Governing Council in major decisions?**

It seems from the papers that in early June 2003 you wanted to go back to “almost a war footing”.

- c) **What did you mean by that?**
- d) **What did you do to ensure it happened?**
- e) **How successful was it and in what way?**

In November 2003 it was announced that the CPA would hand over power in June 2004.

Sir Hilary Synnott highlighted to us the negative impact this had on the reconstruction programme which was just gearing up in the South. He said “The entire focus of Baghdad’s attention shifted away from trying to make something work into, “What are we going to do to run down?” (page 47) “The other CPA programmes, a lot of money, essentially terminated” (page 89).

Andy Bearpark argued the shortened timetable undermined the CPA’s ability to achieve its objectives. “the announcement that we would be abolished at the end of June. So that changed the dynamic completely. Once you know that your tenure is only going to be six months, even the most naive planners knew that the objectives they had set were not going to be achieved within that period” (page 44).

- f) **Did you recognise at the time the impact of the revised political strategy and timetable on the reconstruction programme?**

## **15. The Descent into Violence**

In “A Journey”, you said “we need to build the indigenous local capacity on security as soon as possible ... I was in constant dialogue with the US and my own people about how we could speedily improve the efficacy of the Iraqi forces. But the truth is, it was always going to take time” (page 475). The strategy of Iraqisation was predicated on training the Iraqi Security Forces to take responsibility for security.

In his evidence to the Inquiry Sir Jeremy Greenstock told us you held a meeting in September 2003: “Sir John Sawers was also at the meeting with his experience already on the ground in Iraq. And he and I, I think, tried to warn the Prime Minister that it would take quite a long time to get a police force of the necessary size going, with decent training, from scratch. But he said that was his priority and he wanted us to get on with that and see how quickly we could do it. We said we thought it might take a year or so to get a decent police force running. He said try and do it by the end of 2003, if you possibly can. And John and I looked at each other but decided we had better see whether we could do anything to help but we realised it was an extremely ambitious request” (page 41-42). The papers suggest that Ministers were consistently advised of the limited capability of both the Iraqi army and police.

- a) **Were you concerned about the feasibility of your strategy for i) the Iraqi army and ii) the Iraqi police; and how long it would take?**
- b) **Who had responsibility for security until the Iraqi Security Forces had the necessary capability?**

Following a brief reinforcement in September 2003, British troop levels continued their downward trend until 2007, despite increasing levels of violence.

- c) **Did you ever ask for advice about increasing UK troop levels in Iraq? If so, what were you advised?**
- d) **What role did the deployment to Afghanistan play in the advice you were offered?**
- e) **Were you ever advised (and if so when and by whom) that the UK military was over-committed?**

In your previous evidence you said “people did not believe that you would have Al Qaeda coming in from outside and people did not believe that you would end up with a situation where Iran ... would then try to deliberately destabilise the country (Iraq)” (page 194).

- f) **Before the invasion, what had you been advised about the presence of AQ in Iraq and the potential threat AQ might pose in the aftermath?**
- g) **Who provided that advice?**
- h) **How did the advice change after the invasion?**
- i) **Before the invasion, what had you been advised about the potential for Iranian interference in Iraq post Saddam?**
- j) **Who provided that advice?**
- k) **How did this advice change after the invasion?**
- l) **Did you receive definitive advice that AQ and Iran were the decisive factors in the insurgency?**
- m) **What evidence did you receive that Iran and AQ were working together to support the insurgency in Iraq? When?**

#### **16. Strategy 2003-7 and divergence with the US**

In his public evidence, Jonathan Powell commented “If you read the pages of the No 10 files from 2003 through 2007, what leaps out at you is the frustration, the inability to break the cycle between the violence and getting things moving. So we weren’t able to do it because we didn’t have security” (page 114).

In “A Journey” you said “By mid-2006 however, it was clear that the Iraq campaign was not succeeding” (page 472).

- a) **What advice did you seek and what processes did you initiate to revise strategy?**

In January 2007, President Bush announced the US Surge in Iraq.

- b) **When did you first become aware of this shift in American policy?**

We have seen no evidence that the UK formally considered the advantages and disadvantages of a similar approach.

- c) **What were the implications of this divergence in policy for i) our ability to deliver our objectives in the South and ii) the longer term UK/US relationship?**

In "A Journey" you recall that following the UK military operation against a rogue police unit on Christmas Day 2006. "We then offered to mount a major offensive to take Basra from the militia ... However, for reasons I understood, the new Iraqi Government under Prime Minister Maliki did not want the offensive carried out by coalition forces but rather led by Iraqi ones" (pages 471-2).

- d) **What discussions took place about the implications of that position for the success of the UK's strategy?**

## 17. Process

You referred in your earlier evidence, and in your book, to personal notes which you sent to President Bush at key points.

- a) **How many notes on Iraq did you send to President Bush:**
  - **before March 2003?**
  - **after March 2003?**
- b) **Did you discuss the drafts with relevant Cabinet colleagues?**
- c) **Were the notes circulated outside No 10?**
- d) **Did you regard them as containing your views as Prime Minister or personal views?**
- e) **Who, other than the President, did you intend/ expect to see those notes?**

### Notes to No 10 staff

You comment in "A Journey" that you regularly wrote notes to your team in Number 10.

- f) **How many notes on Iraq did you send to your team in No 10:**
  - **before March 2003?**
  - **after March 2003?**
- g) **Did you expect your views to be passed on to Cabinet colleagues/their departments?**

### Video conferences/Meetings/ Telephone Calls

- h) **What instructions did you give on the extent to which the contents of your discussions with the President should be shared with relevant Cabinet colleagues and their departments?**