

Monday, 17th January 2011

SIR ANTHONY BRENTON

SIR JOHN CHILCOT: Right. Well, I'll open the session with a welcome to Sir Tony Brenton. You were Minister and at times Chargé d'affaires between January 2001 and March 2004 in Washington in our embassy.

I will dispense with the opening remarks. You have seen and accepted them.

Without more ado, I will turn straight to Sir Martin Gilbert to direct the questions. Martin.

SIR MARTIN GILBERT: Good morning.

SIR ANTHONY BRENTON: Good morning.

SIR MARTIN GILBERT: My questions will take us from January 2001 to the eve of Crawford in April 2002.

First, I wonder if you could tell us briefly how in the first half of 2001 the embassy covered the dynamics of the administration?

SIR ANTHONY BRENTON: The dynamics -- well, of course, it was a brand new administration, and so our job was to get to know the people, of whom there were very few at the beginning, of course, because the way US administrations happen is you get jobs filled at the top and then a lot later, after Congressional approval, you get the [REDACTED] new people in.

So in effect what we had to do was field a string of ministerial visits who would get in and see the principals, who were often the only people who were there, and obviously, I mean, the Prime Minister came over. The Foreign Secretary came over. I can't remember, but a whole list of Cabinet Ministers came over, and we reported on policy as it emerged, and, I mean, in particular engaged with them on various aspects of foreign

policy, Iraq being quite a prominent and early item, because there was debate going on about whether we could strengthen the sanctions regime on Saddam and confine his attempts to break out of the sanctions net which was around him.

SIR MARTIN GILBERT: At that early period what were your sort of access to insights into the Department of Defense?

SIR ANTHONY BRENTON: Very limited, because, as I say, there was no-one there. I vividly remember -- in the August break -- so they had already been there for eight months -- prior to 9/11 I had I think Kevin Tebbit or some senior British visitor over and I had the top brass as they were of the Department of Defense around for dinner, and there was Paul Wolfowitz. There were a couple of really quite low level people and there was no-one else in the building. Therefore when the team was in the building in September at the time of 9/11, they were very, very new indeed.

SIR MARTIN GILBERT: And also with regard to the office of the Vice President, was that something to which we had any particular access or understanding?

SIR ANTHONY BRENTON: I think that -- in fact, I know that the Ambassador engaged with Scooter Libby, who was the Vice President's Chief of Staff. I at that time had no contacts there. Obviously I had to build them up as it became clear how much influence the Vice President was going to exercise.

SIR MARTIN GILBERT: How did that emerge? How did those contacts --

SIR ANTHONY BRENTON: I got to know a bloke called Eric Edelman, who has had a reasonably prominent subsequent career. He was my chief contact until Christopher went whereupon I also took up a little bit with Scooter Libby.

SIR MARTIN GILBERT: You reported on 3rd August 2001 that the new Pentagon team was, and I quote:

"... [REDACTED] hawkish on Iraq and many have an ideological commitment to regime overthrow."

To what extent do you think President Bush himself shared these views before 9/11?

SIR ANTHONY BRENTON: I find that very hard to judge. Our engagements with the incoming administration on Iraq, as I say, were principally on diplomatic net and were principally concerned with getting a UN resolution through. We got odd signals from the State Department that they were having to work quite hard in the rest of the administration to get this approach taken seriously. Hence the report.

SIR MARTIN GILBERT: So in terms of the sort of relative influence of the Vice President, Rumsfeld, Powell, how were you reporting? How were you seeing that in the pre --

SIR ANTHONY BRENTON: I think at that stage the tensions which subsequently emerged -- I mean, they were themselves working out how they were going to work. US administrations always start off with assertions of immense harmony and everybody talking to each other and everybody cooperating with each other.

That, roughly speaking, was how it felt, because no issue had come along that really split them. It was only post 9/11 and as we got into the Iraq issue that really sharp differences began to emerge.

SIR MARTIN GILBERT: And how did you understand the change of 9/11 with regard to the influence of --

SIR ANTHONY BRENTON: 9/11 transformed the US approach to the world. Suddenly they were -- they had been attacked. They were in their own minds at war. They were going to deal with the

immediate aggressor, which was Afghanistan and Al Qaeda, and they were also going to make very sure that any other threats on the horizon would be equally firmly dealt with.

SIR MARTIN GILBERT: There is a report from Washington on 1st November 2001, which records that you had asked the State Department:

"... whether stirring the Iraq pot now would help or hinder those in the US administration opposed to military action", and that Mark Grossman said:

"The posture of self-restraint on Iraq should hold for the present."

How did this posture on self-restraint change after 9/11?

SIR ANTHONY BRENTON: 9/11 happened and the immediate focus of attention was, of course, on Afghanistan and on Al Qaeda, but even at those very early stages in the meetings after 9/11 there were people like, for instance, Paul Wolfowitz saying, "Dealing with Afghanistan doesn't solve our problem in the region. We need to deal with Iraq as well".

This was quite a prominent argument in the right-wing press, in the hard line press pretty well straight after 9/11. That were all sorts of unsubstantiated assertions flying around about some Saddam link with Al Qaeda.

So the noise was there, and it is pretty clear by November, so a couple of months later, that this noise -- the policy impact, policy arguments were getting through to Bush. Bush himself referred to the question of regime change, not specifically in Iraq but in general, I think in November of that year. So it rose quite rapidly to the surface after 9/11.

SIR MARTIN GILBERT: And did we try and were we effective in some way in influencing this hawk/dove debate?

SIR ANTHONY BRENTON: Well, I wouldn't describe it as a debate

really. What we were totally engaged on at the time was actually Afghanistan, and Iraq was a cloud on the horizon, but it wasn't, you know, what we were about. We were fighting a shared war with the Americans in Afghanistan and that was where our attention was focused. We reported back to London the noises as they emerged, and London was very conscious of it.

SIR JOHN CHILCOT: Was there any kind of divide, political, ideological, personal, with regard to Afghanistan between hawks and doves, looking to the great fissure that opens up on Iraq later?

SIR ANTHONY BRENTON: None that I remember. I mean there was unanimity on -- the US was going to deal with the people who had blown up the World Trade Centre. The question of diplomatic nicety and all of that was just not there.

SIR JOHN CHILCOT: Okay.

SIR MARTIN GILBERT: I'd like to come now to December 2001 and the visit which David Manning and Richard Dearlove paid to Washington for talks [REDACTED] This was followed by further discussions in the weeks ahead. How well was the embassy kept informed of these discussions?

SIR ANTHONY BRENTON: I don't think I saw a record of those discussions. This was a long time ago. What I was aware of, was, as it were, the diplomatic exchanges, the Ministerial level exchanges, but a lot of the intelligence stuff was invisible to me, and we were unsurprised by that.

SIR MARTIN GILBERT: With the advantage of hindsight --

SIR ANTHONY BRENTON: Sorry. David Manning was always extremely scrupulous in reporting his side of whatever discussions he went into, and I will certainly have seen that, but I am afraid I don't remember it.

SIR MARTIN GILBERT: Right. Using hindsight for a moment -- dreaded weapon -- do you think, looking back to this period, December 2001/January 2002, that we had an accurate understanding of how American opinion was developing?

SIR ANTHONY BRENTON: Yes, I do, yes. No, it was very clear. Nothing very secret was going on. As policy emerged in the White House and elsewhere, people were making speeches. As I say, Bush referred to "regime change" in November 2001.

SIR MARTIN GILBERT: I'd like to quote from another telegram, this time from Christopher Meyer, on 13th February 2002 in terms of the developing US thinking. He reported that:

"The line that no decision has been taken may still formally be true, but there are few parts of the administration that see any alternative to US action."

As you saw it, when did President Bush himself come to this view and decide that military action would be needed?

SIR ANTHONY BRENTON: As Christopher said, there was no formal decision, but following 9/11, following the rapid end, as we thought of it, of the war in Afghanistan, a lot of focus moved to Iraq in the form of some public statements of position, all of that, and it became pretty clear that no-one within the administration was going to argue against proceeding to, as they saw it, deal finally with Saddam.

SIR MARTIN GILBERT: Right. And what at that time did military action to deal with Saddam seem to entail?

SIR ANTHONY BRENTON: I don't think it was that clear yet. From our perspective, and the way the Americans argued it with us, because they knew this was our perspective, was: here was a weapons of mass destruction threat. Here was a man who was gradually slipping out of the UN sanctions net. Even though

there was no direct linkage with Al Qaeda, in a much more dangerous world this was a threat we had to deal with finally, and if that required military action, so be it.

I guess there was an assumption at the back of that it would certainly require at least the threat of military action to bring an end to the Saddam regime.

SIR MARTIN GILBERT: In this immediate pre-Crawford period how open was the administration to our thinking on Iraq?

SIR ANTHONY BRENTON: Our thinking had been overtaken. What we had been all about was engineering a UN Security Council resolution, which would re-establish the sanctions regime, and, in fact, the reason we were engaged in this process was precisely to damp down pressures in the US system to move to more aggressive action. That had failed.

SIR JOHN CHILCOT: I have a supplementary on what military action might have been seen to entail in US government minds, because there had been a [REDACTED]

[REDACTED] and that kind of thing. Had it already crystallised around an Afghanistan-type, big-style military invasion or was it still a range of alternative military interventions?

SIR ANTHONY BRENTON: I think Afghanistan made an important difference, because it was such a quick, easy victory, as it felt at the time, and therefore doubts within the Pentagon about going for a full-scale invasion were diminished. There was undoubtedly debate within the Pentagon about the size of operation that you would need, and that debate carried on for some time.

SIR RODERIC LYNE: You say -- sorry.

SIR JOHN CHILCOT: Lawry.

SIR LAWRENCE FREEDMAN: When we talk about Afghanistan, of

course, the key thing about Afghanistan was the foot soldiers with the Northern Alliance, and there was in the US at this time some discussion of a similar sort of option [REDACTED].

Were you aware of those sorts of options being discussed and how seriously do you think they were taken?

SIR ANTHONY BRENTON: We, or at least I, in the embassy and I think the political side of the embassy as a whole never got involved in the details of military planning. There were lots of ideas around. Those arguments occasionally emerged in the press, but we assumed that, to the extent that we were ever likely to be involved, technical discussion of military options would take place at military level, ie between our armed forces and theirs.

SIR LAWRENCE FREEDMAN: Okay. Thank you.

SIR JOHN CHILCOT: Rod?

SIR RODERIC LYNE: You say our thinking had been overtaken. Essentially the smart sanctions initiative had failed, but we actually continued with that initiative until we got a smart sanctions resolution at the UN in May 2002. We led on that. The Americans were in support of that. Was that at this point just a cosmetic exercise or were we still for real about it?

