

**Select Committee on Foreign Affairs Written Evidence****Memorandum submitted by Olivia Bosch, former UNSCOM Inspector in Iraq**

1. This brief highlights factors leading to the decision by the Coalition Forces to use military force on 20 March 2003 to force Saddam Hussein's Iraqi regime to comply with its obligations mandated by UN Security Council resolutions (UNSCR) since 1991. This use of force took place after governments of the international community were unable to settle by peaceful means the short-term crisis arising in August 2002. Since 1991, Iraq had failed to comply with its obligations to destroy and dismantle its programmes related to nuclear, chemical and biological weapons and means of delivery, generally referred to as weapons of mass destruction (WMD). This long-term non-compliance came to a head in August 2002, when Iraq resisted the return of UN inspectors after a four-year absence since December 1998.

2. This brief emphasises the factors other than intelligence information that led to this decision, though the role of intelligence in the UN inspection process will be referred to as appropriate. This brief does not intend to provide a normative view as to whether military force should or should not have been used but highlights the various actions taken by different countries that led to the decision to use it.

3. Foremost among the factors contributing to the decision to use military force was the demeanour of the Iraqi regime at a time when it was obliged to verify information about and destruction of its programmes of WMD. This was a systematic pattern of non-cooperation that comprised deceiving the inspectors and concealing parts of the WMD programmes; this behaviour was well known to UNSCOM inspectors during the period 1991-98. During the recent crisis beginning in August 2002, it gradually became evident that the regime was again conducting such stalling techniques; however, the degree to which the regime deceived and concealed such information was not well understood by the public, the politicians or the media. This is because from 1991-98 the Iraqi regime's acts of deception were largely kept "below the radar" so as to avoid attention and action by governments. When such actions were deemed to be significant by the UN Security Council, new resolutions were passed.

4. The role of the inspectors remains not fully understood. One of

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their main objectives was to ascertain the programmes of WMD, not just the weapons themselves. The latter tended to become synonymous with the "smoking gun", a phrase that the media in particular preferred to accentuate as it was more journalistically appealing, but this had an effect of distorting the role of the inspectors. Both UNSCRs 687 (1991) and 1441 (2002) referred to WMD programmes, which included research and development, infrastructure, and personnel as well as stockpiles of agent and weapons. Programmes also indicated intent as well as capability; thus when the Iraqi regime repeatedly stalled and frustrated the inspectors' demands for transparency and information—not just access to sites—it was prudent for governments to expect the worst of Iraq's WMD capability. There has not yet been an explanation of why the Iraqi regime proactively stalled on providing verifiable information about the status of its WMD programmes.

5. While the substantive UK and US government dossiers on Iraq's WMD programmes appeared in September 2002, the UN inspectors returned to Iraq subsequently, from 25 November until 18 March 2003, in accordance with UNSCR 1441. The role of the inspectors was not "to hunt and seek" WMD but to verify the information provided by the Iraqi regime, particularly that recently presented in the Declaration of 7 December 2002, regarding the status of the programmes. Indirectly, there was a chance of information in the UK and US dossiers being corroborated by findings of the inspectors, but this evaluation, too, could not be done accurately or fully. According to Hans Blix, Head of UNMOVIC, the 7 December declaration was deemed to contain omissions and false statements. Additionally, the Iraqi regime was known by UNSCOM inspectors to have a propensity to "squirrel away" component parts of weapons programmes, and to remove and move around these parts, so intelligence regarding sites that was provided to the UNMOVIC inspectors often became outdated for operational use.

6. The most significant indication of Iraqi lack of cooperation with the UN inspectors, and one that indirectly prevented intelligence assessments from being verified, was the inability of UN inspectors to interview scientists, military engineers and many others who worked on WMD programmes.

7. The various reports by Hans Blix and his counterpart Mohammed El-Baradei, Director General of the International Atomic Energy Agency (IAEA), to the UN Security Council from 27 January to March 2003, were technical statements about Iraq's WMD programmes and not judgments about compliance or what action should be taken to deal with Iraqi non-compliance. The Security Council, not UNMOVIC or the IAEA, was the entity that could make such a determination; this reflected the political nature of such a judgment. While Hans Blix mentioned that some progress had been made on the inspections

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process, eg, that the Iraqis has allowed the inspectors unconditional access to sites, Blix stated that the Iraqis did not co-operate on substance, meaning that the Iraqis provided no significant verifiable accounts of those parts of the WMD programmes still unaccounted for. On the record, many questions remained unresolved. These included, for example, no verifiable account of the existence or destruction of more than 8,000 litres of anthrax and 1,000s to tens of thousands of chemical and biological capable munitions. While some analysts of WMD argued that the shelf-life of some chemical or biological agents might have expired, the main concern was rather the degree to which the Iraqis were capable of producing such agents at very short notice. Understanding Iraq's programmes of WMD also required knowledge of how their procedures differed from those in the West. For example, some WMD analysts have suggested that the two suspect mobile laboratories (10-18 more are believed to exist) discussed after the conflict could not be for biological agent production because they had canvas sides and thus were unsafe, but this indicates ignorance of Iraq's disregard for safety when working with industrial and scientific processes related to programmes of WMD.

8. The second major factor that contributed to the decision to go to war was the strategic interplay between the threat of use of military force to alter the behaviour of the Iraqi regime (coercive diplomacy) and the diplomatic activity among the members of the United Nations Security Council. From August 2002 until the week before 20 March 2003, the threat of use of military force was most effective in making the Iraqi regime more cooperative, for example, by eventually allowing the return of inspectors. The US was the only state that could credibly project such force, but in doing so it attracted unfavourable press and public reaction. Paradoxically, such unfavourable public reaction would have had the effect of making the threat to use military force more credible in the eyes of the Iraqi regime. The credibility of the threat to use military force required mobilisation and deployment of troops and equipment to the Gulf region.

9. France made it publicly known in March 2003 that it would veto an additional UNSCR authorising the use of military force, as that would mean pursuing the "logic to war". This position immediately nullified the hitherto value of the threat to use military force—the logic to war implies preparations to conduct military operations. Once the French government had made its position known, further steps by Coalition forces towards military action were perceived to be virtually essential if the "final opportunity" and "serious consequences" referred to UNSCR 1441 were to have meaning and mandatory UN Security Council resolutions were to be enforced. In future academic studies, the deployment of military capability to the region can be seen as a classic text-book example of (the failure of) coercive diplomacy.

10. The factors leading to the decision to use military force were

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many and complex, not based solely on intelligence. The decision was a "judgement call". This brief emphasises primarily that the non-compliant behaviour of the Iraqi regime alongside a momentum of coercive and negotiated diplomatic activity led to the use of military force to make the Iraqi regime comply with its obligations. The political objective of the destruction of WMD programmes was thereafter intended to be achieved through the two military objectives of: regime change to remove the intent to pursue programmes of WMD, and physical destruction of the component parts of the WMD programmes to deal with capability. This second objective remains to be accomplished when the environment in Iraq becomes secure enough for civilians to return to conduct document searches and interview Iraqi people previously unable to provide information about the WMD programmes.

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