

NAME AND TITLE OF CONTRIBUTOR: ADAM INGRAM Armed Forces  
Minister LIVE EX MILLBANK

TOP LINE OF STORY: Tony Blair visits Iraq to congratulate British troops on their role in the war against Iraq. But in gaining control of some areas of Iraq British forces used cluster bombs and some 75 Labour Mp's have signed a Commons (edm) motion calling for them to be banned. During the war Hoon said they were safer than "other unguided weapons to deal with, for example, vehicles spread over a battlefield". Our Pol Reporter Iain Watson reports.

MAIN QUESTION AREAS:

\*Response to points made by Watson pkg: campaigners say there's now proof that cluster bombs have been used in towns and cities - were they? Will the govt release information about the locations of where they used these weapons? Should Clwyd's role be widened to include investigation of Britain's use of munitions like these?  
\*war looking increasingly unjustifiable after Rumsfeld's comments that Iraq may have destroyed WMD before war began. Also: Gilligan's stuff from 0730 (see relevant brief) and comments by Wolfowitz in recent Vanity Fair int (see below)  
\*Blair says they will be found, the US is not so sure - what if they're not? What damage would it do to the govt... to Blair personally?

WHAT DO THEY SAY:

See previous govt defence below

BACKGROUND:

CLUSTER BOMBS

What's the legal position?

In summary - the use of cluster bombs is permitted under current international law, provided the users can demonstrate that they performed due diligence in target selection. The morality of using such weapons, however, remains a separate and valid issue for debate.

Questioned on their use in the Commons, Defence Secretary Geoff Hoon said:

"I will not allow our forces to be prevented from using those lawful weapons that are most suitable for achieving those tasks. ... Those weapons are used only after the most careful consideration. ... Cluster bombs have a particular military purpose. If that purpose is necessary, they will be used; if it is not, they will not be used."

Geoff Hoon, 21 March 2003 Hansard

Hoon later conceded that "the percentage failure rate is small, but it leaves a continuing problem, which I accept and recognise. ...on balance though their use protected troops and meant larger weapons did not need to be used."

US forces dropped around 1,500 cluster bombs from the air and fired an unknown quantity from artillery pieces. British troops fired 2,100. Each contained several hundred bomblets, which fragment into shrapnel. Between 200 and 400 Iraqi civilians were killed by them during the war. Others, mostly children, continue to be killed by those bomblets which failed to explode when they hit the ground. The effects of their deployment in residential areas were both predictable and predicted. This suggests that their use there breached protocol II to the Geneva conventions, which prohibits "violence to the life, health and physical or mental well-being" of non-combatants. This is part of the attempted

A recent report by Landmine Action revealed that a 1997 official review of the Gulf War by the US Government found that cluster bombs dropped from medium-to-high altitudes were prone to be blown off target by wind, and were likely to cause 'collateral damage'. Each air-dropped cluster bomb contains over 200 bomblets which are scattered over a wide area. These bomblets often fail to explode and turn into landmines which kill and maim indiscriminately, long after war is over. Unlike landmines, there is currently no provision in international law which addresses the problems of explosive remnants of war.

According to Landmine action:

Cluster bombs are not covered by the Ottawa Treaty. However, their deployment in Iraq risks breaching the Additional Protocol 1 to the Geneva Conventions (1977) because:-

- Civilian casualties for years to come could be excessive in relation to the concrete and direct military advantage anticipated
- The deployment of cluster bombs may not adequately discriminate between civilians and combatants.

WMD

The U.S. decision to stress the threat posed by Iraq's supposed weapons of mass destruction above all others was taken for "bureaucratic" reasons to justify the war, U.S.

Deputy Defense Secretary Paul Wolfowitz was quoted as saying in remarks released on Wednesday.

Wolfowitz, seen as one of the most hawkish figures in the Bush administration's policy on Iraq, said President Saddam Hussein's alleged cache of chemical, biological and possibly nuclear weapons was merely one of several reasons behind the decision to go to war. "For bureaucratic reasons, we settled on one issue, weapons of mass destruction, because it was the one reason everyone could agree on," Wolfowitz was quoted as saying in Vanity Fair magazine's July issue.

## QUOTES

TONY BLAIR

Before:

\* PM answers questions at MTV Forum - 6 March 2003:

"I've absolutely no doubt at all that if we don't deal with this issue of weapons of mass destruction, certainly he's a threat. He's a threat to his own region. Twice before he's invaded other countries in the region and he's a threat because these weapons - chemical and biological weapons - these are dangerous things. When we call them weapons of mass destruction, I sometimes think it deludes the language of any real meaning."

\* House of Commons, 25 February 2003,

"On 8 December he [Saddam] submitted the declaration denying he had any WMD, a statement not a single member of the international community seriously believes."

After:

\* PM comments to journalists en route to the Gulf, 28 March 2003, reported in The Guardian;

I have said throughout and I just repeat to you, I have absolutely no doubt at all about the existence of weapons of mass destruction and rather than speculating, let's just wait until we get the full report back from our people who are interviewing the Iraqi scientists.

We have already found two trailers that both our and the American security services believe were used for the manufacture of chemical and biological weapons.

British ministers:

After:

Geoff Hoon, Defence Secretary: Answering questions from MPs on day 19 of the conflict [7 April], Mr Hoon claimed that the regime 'may have removed some of its WMD but I have no doubt we will find them'. Reported in The Guardian

John Reid, Leader of the Commons:

The justification for war 'wasn't contingent on subsequently finding further evidence, because we had had 12 years of evidence. ... To say now that the real question is whether we have found weapons of mass destruction, therefore illustrating whether there was a threat, is to deny the fact that at the time there was a unanimous view in the UN that there was a threat based on 12 years of inspections and the inspectors' reports.' Comments on the Today programme, 15 May, 2003

Jack Straw, Foreign Secretary:

I hope there will be further evidence of literal finds ... [but] literal finds [of WMD are] not crucially important. Whether or not we are able to find one-third of one petrol tanker in a country that is twice (sic) the size of France remains to be seen.

Comments on Today 14 May 2003

DONALD RUMSFELD

Before:

It is about weapons of mass destruction. It is unquestionably about that. ... This is an issue between the United Nations and the international community and a government that has consistently refused to stop its weapons of mass destruction program.

Secretary Rumsfeld Interview With Al Jazeera TV - 25 Feb 2003, transcript here

...and after:

Well, it could be because it's hard to find things in a country that's determined not to have you find them. ... My guess is that the kinds of things that the intelligence community provided Secretary Powell and Secretary Powell provided the United Nations will in fact be turned up to the extent that they're still there. ... It is also possible that they decided that they would destroy them prior to a conflict. Rumsfeld, comments to the Council on Foreign Relations, Washington DC, 27 May 2003

SJ