SIR ANTHONY BRENTON: No, we were still for real about it, but by May 2002 there was an awful lot else going on. As Christopher's telegram reports, sharper sanctions were a good thing, of course, but they were no longer enough to satisfy US views of what needed to be done about Saddam.

So our original objective in pursuing the sharper sanctions was, I think, to damp down pressures in the US for tougher measures. We only got the sharp sanctions resolution because -- I don't know but I suspect -- the Russians and the French also

woke up to the fact that if they didn't at least concede this, then the danger of something much more unpleasant happening was significantly higher. So that went through, but, by the time we got it, it was too late to satisfy the US's wish to deal with Saddam in a decisive way.

SIR RODERIC LYNE: So by the time we got it with the Americans voting for it the Americans didn't actually believe it. They didn't place any stock in it really.

SIR ANTHONY BRENTON: I think that's probably right.

SIR RODERIC LYNE: And did we?

SIR ANTHONY BRENTON: I don't know the answer to that. You will have to ask Jeremy that. I mean, there's a certain momentum in foreign affairs, as you know. We get committed to an approach. Our approach was: tighten the sanctions net. Suddenly this became possible as a result of 9/11, so we went ahead and saw the process to a conclusion. By the time we saw it to the conclusion other things were going on.

SIR JOHN CHILCOT: Sorry. Could you slow down just a bit?

SIR ANTHONY BRENTON: Sorry.

SIR MARTIN GILBERT: I have only really one more question on this pre-Crawford pack. Were there any other areas with regard to the Iraq policy where -- other than the sanctions route, the smarter sanctions route -- we were trying to impress on the Americans or influence the Americans in any way?

SIR ANTHONY BRENTON: Well, there was an argument about Oil for Food going on, of course, at the same time, a quite complicated argument, into whose details I have to confess I did not get, but we were obviously very keen to get the Oil for Food programme sorted out, and we were working with the Americans, who were

equally keen to do that.

SIR MARTIN GILBERT: Who were on the same wavelength essentially?

SIR ANTHONY BRENTON: Yes, until all of this got overtaken.

SIR MARTIN GILBERT: Thank you very much.

SIR JOHN CHILCOT: Lawrence?

SIR LAWRENCE FREEDMAN: Yes. I want to look at the period beyond Crawford. But in terms of the extent to which the wider political debate in the United States and the expectations that had been created affected policy, I wish to start again by a document from the Ambassador of 1st April 2002, and I am going to quote:

"There is now a sense that the administration are for the first time really staring the hard questions in the face. How much international support is needed, what smart options are available to topple Saddam, above all, what happens afterwards. There is doubt among some -- no bigger than a fist-sized cloud on the horizon -- that Iraq might be too risky politically."

I am interested in how the various factions in the administration were working this through at this stage and how this related to a developing political debate in the US.

SIR ANTHONY BRENTON: Well, the political debate in the US, as I've said, was quite live by this stage in the sense that the hawks, as I say, having dealt with Afghanistan, were [REDACTED] to deal with Iraq, and they had very firm supporters within the administration in the form of Rumsfeld and Cheney.

I don't think anyone within the administration -- there may have been people in the non-main line departments, but within the main line departments -- was against dealing with Saddam. It was a matter of manner rather than whether we actually did it.

The State Department in particular became quite close allies

with the UK, because of the manner in which they wanted to do it, which was with full international support, full international involvement, Security Council legitimisation, all of that.

I don't know if I have answered your question there really. Those were the emerging tensions.

SIR LAWRENCE FREEDMAN: Yes. It is also about where the opposition was coming from I suppose and whether this was -- or the doubts were coming from and whether this was likely to have any particular impact on the administration's thinking.

SIR ANTHONY BRENTON: Well, there were doubts from people who were doubtful about going to war, which is quite a substantial proportion of the population. This is a risky venture and there were lots and lots of questions about impact on the wider Middle East, for example, those sorts of questions, and those doubts were coming broadly speaking from the Democratic side of the aisle, if I can put it that way, but it's worth recalling that you were at a time of really quite intensified patriotism in the United States post 9/11, and therefore it became very difficult for the political classes to speak out against projects which it could be asserted were important for national -- US national security, and Iraq was sort of in that general area.

SIR LAWRENCE FREEDMAN: Then if you sort of fast forward to the end of August, there's a report from you that:

"The expectations which have now been generated will make it very difficult for the President to do nothing."

You think that was a problem that the President had got himself into, that having talked up the need to do something about Iraq, if they now were taken to do something about Iraq, that would in a way be seen almost as a defeat?

SIR ANTHONY BRENTON: August was quite a pivotal month, because Cheney made two quite serious public speeches in August, which

was odd, because in Washington in August, like everywhere else, things generally quieten down.

The first of those speeches -- because I was in charge and I sort of checked around -- came as a surprise to other bits of the administration with whom those speeches would normally have been expected to have been cleared.

So I suspect at that point Cheney did make it much harder for the administration as a whole to back away from some sort of serious action on Iraq.

SIR JOHN CHILCOT: He saw an opportunity to drive policy forward and took it.

SIR ANTHONY BRENTON: Well, he used those speeches to drive policy forward. This was in the run-up to, of course, the 9/11 anniversary in September, Bush's General Assembly speech. I think at that point --

SIR LAWRENCE FREEDMAN: Cheney was also trying to deflect the pressure to go back to the UN, if I recall one of those speeches at least.

SIR ANTHONY BRENTON: The hawkish side of the argument were very, very doubtful about going to the UN every time we did it, but those arguments they regularly lost actually.

SIR LAWRENCE FREEDMAN: I will look at that in more detail in a second. Just to quote you something that Blair wrote in his autobiography "The Journey", he said:

"Literally every day stories would appear moving the debate this way and that and in line with developing patterns of reporting always hardening speculation into fact. At times we were not sure whether we were driving the agenda or being driven by it."

Do you think there was anything of that in the States as

well?

SIR ANTHONY BRENTON: I mean, I can only repeat what I have said. My feeling is from very early on after 9/11 the DOD and the Vice President's office had in effect decided that they wanted to deal finally with Saddam. Not just out of bloodymindedness, but because they saw Saddam as a genuine threat to the United States.

They used every means at their disposal to push that view forward over the months following 9/11 and they carried the President with them. I have no evidence that the President had any doubts, but it took time. I am not sure that Powell was ever against, and some of the conditions he set were observed, like going to the UN and so on, but the drive to go for Iraq started pretty early and built up momentum over those months.

SIR LAWRENCE FREEDMAN: Okay. Let's look at the UN inspections. This is the 6th August report and a conversation that you had with Assistant Secretary Burns in the State Department:

"I shared with Burns our concern that the US emphasis on regime change seemed at least in public statements to be becoming detached from our determination to prevent Iraq acquiring WMD."

Was this a difference in emphasis or a real divergence in policy do you think?

SIR ANTHONY BRENTON: There wasn't a divergence in policy, because we worked very hard to keep policy together, but there was a difference in motivation. We saw the reason why Saddam was a threat as being his, as we saw it, access to likely acquisition of WMD. That was much less central to the US or at least the hawk end of the US concerns about Saddam.

So, therefore, as this conversation illustrates, we thought it important to remind the US regularly the reason why we were in this was the WMD concern, and so even if they had other reasons for wanting to go for Saddam, they needed to keep the WMD

reasonably prominent in their public rhetoric as well.

SIR LAWRENCE FREEDMAN: What sort of response did you get to that sort of --

SIR ANTHONY BRENTON: I think, you know, WMD remained prominent, to our ultimate cost, of course.

SIR JOHN CHILCOT: Sorry. Just a supplementary. Could you encapsulate as briefly as you can the motivation for regime change on the harder rightish, hawkish end of the American administration? It wasn't about relieving the world of a monster, was it?

SIR ANTHONY BRENTON: Well, there was a bit of that. There was a bit of WMD. Everybody genuinely believed, of course, he had or was going to acquire WMD. There was a bit of, "This bloke is unfinished business from the First Gulf War and is an insult to US military power", but thinking about it, there is a slightly bigger ideological component to this -- at the risk of boring you, I will share it with you -- which is that, following 9/11, the US did think quite hard about the Middle East as a whole, and their conclusion from that, which emerged in various policy directions, was, "We need to clean this whole place up. It produces things like Al Qaeda, produces things like the Arab/Israel dispute, which are a constant threat to the US security issues. [REDACTED]

[REDACTED].
What it needs is a dose of democracy, openness and good government." So there was a wider Middle East initiative and all that.

Where do we start? Where can we give a compelling example [REDACTED]

[REDACTED]?

There was Iraq, an open goal from that point of view.
I remember distinctly -- it must have been either Eric Edelman or
Scooter Libby from Cheney's office saying to me, "[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]". So there's quite
a large ideological component of that at the back of all of this.

SIR JOHN CHILCOT: Thank you.

SIR LAWRENCE FREEDMAN: We discussed, before, the Cheney speeches
in August. He took rather a dismissive line on inspections.
Then on 4th October you reported that Edelman and his office had
told you that Cheney:

"... simply didn't believe that any achievable inspection
regime would give us the cast iron assurance we had to have that
Iraq WMD had been eliminated."

Now you've said that there was a view that the UN was
something to be avoided, if possible, on that side of the
argument, but this is going further about the inherent
limitations of inspections.

Can you say a bit more about how widespread that attitude was
itself? Was there any expectation within the administration that
inspections might actually do some good?

SIR ANTHONY BRENTON: Well, if there was any, it was in the State
Department rather than in DOD or in Cheney's office. There was,
of course, the history of the First Gulf War, where Saddam had
had a concealed weapons of mass destruction programme, which we
only found out about by winning the war.

As you have observed, there was deep scepticism in the hard

end of the administration about whether inspections would really find anything. They were -- and therefore the feeling that inspections in a sense were a trap.

If you pass a US Security Council Resolution which creates a tougher inspection regime, then Saddam is still there and you are inspecting him but not finding anything, because he is too good at hiding things.

You had to overcome that psychological resistance to get to UN Resolution 1441, and the way the Rumsfelds and the Cheneys saw UN 1441 was they anticipated that Saddam would breach its really quite stringent requirements, and that would give the US a casus belli to go in and take him out.

SIR LAWRENCE FREEDMAN: How much do you think there was an understanding or readiness to accept any length of time for inspections? After 1441 was there a sort of plan to make them work or were they just waiting for Saddam to do the right thing and be uncooperative?

SIR ANTHONY BRENTON: I think they were determined to get rid of Saddam. They anticipated that Saddam would fail the inspections test. That's as much as I can say really.

SIR LAWRENCE FREEDMAN: I mean, in December of 2002 when the Cabinet Office here was considering how UNMOVIC might operate, they thought it might take at least six months after entering Iraq to get the monitoring and verification system in place.

Do you recall any discussion with the Americans about how long inspectors would need to do the job envisaged for them?

SIR ANTHONY BRENTON: I don't, I am afraid. Saddam was, of course, required to report quite quickly after 1441, in December I think --

SIR LAWRENCE FREEDMAN: Yes.

SIR ANTHONY BRENTON: -- that year, and that report was seen both I think by us and by the Americans as a whitewash, and that therefore cleared the way -- I mean, he was already therefore in our view in breach. So that cleared the way for actions in the early part of 2003.

SIR LAWRENCE FREEDMAN: So, just to conclude, while Blix was getting busy in Iraq in the first few months of 2003, was there real interest in what he was finding, on the progress he was making or were they basically just waiting?

SIR ANTHONY BRENTON: No, there was interest, because, of course, if he had found something, that would have been extremely useful.

SIR LAWRENCE FREEDMAN: But, as he didn't, did they just assume that was because Saddam was clever?

SIR ANTHONY BRENTON: Saddam was too clever for him.

SIR LAWRENCE FREEDMAN: So there was no sense of reflection about, "Well, maybe we had better be careful. Maybe our intelligence isn't quite that good"?

SIR ANTHONY BRENTON: No. The psychological background, as you must have heard dozens of times, is: everybody assumed Saddam had a programme. That wasn't just us. That was the French, the Russians, everyone, and it was a matter of the inspectors finding it or, failing that, his denials and lies giving us a sufficient opportunity to go in and take him out.

SIR LAWRENCE FREEDMAN: And the inspectors did check particular assertions like the aluminium tubes and the yellowcake and so on. They said explicitly, "There's nothing there". That didn't have any impact on the Americans?

SIR ANTHONY BRENTON: No, no. As I say, the assumption was it was there somewhere.

SIR LAWRENCE FREEDMAN: All right. Thank you very much.

SIR JOHN CHILCOT: Right. Rod, over to you.

SIR RODERIC LYNE: Just to come back on that last point, as you rightly say, there was a very widespread assumption that Saddam had programmes, but the fault line in the international debate and indeed domestic debate here was how serious that programme was by the time you got to 2003 and whether it still constituted a serious threat.

Now was that kind of qualitative argument -- did that exist at all in Washington, or was it simply a question that if he has the remnants of a programme, or intent, or a vestigial programme, that's enough of a reason to require a full-scale invasion of Iraq by the time we get into this period of inspections?

SIR ANTHONY BRENTON: I think the debate was different in Washington. I mean, the debate in the UK, as you say, was about how serious the programme was.

SIR RODERIC LYNE: And in Europe.

SIR ANTHONY BRENTON: And in Europe, but in US the inspections weren't a side issue, but, as I have said, the weapons of mass destruction programme was not the central reason why a lot of the administration wanted to go for Saddam. The point of the inspections programme was to provide a casus belli or not. So detailed debates about what sort of weapons he might have and all of that didn't in my experience really occur.

SIR RODERIC LYNE: Yes, which in turn would argue why from that perspective going on with a longer period of inspections to get to the end of the story is fairly pointless if you look at it in that way as a casus belli.

Can I also ask, just again going back, what you were saying about the ideological drivers of policy, how many of the key

players who really influenced decision-making at the strategic level in Washington at this time, and you have mentioned Wolfowitz, Scooter Libby, and there are others like Douglas Feith and so on and so forth, but the inner circle, how many of them had direct, personal experience of the Middle East other than Israel or a deep expertise in Arab countries, an understanding of what it was, as it were, you're going into in this region?

SIR ANTHONY BRENTON: Well, very few. I mean, Bill Burns was, of course, involved and the State Department had a lot of Middle Eastern expertise.

SIR RODERIC LYNE: Was Bill Burns a key player in the decision-making? Was he inner circle?

SIR ANTHONY BRENTON: Not really, no, but he was the -- and Mark Grossman, to whom he reported, knows the world and knows the Arab/Israel dispute. Colin Powell, of course, was involved in the First Gulf War, so knows that end of it.

In the DOD and the White House I think there was very little. Of course, Wolfowitz was a former ambassador in Turkey. No, I am wrong. He was an ambassador in Indonesia. So, no, very limited real knowledge of the Arab world.

SIR RODERIC LYNE: So the way in which that kind of real expertise that you formed by living, as you yourself did early in your career, in Arab countries, by learning the language, by understanding the culture, by understanding the complexities of a country like Iraq, which go beyond Sunni, Shia, Kurd, and go into much deeper levels of complexity, that level of expertise got fed into through the State Department [REDACTED]?

SIR ANTHONY BRENTON: I would guess principally so, yes.

SIR RODERIC LYNE: Did you sense when you were talking to the policymakers that they were informed of it, that it was

penetrating their consciousness, that their arguments were being stress tested against what people, the experts, knew of the region?

SIR ANTHONY BRENTON: The US machine was huge. There were no doubt lots of papers being written about the complexities of Iraq and that. I don't think that made any real impact on the senior level decision-making.

SIR RODERIC LYNE: Decision-making. Thank you. I want just to ask a question or two about the decision to, as it's normally put rather crudely, follow the UN route taken in September, announced by President Bush effectively when he addressed the US General Assembly in September 2002.

When President Bush decided to go down that track -- and we've heard from others how the British through indeed the Prime Minister, Colin Powell, others had, as it were, argued in that sense against other people including Cheney -- what did you understand that Bush thought the route would involve? What do you think his objectives were in making that decision?

SIR ANTHONY BRENTON: I wasn't at the key meetings with Bush. I saw the administration lower down. I think one important contribution he made to this whole process is that it would have been much less likely that they would have gone down the UN route if Blair had not prevailed on Bush on that point, and I think Bush saw it as a means of strengthening international support for an action which I don't know whether he had decided, but he was very likely to take anyway.

SIR RODERIC LYNE: So coming back to where we were just now, it was very much leading towards a casus belli, a decision effectively having been taken to remove Saddam through military action?

SIR ANTHONY BRENTON: As I say, I don't think a formal decision had been taken. It wasn't complete cover, but it was a step on a route which they thought they saw the destination of already.

SIR RODERIC LYNE: And that was generally the view within the administration?

SIR ANTHONY BRENTON: Yes.

SIR RODERIC LYNE: Thank you.

SIR JOHN CHILCOT: Just following that up, could you say just a little about the antipathy of the Republican administration towards the United Nations as a set of institutions? Was it about competence? Was it about there simply being constraints on US freedom to act? Was it that the UN was a nest of hostile forces?

SIR ANTHONY BRENTON: It think it was a mixture of things.

[REDACTED]

That sounds very crude, but following 9/11, US policymaking became quite focused, if I can put it that way, on making the world safe for the US, and the UN was a useful instrument to the extent it had contributed to that and it was an instrument to be pushed to one side to the extent it did not contribute to that.

It wasn't new, of course, because we in effect had pushed the UN to one side when we dealt with Kosovo. So this is not an attitude unique to the US.

SIR JOHN CHILCOT: Thank you. Lawrence, over to you.

SIR LAWRENCE FREEDMAN: Just a couple of questions about the

timing of the invasion.

Was there any possibility, do you think, of it being delayed beyond March 2003 when the inspectors were going in and so on? Do you think the timetable was so set that nothing could have moved it?

SIR ANTHONY BRENTON: The problem was that the argument about timing became a substitute for an argument about whether we were going to do it or not, really. People arguing for delay were very much seen in Washington as people who simply wanted to put it off, put it off and put it off until something came along and it never happened.

Originally it looked as if there was a possibility that the US was going to move in late 2002, and that proved impossible for various reasons, not least diplomatic reasons. We had to get 1441. We therefore had to go through the inspections process and all of that. So it had already in a sense been put off once by the diplomatic needs of situation.

I think by the time we got through to 2003 there was a very strong feeling in DOD in particular and in Cheney's camp that they weren't going to be put off again.

SIR LAWRENCE FREEDMAN: So do you think it was ever possible to delay until the autumn, for example?

SIR ANTHONY BRENTON: In US decision-making terms I very much doubt it.

SIR LAWRENCE FREEDMAN: Were you given any instructions from London to lobby for a particular window for military action?

SIR ANTHONY BRENTON: No. The embassy, as I say, got very little involved on substantive military questions. We never saw the detailed military plans. We had a general notion about timings, but no more than that. The military plans were kept very much on

the military net.

SIR LAWRENCE FREEDMAN: But this question of actual timing of the invasion is not a purely military issue.

SIR ANTHONY BRENTON: No, very true, but it is obviously quite a delicately held operational matter.

SIR JOHN CHILCOT: Which you would have expected would come together in terms of the diplomatic and the military streams in London from the US, not in Washington.

SIR ANTHONY BRENTON: Yes, and not in Washington.

SIR LAWRENCE FREEDMAN: But did you get any sense at all that basically the British were happy to follow the American lead in setting the time for --

SIR ANTHONY BRENTON: Well, I assumed that our military were in touch with their military in the planning process and were therefore, amongst other things, involved in the planning timing, although the thing I think started slightly earlier than anyone anticipated, because the target of opportunity presented itself. By the time we got to February 2003, just before Christopher left, it was pretty clear that this thing was imminent.

SIR LAWRENCE FREEDMAN: Okay. Thank you.

SIR JOHN CHILCOT: Thanks. Now I will turn to Baroness Prashar. I think after a few questions from her leading up to the invasion we might take an early coffee break and then we can tackle the aftermath and what follows in a separate run.

SIR ANTHONY BRENTON: Okay.

SIR JOHN CHILCOT: Go ahead.

BARONESS USHA PRASHER: Can you just tell us a little bit about how important to the US politically was the UK's military

participation?

SIR ANTHONY BRENTON: They would have done it without us.

BARONESS USHA PRASHER: They would have done?

SIR ANTHONY BRENTON: Yes. I am not an expert on the military side and --

BARONESS USHA PRASHER: I am talking about politically, not militarily, at this stage.

SIR ANTHONY BRENTON: How important was our participation in the invasion from a political point of view?

BARONESS USHA PRASHER: Yes.

SIR ANTHONY BRENTON: I think it was very important. I mean, they would have done without us, but our involvement gave a significant extra aspect of international respectability to the operation. It demonstrated that it was not just the US acting against an international villain, but it was a wider community, and Blair, of course, was a very eloquent advocate for the action we took. That was very useful to them as well.

BARONESS USHA PRASHER: What about the military? You said it wasn't important to the military.

SIR ANTHONY BRENTON: I don't know. I think there were things we contributed which the US found very valuable, but they were ready to go it alone if that is what was necessary.

BARONESS USHA PRASHER: And what about the scale, because you know we committed quite a large component, a large land component? How important was that to them?

SIR ANTHONY BRENTON: Well, as I say, they could have done it alone.

BARONESS USHA PRASHER: They could have done?

SIR ANTHONY BRENTON: They valued our involvement, because that gave the wider international dimension to what was being done, and I have no doubt they valued some of the technical military things we contributed.

BARONESS USHA PRASHER: On 6th March 2003 you reported, and I quote:

"I took both [REDACTED] and [REDACTED] through the Parliamentary arithmetic. (They had also gained the impression that we needed the resolution for legal reasons: I explained the real situation)."

What did you understand to be the real situation?

SIR ANTHONY BRENTON: The real situation, as I understood it, was that we believed that on the basis -- and this, of course, was all in Peter Greenstock's¹ -- because he came over and talked to the Americans about justifications for action, and I got the impression from him that there was a legal case for our involvement, even if we didn't get the second resolution.

SIR LAWRENCE FREEDMAN: When -- was this in February?

SIR ANTHONY BRENTON: This was -- I don't know what the date of this was.

BARONESS USHA PRASHER: It was March 2003.

SIR LAWRENCE FREEDMAN: That was March. I was just wondering, was Goldsmith there earlier?

SIR ANTHONY BRENTON: Goldsmith was -- you have seen him I assume.

SIR LAWRENCE FREEDMAN: Yes. I was just interested if that was his comments --

¹ This should read "Goldsmith's"

SIR ANTHONY BRENTON: He came over. You know him. He is a very careful man. So he didn't tell me anything, but I sat in on his conversations with the US Attorney-General. I listened to the exchange of military views -- legal views and, as I say, the impression that I gained was that Goldsmith was not locking the legal justification for our action on to a second resolution.

BARONESS USHA PRASHER: From where do you think they heard the view that a second resolution was needed for legal reasons? Where did they get the view from?

SIR ANTHONY BRENTON: Well, we had strongly argued we wanted a second resolution, that that would, as it were, strengthen the legal case, and they had heard us making those arguments.

BARONESS USHA PRASHER: In the same report you also said that:

"The military clock is now audibly ticking and only a major shock to our", that's UK's, "plans is likely to jolt it substantially."

Did you mean that UK involvement was essential to the US if the US had to stick to its timetable?

SIR ANTHONY BRENTON: I guess what I meant was if suddenly we would have pulled out, if the Parliamentary vote had been lost, there would have been a pause in the US while they reflected -- there would have had to have been a pause, because that would have affected military planning in any case, and there would have been a political pause. I do not think it would have stopped them, but they would have had to reflect on how they presented it and all of that.

SIR JOHN CHILCOT: Could I pull that thread one more bit? Do you think it could have led to a delay until the autumn, because of

the difficulty, though not the impossibility, of fighting a campaign through the summer months?

SIR ANTHONY BRENTON: I think that's deeply hypothetical. I suspect the real problem for the US, if the Parliamentary vote had been lost, would have been operational on the ground. Our troops had an assigned task in the operation. There would have been a big hole, and I assume -- I am not an expert on military planning -- sorting out how you fill that hole would take some time. Whether it would take to the autumn I don't know.

BARONESS USHA PRASHER: I mean, as you said yourself, politically our participation was important, because Blair was a strong advocate.

SIR ANTHONY BRENTON: Yes.

BARONESS USHA PRASHER: We made quite a strong military contribution. Against that background did we recognise the leverage that this gave us at that crucial moment?

SIR ANTHONY BRENTON: I think we did, yes, and we took advantage of it.

BARONESS USHA PRASHER: Did we?

SIR ANTHONY BRENTON: Yes, we did. They would not have gone to the UN for Resolution 1441 -- well, I can't say they wouldn't have gone --

BARONESS USHA PRASHER: I am talking about the point of invasion. I am not talking about --

SIR ANTHONY BRENTON: At the point of invasion?

BARONESS USHA PRASHER: Yes.

SIR ANTHONY BRENTON: There were two things that Blair -- he must have told you this -- argued for very strongly in the context of

UK support for the invasion.

The first thing I should say was Blair, as was also I, was firmly convinced of the desirability of getting rid of Saddam, we because we thought he would constitute a threat, and therefore we were not seeking to impose conditions for doing something which we thought was right.

That said, we did have strong views on how we went about it, and Blair was very clear in getting those views over to Bush, and we were all clear at our different levels in getting them over.

One was that we had to go through the UN route, which they did. Another was a renewed US attention to the Palestinian dispute, which there was. It didn't last very long, but they did that as well.

Actually another point we pressed on them quite hard was, "You need to think what happens when we have won this war. What do we do with Iraq afterwards?"

BARONESS USHA PRASHER: What about the role of the UN, because in a way some discussion was going on about the role of the UN afterwards?

SIR ANTHONY BRENTON: Yes, there was. After we had won the war or as we approached winning the war there was a debate about, "What do we do with Iraq now?", and there was a debate between the Americans -- Well, we suggested that the UN be given significant authority in an occupied Iraq, and the Americans were less keen to give significant authority to the UN, and that was a debate.

BARONESS USHA PRASHER: In the autumn of 2002 what did your US interlocutors tell you about who would lead on the reconstruction of Iraq?

SIR ANTHONY BRENTON: Well, this thing ORHA was set up -- I don't remember the exact date -- headed by Jay Garner.

BARONESS USHA PRASHER: No, I am talking about in autumn 2002.

SIR ANTHONY BRENTON: So this was well before --

BARONESS USHA PRASHER: Yes. What were you being told about who would lead on the reconstruction?

SIR ANTHONY BRENTON: I don't think we got into that debate at that time. One of the immense complications about discussions about what you were going to do with an occupied Iraq was we were not committed to occupying Iraq. Had Saddam packed his bags and gone, then whatever came after Saddam would have come after Saddam.

BARONESS USHA PRASHER: I am talking about the lead in terms of the US. When did you learn that the aftermath planning in Washington had been definitely given to the Department of Defense, and was this foreseeable?

SIR ANTHONY BRENTON: I am sure there was an argument within the administration which continued. ORHA turned up -- just let me look -- when I went through the papers, I did look at this point. ORHA was not announced until 12th February. Up until that point discussion of aftermath planning was purely at the level of us saying to them, "You've got to do something about this" and them saying. "Yes, yes, we're thinking about it".

BARONESS USHA PRASHER: And did you have any understanding of the rationale why President Bush did that? Why did he move to the Department of Defense?

SIR ANTHONY BRENTON: What can I say? This was not a prominent part of the discussion. The core part of the discussion over this period, ie late 2002, was getting 1441 together, getting the inspections up and running, proceeding through the inspection process to whatever came next, the anticipation on the part of the Americans being that Saddam would fail and then you'd do

something else.

So discussion about what you did with an occupied Iraq was not high on anybody's agenda and couldn't be, because if it had been, it would have leaked and therefore everybody would have said, "Ah! You're confidently expecting the inspection process to fail and you are already planning for your war". Now it may have been true, but it wasn't something which we could have emerge publicly.

BARONESS USHA PRASHER: Yes. That I understand, but nevertheless this issue was being raised. Did we have sight in terms of what were the implications, you know, of the switch from the Department of State to the Department of Defense? What did that actually mean for aftermath planning?

SIR ANTHONY BRENTON: We didn't have sight of detailed plans at all until -- at least I didn't and the embassy didn't until ORHA came into existence. We were invited -- I mean, I don't think there was that much accepted at a high level, because when ORHA came into existence, it was a shambles, and we were invited in at a very early stage to supply manpower and contribute to the planning, and that wasn't until two or three months after the time you're talking about.

BARONESS USHA PRASHER: I mean, did you think that London actually understood and took into account the insights and reporting that you were providing at that time about the switch?

SIR ANTHONY BRENTON: The instructions we were getting and the points we were making were basically, "We need to think about what happens in an occupied Iraq", and those were going into the US system, and the answers we were getting back were, "Yes, yes, we will get to that", as it were.

The argument between the DOD and State Department, if indeed

there was an argument, was invisible at least to me and I suspect to us as a whole. As I say, I don't think this issue loomed very high on anyone's agenda until early 2003.

BARONESS USHA PRASHER: On 14th January 2003 you reported Mark Grossman's comment:

"There was little sympathy within the administration for the idea that the UN should take over for a while."

SIR ANTHONY BRENTON: Yes.

BARONESS USHA PRASHER: Was UK support for a leading UN role realistic then, a realistic explanation?

SIR ANTHONY BRENTON: No, I don't think there was ever a winnable argument by the UK. I don't know how strongly we felt it actually. We were getting instructions from London saying, "The UN has to take over afterwards", which we loyally performed, This is Grossman. This is the State Department. [REDACTED]

[REDACTED] The answer we were getting even from the State Department was, "[REDACTED]".

SIR JOHN CHILCOT: Just going back to something you were telling us a little earlier, that was the consequence of the general [REDACTED] reservations about, the United Nations [REDACTED].

SIR ANTHONY BRENTON: Yes. No, [REDACTED].

BARONESS USHA PRASHER: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
What did you understand to be their concerns about UN's involvement? What they mean by:

"... interfere with our ability to win the peace"?

SIR ANTHONY BRENTON: They regard -- Rumsfeld in particular regards -- regarded and no doubt still regards [REDACTED] and their view was that they would run an occupied Iraq better [REDACTED].

BARONESS USHA PRASHER: And did you have any discussions --

SIR ANTHONY BRENTON: [REDACTED]
[REDACTED]
[REDACTED]

That's history.

BARONESS USHA PRASHER: What discussions did you have on the political landscape post- invasion and how to establish a government of Iraq?

SIR ANTHONY BRENTON: Well, there was a bit of debate, because the DOD had produced [REDACTED] a man called Chalabi, who was an Iraqi opposition leader [REDACTED] and they were all set to put him in. DOD were.

This horrified State, and I don't know the dates of this, but we did get slightly involved in the resulting row, which reached the right conclusion, which is that we should set processes in way for the internal Iraqis to achieve their own government. There was some debate of that sort.

BARONESS USHA PRASHER: Would you like to have a break, Chairman, or shall I carry on, because we have been exchanging notes about when to have a break?

SIR JOHN CHILCOT: Rod had a question, and then I have one, and

then we will wrap it up and have some coffee.

SIR RODERIC LYNE: Yes. I have a couple really.

Firstly, going back to what you were saying about the political importance of the UK's participation, if the British government had not supported this action, what damage would have accrued to the UK/US relationship?

SIR ANTHONY BRENTON: Oh, I think it would have been damaged. I think the parallel in a sense is the US/France relationship, which went into the deep freeze for a year after the French behaved as they did over Iraq. I don't know that we would have had suffered any material costs, but the US attention to UK political concerns in the wider world would have been significantly weaker.

SIR RODERIC LYNE: There's another parallel if you go back a bit, which is Vietnam, of a different kind actually. Among our concerns were obviously what would happen to the defence relationship and indeed the intelligence relationship.

Do you think that those would have suffered materially if we had (a) not participated in the ground invasion, or more seriously had, as it were, stood on the sidelines politically, not necessarily opposing this, but not supporting it?

SIR ANTHONY BRENTON: I think -- it's very hard to judge the facts, of course. I find it hard to believe the intelligence relationship would have been seriously damaged. [REDACTED]

[REDACTED] It would have depended a bit on our attitude.

If we had just sat -- moved to one side, as at one point the Americans feared that we might, then I think the damage of those relationships would have been rather limited.

I think the real concern was that if the US had gone in with much more limited international support than they had gone in

with and had then gotten into the situation we subsequently got into in Iraq, there would have been much more disposition in the United States to back away from other aspects of international involvement with the UK, Europe and others and move back into sort of semi-isolationism. Our involvement was a constraint on that happening.

SIR RODERIC LYNE: On the Middle East peace process you said that we did in the end, albeit only for a short time, get some push on the MEPP, which happened more or less around the time of the invasion, the endorsement of the route map and so on.

The argument that the British government, that you, the Prime Minister and others had been making at Crawford and from Crawford onwards was that we needed progress on the Arab/Israel dispute in order to create the right sort of environment for a successful operation, whatever it turned out to be, in Iraq.

Now did we achieve that or did we not achieve that?

SIR ANTHONY BRENTON: No, we didn't. We were wrong, of course. It is for Tony Blair to speak for himself, but the concern was here we were going into another Arab country, and therefore compounding general Arab hostility to the West, and therefore to counter-balance the Iraqi, if you like, anti-Arab action,

[REDACTED]

In practice, of course, [REDACTED]

[REDACTED].. So the ineffective steps, the Road Map, as you say, that the US took on the Middle East dispute proved almost totally irrelevant to the impact of our action on Iraq.

SIR RODERIC LYNE: We were strong, therefore, with regard to the attitude of the Arab leaders?

SIR ANTHONY BRENTON: Yes.

SIR RODERIC LYNE: What about the attitude of the Arab street, of the wider Muslim world?

SIR ANTHONY BRENTON: I am an old Middle East hand. I started my career in the Middle East. [REDACTED]

[REDACTED]. I don't believe anything we could get the Americans to do on the Palestinian dispute was likely to be so effective as to offset the impact of our action in Iraq. I think as we went in, we always had to face the prospect of a very negative reaction on the Arab street.

SIR RODERIC LYNE: Turning now just to the question of the aftermath planning, which you also said was one of the things that we had pressed in this period that needed to be done, we have had a submission from one authoritative source that argued that Whitehall should have prepared a blueprint for the governance of post-Saddam Iraq and given it to President Bush and made clear that UK participation was contingent on a serious plan for running Iraq.

Do you think that's a tenable thesis?

SIR ANTHONY BRENTON: I think it slightly overstates it. I think one major mistake we made was not being much more proactive in detailed ideas on post-campaign governance. Whether you make our involvement contingent on it, I think that's a bit strong, because after all we felt very strongly Saddam was a bad thing. Let's get rid of him, but we would have been much more influential in the post-war governance debate if we had come up with much more detailed ideas of our own.

SIR RODERIC LYNE: But we didn't come up with those ideas because...?

SIR ANTHONY BRENTON: I don't know. I was in Washington.

SIR RODERIC LYNE: Yes. They would have come through Washington.

SIR ANTHONY BRENTON: They would have done and they didn't.

SIR RODERIC LYNE: And they didn't. Thank you.

SIR JOHN CHILCOT: Just a further supplementary on that. It's still a bit puzzling to know what a unified Department of Defense/Rumsfeld strategy was for the aftermath, because on one view the strategy had been quick in, win, and quick out. On the other, only DOD is capable of winning the peace and running Iraq after a successful invasion. Is there a split in that?

SIR ANTHONY BRENTON: No, I think their view evolved. The initial expectation, which I think we to a large extent shared, was you go in, you win the war, something happens that the Iraqis acquire a government and then you walk away.

I mean, we are very naive. As it got closer, it became clear the something that was going to happen required a bit of planning, and therefore ORHA and all of that came into existence and the argument about Chalabi and so on. It was only after we had won the war and things began to fall apart in Iraq that it became clear how really awful this problem was.

SIR JOHN CHILCOT: Finally -- and then we can have some coffee -- two examples of potential leverage for the UK over the formation of US policymaking and strategy.

One is where we did exert effective leverage I suppose was in persuading the United States to back the failed quest for a second United Nations' resolution, as it were, misspent influence, as it were, and the other you suggest is that had we made well thought through and detailed suggestions for aftermath, we could have exerted more leverage than, in fact, we did by that method.

SIR ANTHONY BRENTON: Yes, on that aspect.

SIR JOHN CHILCOT: On that particular aspect?

SIR ANTHONY BRENTON: Yes.

SIR JOHN CHILCOT: Okay. Thank you. Let's break until 11.15.

(A short break)

SIR JOHN CHILCOT: Well, let us resume. I think Baroness Prashar would like to pick up the question about the decision-making after the invasion. So, Usha.

BARONESS USHA PRASHER: Yes. A couple of questions on the insight into the key post-invasion decisions.

Were you involved in any discussions on the US decisions on replacing ORHA with CPA?

SIR ANTHONY BRENTON: Not really. Bremer's name emerged when it became clear that ORHA [REDACTED] was not up to running Iraq and they needed a more political heavy hitter in there.

BARONESS USHA PRASHER: But you weren't consulted?

SIR ANTHONY BRENTON: No.

BARONESS USHA PRASHER: Were you informed?

SIR ANTHONY BRENTON: No.

BARONESS USHA PRASHER: You just found out?

SIR ANTHONY BRENTON: Well, I mean, we must have been informed I guess. We weren't the only channel, of course, of communication. There was a channel of communication in Baghdad itself, and there were regular phone calls and exchanges between the Prime Minister and the President and the Foreign Secretary and Powell.

I have to say this. I don't know -- I can't remember exactly when it happened.

BARONESS USHA PRASHER: You don't have sight of any papers or any communications, because you would have been copied into

something?

SIR ANTHONY BRENTON: I'm pretty clear that in a sense the Americans unilaterally decided, "Bremer's the man".

SIR LAWRENCE FREEDMAN: Did you know Bremer?

SIR ANTHONY BRENTON: No.

BARONESS USHA PRASHER: What about de-Ba'athification, the decisions?

SIR ANTHONY BRENTON: No, that was all local. The US picture as it emerged was that those sorts of decisions were taken on the ground. Bremer consulted back I think with Washington, but Washington didn't then consult with us. The channel through which we were involved was through our embassy in Baghdad.

SIR JOHN CHILCOT: And you are confident from your own knowledge that Bremer was not sent out to head the CPA with the de-Ba'athification and the disbandment decisions in his bag, as it were, as directed?

SIR ANTHONY BRENTON: I don't know. Jeremy Greenstock came down from New York to Washington for an initial meeting with Bremer, and I was at that, and my memory of that was that Bremer was going out with a reasonably blank sheet of paper. They were conscious things were going wrong and they wanted someone out there who was a political heavy hitter in Washington to begin to sort things out.

BARONESS USHA PRASHER: So he was given the authority to take local action?

SIR ANTHONY BRENTON: Well, of course, once you are out there, then you find yourself constrained by everything that was going on back in Washington. Bremer was extremely effective. He came back a lot. He made his arguments in Washington and he won.

BARONESS USHA PRASHER: So you were not aware of anybody else from the UK government being involved in these decisions?

SIR ANTHONY BRENTON: No.

BARONESS USHA PRASHER: So you don't know what the origins of the decisions was?

SIR ANTHONY BRENTON: No.

BARONESS USHA PRASHER: Thank you.

SIR JOHN CHILCOT: I think a little later on we will come to the later stages of Bremer's conduct of his post, the McArthur aspect, but before we do I turn to Rod and MOU.

SIR RODERIC LYNE: Yes. After the invasion, as we were heading into occupation, the question quickly arose as to what the ground rules would be between us and the Americans over how we operated in occupied Iraq, and on 15th April 2003 you had a discussion with the NSC's legal advisor, John Bellinger, about this, obviously on instructions from London, putting to him the case for a memorandum of understanding about at the time ORHA.

You reported in your reporting telegram as having argued that:

"There was a real political need for the MOU in London. Never before had we jointly occupied a state. We needed to set clear ground rules ... We needed to have the right to consult, and especially the right to make joint decisions in areas where we were the occupying power."

Now what happened to this proposal that you were arguing for that we should have an MOU setting out the ground rules?

SIR ANTHONY BRENTON: Well, as you see from my report, I had made the point. The US was not willing to concede at my level. It then moved on to David Manning and Condi Rice. I am afraid you will have to ask David. You may have already asked David what

happened at that level.

SIR RODERIC LYNE: Can you spell out for the record why the administration objected to this idea?

SIR ANTHONY BRENTON: I don't actually have an answer to that. They hadn't really thought it through. When are we talking about?

SIR RODERIC LYNE: We are talking about April 2003.

SIR ANTHONY BRENTON: Yes. So we are still talking about a time when they themselves were still inventing things as they go along. Up until now things had worked reasonably well in their view on the basis of informal systems which existed between us, and I think they were just slightly taken aback when we suddenly demanded some formal document. I didn't get into the background to why they were doubtful about this.

SIR RODERIC LYNE: Do you have any recollection of why it was so important to people in Whitehall that we should have it all written down?

SIR ANTHONY BRENTON: Well, for the reasons given here. I mean, we are in a sense much more legally precise on these things than the Americans can be. There were lots of legal concerns in Whitehall about the steps that we were getting involved in, and above all I think we wanted to be confident that we would be consulted on serious steps taken in Iraq.

By this stage things were going wrong, of course, and there was quite a lot of a feeling around at that time, as I remember it, that our troops were performing better than their troops as occupiers, and again we wanted to be quite clear that decisions on occupation policy where we felt we had something genuine to contribute would be taking our views into account.

SIR RODERIC LYNE: So we had a fairly strongly reasoned view. We

put it to Bellinger through you as Chargé d'Affaires, get a negative answer. Then it goes back to London. It goes, as you say, to David Manning. It doesn't materialise. That's the last you see of it sitting out there in Washington.

A month later -- we are now into 14th May 2003 -- a bit of correspondence that wasn't copied to you, or at least not on the face of the copy we have -- it may have come to you in Washington, but it doesn't say here that it did -- the Foreign Office, the Foreign Secretary's Private Secretary writes to Number 10 with another wheeze to achieve the same result, this time not that we ask for an MOU, but that we write a letter to the American government setting out the points we want to have clearly set out on paper and ask them to confirm their understanding of this letter.

So an exchange of letters rather than an MOU.

Now we haven't found any trace that this instruction, which is a draft instruction put by the Foreign Office to Number 10, ever got turned into something that was sent to you in Washington to act on. It's a draft letter from you to the State Department.

Do you recall ever having received anything on those lines? Do you recall even seeing this correspondence at the time, which they might have sent to you at the time they were sending it to Number 10? Does it ring any bells with you?

SIR ANTHONY BRENTON: No, it doesn't. It's conceivable that I have forgotten having written a letter like this, but I think it is unlikely. I don't think any letter like this ever issued.

SIR RODERIC LYNE: You don't even recall seeing the draft or the idea?

SIR ANTHONY BRENTON: No, no.

SIR RODERIC LYNE: So we end up without a written agreement with the Americans about how we exercise the responsibilities of being

joint occupying power, but then we get Security Council Resolution 1483, which actually enshrines the powers of the occupying powers, the responsibilities.

Do you recall the instructions that you got from London about what our objectives were, what we were trying to achieve in Security Council Resolution 1483?

SIR ANTHONY BRENTON: Well, as I recall it, it was the omnibus resolution designed to wrap up things like the sanctions regime and to clarify the legal authority to the occupying power. So it was giving legal structure to our continuing presence in Iraq, but on these sorts of resolutions, apart from that sort of general broad brush attitude, picture, the details of these resolutions were sorted out, of course, in New York.

The thing I do recall about doing the Security Council Resolution 1483 was when we originally came up with the point that we needed a further Security Council resolution as a basis for our continuing occupation in Iraq, there was a sort of weary sigh from the Department of Defense and no doubt Cheney's office, "Why do we have to go through this again?"

It had to be explained to them that, for example, they couldn't just abandon UN sanctions towards Iraq. They needed a legal basis for doing this. I guess there's a small comparable there, [REDACTED]

SIR RODERIC LYNE: But once we got 1483 it does set out in writing some definitions of responsibility of the occupying powers. Did it change at all the American attitude to those responsibilities and to the question of consulting us as the joint occupying power?

SIR ANTHONY BRENTON: That's a question basically for Jeremy. I think they were reasonably scrupulous about consulting in

Baghdad. Baghdad was where the action was focused, and I think Jeremy did a very good job of staying close to Bremer and making sure that our views were understood, and, as I say, that didn't involve us in Washington in particular.

I mean, on occasion things looked as if, you know, we were asked to reinforce points which Jeremy was trying to make through Bremer and most of the day-to-day administration of Iraq stuff happened in Baghdad.

SIR RODERIC LYNE: I'd like to come back in a minute to the question of how things began to fray in Baghdad at the Baghdad end, but I think the Chairman has a point he wants to come in on.

SIR JOHN CHILCOT: I actually have two points, both completely separate.

First, on the theme we've been addressing, did you find the same or similar degree of awareness in the United States administration about international law regarding occupying powers both before UN Security Council Resolution 1483, when the normal laws of *jus in bello* or *jus ad bellum* -- I forget which -- apply, namely you are responsible for that part of the country over which you exert authority?

In our case that was the South-East, not the whole of Iraq, and, come 1483, we take on joint status for the whole of Iraq as a legal responsibility.

Were the administration fully alive to all of this? I don't mean someone like John Bellinger but the generality of policymakers.

SIR ANTHONY BRENTON: They were -- the US is an extremely legalistic nation. They were very, very attentive to international law in terms of knowing its words and choosing arguments which were consistent with those words, and choosing texts for UN resolutions which, as it were, gave them the scope

of action that they felt they needed.

So in that sense they were aware and they were very I think -- as with this argument we have had about torture, they have been very careful to stay within what they see as legal confines with regard to whatever action it is they're taking.

That's very different from saying they looked at the international law as an obstacle. International law was something to stay within the word of so that what you were doing was legal, but to find a way of allowing to you do what you really want to do.

SIR JOHN CHILCOT: In a different context I think a senior American official says, when faced by a legal difficulty put by the British, "Yes, well, we all have lawyers".

SIR ANTHONY BRENTON: Exactly.

SIR JOHN CHILCOT: The other point I wanted to raise, though, goes back to de-Ba'athification. You told us from memory that this was something that Bremer took the initiative on, but we've just been reminded there's a cable from you, a telegram, to London, 15th May, where you are shown a draft guidance cable to the coalition authority about de-Ba'athification, a guidance cable. It talks in some detail about the division of Ba'ath Party membership between different layers and all the rest of it. Does that ring any kind of bell?

SIR ANTHONY BRENTON: A very faint bell. I am shown this, but I am afraid I have forgotten, and I passed on the content of it to London. So if they had any reaction to it, they could feed that in.

SIR JOHN CHILCOT: The significant point I suppose is where the balance of initiative lay between Washington and Bremer as head of CPA for the de-Ba'athification programme and the way it was

carried through.

SIR ANTHONY BRENTON: My instinct -- as I say, this was in Baghdad -- initially Bremer was sent out there precisely because he carried a lot of political authority. Obviously once you have a bloke out there, there are strong views in Washington and they'll try to impose their views on him. As I said, Bremer came back when he felt he had a very strong argument to make [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] in Washington. So, you know, it is a balance between a very strong player on the ground and the normal interdepartmental process in Washington.

SIR JOHN CHILCOT: Yes. Thank you. Rod, back to you.

SIR RODERIC LYNE: As you were saying just now, the co-responsibility and consultation was essentially exercised in Baghdad. By the time we get to the middle of June, 12th June, you are writing a letter from Washington to David Manning, still, of course, at his post in Number 10, in which you are registering that:

"A range of Whitehall departments have struggled through" -- you, the embassy -- "to get views over to the Americans on issues varying from the future structure of the Iraqi oil sector to the interrogation of high value Iraqi detainees."

You talk of:

"Concern in Whitehall that our views are not being taken sufficiently into account in the formulation of policy on governing Iraq",

and you quote as the latest example and most serious the

regulation governing the Development Fund for Iraq, where you say there had been:

"numerous representations both here and in Baghdad, but the result obviously flawed from our point of view."

The conclusion you reach from this is that some new structures are needed.

Were new structures actually achieved as a result of this? Did we manage to improve the process?

SIR ANTHONY BRENTON: I don't know. I mean, I fed these ideas in. Obviously things were not working out very well, but, as I've said, it was pretty clear that the weight of authority lay in Baghdad rather than anything we could do -- was increasingly lying in Baghdad and therefore, as the recommendations stand, they are about strengthening the link, strengthening our office in Baghdad and strengthening the mechanism which involved our office in decision-making in Baghdad. Now whether that worked or indeed was acted on I simply don't know.

SIR RODERIC LYNE: And another dimension to the problem which you recorded in your letter were that, to quote:

"[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]"²

Now did that make it harder or easier for us to influence the process? If it was focused very heavily on Bremer, who is a very strong personality, rather than through Washington, how much traction were we then likely to have from your perspective sitting in Washington, where you had access to the full range of

² Sir Roderic quoted a letter which explained that Sir Anthony had reflected at the time that he was aware that there had been a conscious decision within Washington to devolve as much decision making as possible to Bremer and the CPA

the Washington machinery?

SIR ANTHONY BRENTON: Well, as I have said, my instinct is that the authority shifted to Bremer. The Washington process was in any case quite often grid-locked. You had a lot of conflicting powers arguing, and Bremer had the President's ear. So authority was slid in Bremer's direction in any case. Bremer was on the ground in what was really quite a difficult, fast-moving situation, where he could always say to Washington, "I had to do this" -- there is an example of closing Baghdad Airport there -- "because of operational requirements".

So the way to influence US policy on the ground was through Bremer and Bremer's office, ie via our embassy in Baghdad.

It is worth saying that this parallels US experience in other areas. US military commanders on the ground get very much more, I think, autonomy to do things, you know, in their own way independently of the policy arguments going on in Washington.

SIR RODERIC LYNE: But quite a lot of our concerns on our side got taken up to the very highest level, because that was a level at which we did have coordination -- well, consultation and traction. The Prime Minister was having very regular, often weekly, conferences, video conferences with the President, with their respective teams. Then you had the very active link between David Manning and subsequently Nigel Sheinwald and Condoleezza Rice.

Was this actually effectively an ineffective way of tackling these problems, because if the Prime Minister talked to President Bush, did the message then get through to Bremer and affect the way that Bremer operated, or were we tilting at the wrong windmill?

SIR ANTHONY BRENTON: I don't think we used those channels to communicate operational concerns about how things were being run

on the ground in Baghdad. They were used much more to deal with the political situations which the two governments had, the next international relations task or whatever it was, the Security Council Resolution or whatever, and the -- I haven't seen the records. I saw the records at the time, but I haven't seen them since, of those conversations. I don't think the Prime Minister got actively involved in arguing about de-Ba'athification or anything like that.

SIR RODERIC LYNE: He told us in his evidence a year ago that he had taken it up once he realised what was happening, that, as he told us, the first thing that happened was that John Sawers tried to get some easement, but he said he did also take it up very rapidly himself with President Bush.

So that was one issue where he did have a go, but the result was as the result was. So there is a question really as to whether taking things up with the President gave you access to an effective chain of command on the American side that translated into action on the ground in Baghdad.

SIR ANTHONY BRENTON: Well, it did in the sense that if Bush had said, "go easy on de-Ba'athification", then Bremer no doubt would have done, but Bush was subject to arguments and pressures from Bremer as well.

SIR RODERIC LYNE: Were there any other ways in which you think we could have exercised more effective influence as the joint occupying power at the time?

SIR ANTHONY BRENTON: I haven't really thought about this, but my instinctive answer is Bremer was the key man and it was a matter of the contact there in Baghdad.

SIR RODERIC LYNE: Sitting in Washington, do you recall that you had a sense that we were influential with Bremer and that we were

influential on the ground? Did you feel that this was -- I mean, obviously it was an American-led operation, but was it a joint operation or was it an American operation that we were just bolted on to?

SIR ANTHONY BRENTON: That's not a question I've asked myself. I did have the impression, however, that Jeremy was listened to, yes. So we did affect the way things went on the ground, but I couldn't give you any concrete examples of that.

SIR RODERIC LYNE: Do you recall times when you were hearing of tensions between Jeremy Greenstock and Jerry Bremer?

SIR ANTHONY BRENTON: They were very different people. They are very different people. That said, I think Jeremy worked very hard at his relationship with Bremer and actually quite successfully. I think when Jeremy left, there were quite a lot of encomia from the Americans about how influential he had been.

SIR RODERIC LYNE: I'd like to look now at the deterioration of the security situation, which obviously was a gradual process, but began to kick in in the months after the invasion.

Do you recall when it began to dawn on Washington that things were going wrong on the ground in security terms?

SIR ANTHONY BRENTON: I think sort of May/June time. Well, I mean, there were the raids on the -- there was the sacking of the museum, which happened pretty well straight after we finished the war. So we're talking April time. Then there was a steady deterioration from then on.

In terms of the American feeling about it, there was the euphoria of victory initially, and it took I think a couple of months before it began to dawn on the US system that they had bitten off a very different thing from what they thought they had, and that had quite an interesting effect, because suddenly -

- the DOD had been intent upon winning their war, putting democrats in one way or another and moving on, and kept the State Department to one side through the establishment of ORHA and all of that, and as the US system over that summer woke up to the fact that it was actually a pretty nasty situation out there, so their willingness to give the UN more play, to give the diplomatic process more play, to try to get more countries involved gradually grew stronger.

SIR RODERIC LYNE: As it began to go wrong, did confidence in Bremer as the man in charge and willingness to effectively delegate decision-making to him begin to drain away in Washington?

SIR ANTHONY BRENTON: I wasn't aware of it, if it did. He was seen as the man on the ground. It was his problem. It was his job to sort out.

SIR RODERIC LYNE: I mean, if we're looking at the period towards the end of the year -- perhaps I can quote from the embassy's annual review, which you wrote, as David Manning had only arrived fairly recently, and I think you're reflecting other embassy reporting that we have seen here. You say:

"The coalition has had to deal with a breakdown of law and order, collapsed infrastructure, fundamentalist religious pressures, Iraqi political obduracy and a serious guerilla insurgency. [REDACTED]

[REDACTED]

[REDACTED].

SIR ANTHONY BRENTON: Yes.

SIR RODERIC LYNE: By December are you reflecting a Washington view that Bremer is getting it wrong or, as the embassy reported elsewhere, not listening to policy advice from Washington? Are

they beginning at this stage to seek to rein him in?

SIR ANTHONY BRENTON: Well, they were always seeking to rein him in, and they -- as I say, over an extended period they just lost traction and could not rein him in because of force of nature, but they kept on trying, of course. There was a considerable determination in Washington over the aftermath and as things visibly went wrong nevertheless to play up the good side of the story, and I don't think that was only true in Washington actually. "We've won. We have got rid of the fallen dictator." Life, as it says here, for most Iraqis was supposed to be getting better. For quite a long time we were all determined to play out the positive side of what had been achieved, and therefore the reputation of the people on the ground could ride on those assertions that things really weren't as bad as they were being presented.

SIR RODERIC LYNE: Which is understandable for public consumption. You are not going to go out and demoralise yourselves by saying, "It is all going wrong", but privately your perception was by mid-December of bad decision-making on the ground?

SIR ANTHONY BRENTON: Well, this de-Ba'athification and all that. In Washington the gap between private and public is very, very narrow. [REDACTED] So if a significant proportion of people inside the administration decided this was all going down the plughole, that would very rapidly have become public, which was one reason I guess why people were determinedly saying things were still pretty good.

SIR RODERIC LYNE: You say Washington was still trying to rein Bremer in. Towards the end of the year, when things were obviously going wrong, did Washington succeed in taking back more control over the decision-making? I forget when it was exactly

that Bob Blackwill, for example, came into the picture, but do you remember a change in the autumn of 2003?

SIR ANTHONY BRENTON: No. As I've said, the Washington process works by trying to control its outside agents. Its outside agents on the whole, you know, if they have the authority that Bremer has, will exercise a lot of autonomous authority. Bob Blackwill in any case was not the guy to rein Bremer in. He's a very able operator, but he's a competent senior bureaucrat, whereas Bremer is a much more political figure, and Blackwill -- I remember he saw his job as being to find common ground between what Bremer was up to on the ground there and the interagency process in Washington.

SIR RODERIC LYNE: In November of 2003 Bremer came back to Washington at short notice. The embassy reported on this as a sudden return to Washington, which your embassy said was being portrayed by the press as administration emergency council of war.

We then had a change of policy announced back in Iraq, which was to move more rapidly to a transfer of sovereignty, a transfer of power from the CPA to an Iraqi administration, and that came as quite a surprise to the people actually serving in the CPA on the ground, as we've heard from plenty of them.

Was that something that was just foisted on us? Were we consulted about it? Was the embassy brought into the picture at all, as you recall?

SIR ANTHONY BRENTON: I am afraid -- it was no longer my embassy by then, of course. David Manning had arrived as ambassador, and I simply don't remember.

SIR RODERIC LYNE: Thank you.

SIR JOHN CHILCOT: I would like to round off, before we get to

the final question to ask for any reflections you have, by picking up the theme of UK influence and how we exerted it effectively.

You said in one report, and you repeated it today -- this is 30th March '03 -- you were telling the FCO:

"We ... will be (and are being) listened to attentively on all issues concerning the future of Iraq ..."

We were, of course, by 30th March already in occupation of part of Iraq, and it's the question whether it's being listened to as opposed to being accepted as responsible and accountable for a part at least of the whole situation in Iraq.

Do you think that the US administration in Washington really understood that the UK was in this position, not merely a very friendly but actually a quite small but vital coalition member?

SIR ANTHONY BRENTON: I think the trouble is that the US system is an extraordinarily solipsistic system. They get so locked into their own internal arguments that they tend to forget that outsiders have a standing and a view. So we had to constantly remind them that we were there, that we had assets at stake, we had concerns, we had views and they had to be listened to. So that was a continuing, permanent process.

I think on the whole it was quite a successful process, that to the extent that the US system was capable of listening to anyone outside, it was us, but it did require continuing work by everybody from the Prime Minister down to make sure our views were heard.

For example, I can't cite a particular case, but as we got into negotiating vast negotiations of UN security resolutions, the first, second, third and so on, we were the first people they talked to. There were no surprises. Texts that came out were done between us before hitting the wider scene.

I'm pretty sure -- I wasn't in Baghdad, but from what I saw, as I've referred to already a couple of times, the Jeremy/Bremer relationship, to the extent that Bremer listened to anyone other than cables from Washington, I'm pretty sure it must have been Jeremy.

So I can't point -- sorry. I am going on too long. You get the drift.

SIR JOHN CHILCOT: I do. The other half of -- the other side of the same coin is: is there in London, particularly at the political level, a genuine understanding and appreciation of the limitations of the UK's power to influence a solipsistic, huge American system?

SIR ANTHONY BRENTON: Well, yes, there is. I mean, the answer to that is I don't think we over-estimated our influence. The Prime Minister I think judged it about right. He looked for certain steps, systems as the process went forward, and was listened to.

SIR JOHN CHILCOT: Again a contrast. Did we actually maximise in the UK's national -- selfish national interest the leverage that we were capable of exerting?

We have heard, for example -- I think Christopher Meyer's book goes into it -- initiatives like the Big Idea to, as it were, extract some kind of compensation for our contribution to the Iraq adventure in terms of transatlantic airline rights, things of that kind.

SIR ANTHONY BRENTON: The Prime Minister -- well, I mean, not only the Prime -- the British system or bits of the system that were involved with this quite strongly believed what we were doing in Iraq was right and necessary for our national security. Therefore seeking payment for doing what is right didn't feel quite right.

That said, there were a number of ideas kicking around. It

would certainly have felt wrong to me to be seeking -- I don't know -- airline rights or something or lifting of steel quotas in exchange for what we were doing in Iraq.

We did look for improved access to US military communication networks, for example, links of those sort, which were, as it were, consistent with the degree of cooperation we were engaged in in Iraq, and I think we did make some progress on that, but it was in those sorts of areas, and also in reconstruction, of course. We did talk to the Americans about involving British companies in Iraqi reconstruction, but we were looking for benefits for the UK which were consistent with our support for what we were doing together.

SIR JOHN CHILCOT: Rather than trading off our contribution --

SIR ANTHONY BRENTON: Exactly.

SIR JOHN CHILCOT: -- in Iraq against other, totally different policy areas?

SIR ANTHONY BRENTON: The reason why we were doing this was because it was the right thing to do.

SIR JOHN CHILCOT: Okay. I have one specific question about a UK decision and the effect on Washington of taking it, and this is Jerry Bremer arguing strongly in May of 2003, where the security situation in Baghdad was deteriorating fast, that it would be very helpful if UK forces could be deployed to Baghdad to help stabilise things.

This went to our Prime Minister, who, upon advice from the MoD, ruled out deploying the 16th Air Assault Brigade to Baghdad. This is against what Bremer had urged on John Sawers and no doubt on Washington. Did this have any kind of adverse effect at the time?

SIR ANTHONY BRENTON: I wasn't aware of the debate --

SIR JOHN CHILCOT: You weren't aware?

SIR ANTHONY BRENTON: -- and I'm not conscious of it having any effect on the way we were working with the Americans in Washington.

SIR JOHN CHILCOT: Right. David Manning in the context of advice to the Prime Minister on whether or not to deploy the 16th Air Assault Brigade advises the Prime Minister that:

"It looks as though MoD has ventriloquised [REDACTED] so he doesn't want our help."

Is that a fair reflection of how communications were going on?

SIR ANTHONY BRENTON: I -- this is a point I wanted to make really. One of the gaps in our -- we had very good links with the Americans, White House to Number 10, State Department/Foreign Office. The two big gaps in our contacts with the Americans through all of this, and they were fatal gaps in some ways, were links with DOD and links with Cheney's office.

SIR JOHN CHILCOT: Yes.

SIR ANTHONY BRENTON: Now there may have been a military to military act of ventriloquisation, but I don't believe there was a political to political act of ventriloquisation.

SIR JOHN CHILCOT: That's because in that instance the MoD/DOD relationship of a simple disparity of scale, political power and military effect so that Geoff Hoon couldn't, as it were, pick up the phone to Rumsfeld.

SIR ANTHONY BRENTON: Well, I mean, there was difference of personalities as well. There is also that I think the Department of Defense in Washington on this issue played a much more central political role than the MoD was able to play in London.

SIR JOHN CHILCOT: Yes.

SIR ANTHONY BRENTON: Policy in London was made in as far as I can make out in Downing Street basically.

SIR JOHN CHILCOT: Yes. Just picking up the other potentially fatal gap, we have had no natural counterparty to the Vice President Dick Cheney. Would you like to comment on that?

SIR ANTHONY BRENTON: Well, I mean, Mr Prescott really was not the right man to be talking to Mr Cheney about this particular issue, which was a pity, because that meant -- I mean, Cheney was really very, very influential, and we had no direct contacts with him.

SIR JOHN CHILCOT: Nor from your standpoint in Washington did London actively seek to construct a working relationship with Dick Cheney?

SIR ANTHONY BRENTON: Well, they didn't, but you couldn't. You were stuck with the fact that we had a Deputy Prime Minister who was not going to engage on this subject matter in any continuing, detailed way.

SIR JOHN CHILCOT: Right. Let's turn finally to lessons from this experience, but before I do I think Lawrence would like to ask something.

SIR LAWRENCE FREEDMAN: Just a couple of questions.

One, I had a discussion with Doug Feith about the nature of the relationship, and he suggested you were probably his main contact.

SIR ANTHONY BRENTON: Yes. I saw a lot of him.

SIR LAWRENCE FREEDMAN: What sort of -- given he is DOD, what sort of issues would you be discussing?

SIR ANTHONY BRENTON: No, this was politics. As I say, I never

got into military operations.

SIR LAWRENCE FREEDMAN: Okay.

SIR ANTHONY BRENTON: But the background to the operation, how the DOD felt about the threat that Saddam constituted, it was that sort of level of discussion, whether we needed a new Security Council Resolution. This comes back to the point I was making, that the Pentagon is a much more political department than the MoD is. They have fleets of officials dealing with subject matters which in London are exclusively dealt with in the Foreign Office.

SIR LAWRENCE FREEDMAN: So it was in that context you were talking to him?

SIR ANTHONY BRENTON: That's what I was talking about.

SIR LAWRENCE FREEDMAN: Can I just ask you another question?

Just going back to the start of 2003 and the Second Resolution, the essential Second Resolution, one interpretation of what went on is: this was yet another thing that the Americans agreed with to help the Prime Minister, but that they didn't take it that seriously and didn't do a vast amount of heavy lifting to secure it.

How important do you think getting a Second Resolution was to Washington itself?

SIR ANTHONY BRENTON: No, I don't think it was important to them. They were doing it for us, but that said, having committed themselves to doing it, I think they worked quite hard at it, not because they themselves cared about a resolution, but because they cared about our involvement in the operation.

SIR LAWRENCE FREEDMAN: How surprised, therefore, do you think that they found it so difficult to move countries that they might normally have expected to -- they would normally expect to have

quite a bit of leverage?

SIR ANTHONY BRENTON: Well, this was an extraordinarily vexed, tense time, and those countries were coming subject to counter-arguments from people like the Russians and the French. So it's unsurprising that it was as difficult as it proved.

SIR LAWRENCE FREEDMAN: Were they surprised?

SIR ANTHONY BRENTON: I think we all were. I mean, we sort of assumed that Saddam, as we saw it, having failed the inspections test, having failed with his report and all that, it should have been quite straightforward to get a resolution turning 1441 into a clear authorisation for military action, and we were all surprised that that jump proved as difficult as it -- well, proved impossible. Finally we don't know, of course, because Chirac said flatly he was going to veto it and that terminated the debate. At that point it became pointless to continue pressing.

SIR LAWRENCE FREEDMAN: By that time it was already proving to be difficult.

SIR ANTHONY BRENTON: It was already difficult, but then 1441 had been difficult.

SIR MARTIN GILBERT: So from the Washington perspective at the point of Chirac's declaration there was still a sense that they could --

SIR ANTHONY BRENTON: We were all still working hard and I think reasonably optimistically on getting the votes together for the resolution, and then the debate was cut short by Chirac saying he was going to veto it in any case.

SIR JOHN CHILCOT: Right. A couple of questions from me. Then I will ask my colleagues whether they have any last ones. Then

I will turn to you, if I may, and ask for any final reflections you want to offer.

The first I have is -- they are both general, but the first one is something you wrote on 24th March, days after the invasion, to Simon Fraser, quoting:

"We may after Iraq be approaching a real moment of truth for the post Cold War international order",

and then quoting again:

"The temptation to do what the US sees as necessary without concern for international niceties and institutions will be significantly stronger after Iraq than it was before."

Two questions relating to that. One is: with hindsight and with the flow of events after March 2003 would you alter that speculative judgment?

The other is: you told us earlier that the United States system plays close and detailed attention to the legal confines within which it operates, though often at a level of finding the right language rather than expressing it through policy decisions.

Could you comment then on whether the setbacks for the United States in Iraq would have pulled back their feeling of autonomy, freedom to act without constraints and international licences?

SIR ANTHONY BRENTON: Yes. I mean, this judgment was obviously overtaken by subsequent events.

SIR JOHN CHILCOT: Yes.

SIR ANTHONY BRENTON: This judgment was made at a time when we thought, you know, we had a victorious war, an almost victorious war on our hands. We had dealt with, as we thought we were going to, an international villain, and we had done that despite huge resistance in the conventional international system in the UN.

That is not the case. We ran into very real problems there,

and the lesson which I think the United States has drawn is that they need much more extensive international support for doing these sorts of things than they achieved in the case of Iraq.

SIR JOHN CHILCOT: And does that -- did that affect as time went on from March '03 and is it still the case that for the transatlantic relationship it, as it were, means that it's not diminished, or indeed that there is more reliance on it, or is the focus of the United States' attention quite away from the Atlantic perspective?

SIR ANTHONY BRENTON: Well, we've obviously moved on from this. I think because Iraq went wrong, the damage that it would have done to US/French relations, US/Russian relations, what have you, has been much, much less than was otherwise the case. I think it's left a bad taste in the right wing in the United States, but over and above that I think relationships are back to and as cooperative as they could be in the circumstances.

SIR JOHN CHILCOT: For the -- I will not use the banned term -- for the UK/US relationship are there lasting lessons from the Iraq experience which it's possible to draw?

SIR ANTHONY BRENTON: I think we've been through them really. You have to work very hard at exercising influence with the United States in this sort of issue. We did work hard at it and we were quite successful. We, as I say, got more involvement with the UN. We got limited action on the Middle East. I think we had a pretty beneficial effect on some decisions taken on the ground, and I think the fact that we were involved, the fact that the United States didn't go into this operation more or less completely isolated has been valuable for keeping the United States involved in listening in the aftermath. We have a much more multi-nationalist United States now, partly because of a change of administration, but partly also because of lessons

they learned through the Iraq operation.

SIR JOHN CHILCOT: Thank you. I'll ask my colleagues if they have any last points to raise. Rod? Usha?

BARONESS USHA PRASHER: No.

SIR JOHN CHILCOT: Martin?

SIR MARTIN GILBERT: Just one question. In the Second Resolution period and generally as the Europeans were distancing themselves from the Anglo-American stance did the United States try to use us to influence the Europeans or to engage in a dialogue with the Europeans?

SIR ANTHONY BRENTON: Well, they didn't use us. But they worked hard at trying to persuade the Europeans to stay alongside us and they assumed that we were doing the same.

SIR MARTIN GILBERT: Not that we would have more leverage or more ability to influence the debate.

SIR ANTHONY BRENTON: I don't know. That wasn't the feeling I got really. I mean, obviously we are a European state and we were helpful to them, but they pointed out actually that the majority of EU states were with them, that it was the French and Germans in particular who were the stand-outs.

SIR JOHN CHILCOT: Lawrence?

SIR LAWRENCE FREEDMAN: No. Fine.

SIR JOHN CHILCOT: Well, any final reflections you would like to offer us?

SIR ANTHONY BRENTON: Well, I am sure you have heard ...

Obviously when you go through a policy process like this, which goes wrong, as it undoubtedly did, you are left asking yourself: what could we have done differently? There was

obviously a major intelligence failure. That was a catastrophe, and I'm sure you've gone over that repeatedly.

There were failures of coordination with the US system, and I've mentioned that we need, should we get into this situation again, which hopefully we won't -- the MoD in particular needs the political capacity to deal with the Pentagon in a way that they simply didn't have over this.

We have already discussed the question of aftermath planning, where I think we could have been much more upfront in projecting our own ideas, and therefore -- the only people -- as things began to go wrong or even before -- I mean, Rod pointed very percipiently to the fact there was very little Arab expertise involved in the US side as we got into this operation.

We have lots of Arab expertise and most of them were saying, "This is a terrible thing to get into". We could have crafted a message which -- to the Americans saying not, "This is a terrible thing to get into", because that message wouldn't have been listened to, but, "You need to be conscious of the complexities of this place. You should not assume", as we all seemed to be, "that it's going to be an easy in/out type of operation", and I think it was a failure of British policy that we didn't bring together the community who were mostly hostile to it but who know the place and the community who were committed to the operation and somehow craft a message which would have used that expertise to get over to the Americans some of the realities of what they were getting into, therefore hopefully diminishing some of the after-effects.

SIR JOHN CHILCOT: One of the themes this Inquiry has pursued is what did we, the United Kingdom system, know about Iraq in the bigger context of the Middle East? We have not had an embassy there for ten, twelve years, but we had, as you say, a large

number of people with a lot of experience.

Looking back to London from your post in Washington, do you think that that body of knowledge and expertise was brought to bear at the political level in London, leaving aside Washington?

SIR ANTHONY BRENTON: I certainly didn't see it if it was actually and this very rapidly became an exercise between very highly placed political figures. No doubt advice was being written, but it was just so political that I suspect a lot of the original advice didn't make the impact it should have done.

SIR JOHN CHILCOT: Thank you. Is there anything else?

SIR ANTHONY BRENTON: I mean, the only other thing I would say, as I look back on it, I remain of the view that if what we had believed to be true about weapons of mass destruction had been true, then UK security justified what we did.

SIR JOHN CHILCOT: Thank you.

With that I'll thank our witness, Sir Tony Brenton, and close the session.

We meet next as a public hearing tomorrow afternoon at 3 o'clock in the QE2 Centre, where the witness will be Air Chief Marshall Sir Glenn Torpy. Thank you.

(Hearing concluded)