



RESEARCH PAPER 03/22
13 MARCH 2003

Iraq: developments since UN Security Council Resolution 1441

This Paper outlines the current policy of the UK and the USA concerning Iraq, looks at the United Nations involvement, the progress of inspections and the state of military deployments. It includes information on humanitarian planning, on the means of financing military action and on Iraq's economic and social indicators, including oil production.

Other relevant Library Papers include *Iraq and UN Security Council Resolution 1441*, RP 02/64, 21 November 2002, and *Iraq: the debate on policy options*, RP 02/53, 20 September 2002. Further information on all aspects of the situation is available on request.

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Summary of main points

- The British and US Governments are contemplating the use of force in Iraq.
- They cite its failure to comply with its obligations under UN Security Council Resolutions, which have been passed since 1990 to reverse its invasion of Kuwait and to restore international peace and security in the area.
- Security Council Resolution 1441 of November 2002 set up an enhanced inspection process to verify Iraqi disarmament.
- There are differing interpretations of the progress of disarmament and the inspections.
- The chief weapons inspectors have reported some progress and some failures.
- The British and US Governments argue that they have authority to take military action but are seeking support for a Security Council resolution to demonstrate political support. Some other states, including France and Russia, contest their interpretation.
- Substantial forces have been put in place around Iraq by the USA and the UK.

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I Objectives and arguments of the British and US Governments

The United Nations Security Council has determined that Iraq poses a threat to international peace and security because of its non-compliance with the Council's resolutions and its proliferation of weapons of mass destruction and long-range missiles. In a number of resolutions, most recently Resolution 1441, 8 November 2002, it has placed obligations on Iraq to disarm and has established inspection mechanisms to verify this. In particular, Resolution 1441 imposed an obligation on Iraq to comply immediately and fully. The USA and the UK argue that Iraq has not shown willingness to comply immediately and fully with its obligations to disarm nor to cooperate with the inspectors. They argue that such compliance and cooperation as has occurred is the result of the threat of force. They have put forward the objective of disarming Iraq in line with existing Security Council resolutions as a matter of urgency, and they have argued that force may be necessary to achieve this.¹

There has been concern over this position among the public, parliamentarians and some foreign governments. Some oppose the idea of using force, and others feel that it should not be used in the absence of further developments. These might include the passage of a further Security Council resolution to lend authority, further evidence of an immediate threat from Iraq, or further evidence of its non-compliance. France, Russia, China and Germany argue that the inspections process is yielding results in the direction of disarmament, and that it should be pursued for a longer period of time.

In support of their position the US and British Governments point to the record of Iraq under Saddam Hussein in committing acts of aggression against other states. They also argue that Iraq has links with terrorist organisations and that there is a danger it might cooperate further with international terrorists in the future, including through the supply of weapons of mass destruction, unless remedial action is taken. They argue that the credibility of international law and the UN are at stake, and that weakness in dealing with Iraq will feed into the calculations of other unfriendly regimes. It is recognised that forcible disarmament of Iraq might lead to the ending of the current regime. The UK and the USA regard this in positive terms, and each has a long-standing policy aim of regime change in Iraq, but they have not made it a prime objective of their present moves. Nevertheless, they have cited the possibility of a change in the nature of the regime as an additional reason to support their approach, especially since Iraq's armaments are seen as important props for Saddam Hussein's regime. The UK has pointed to the Iraqi regime's record of violating the rights of its own people, which includes widespread torture and alleged genocide against the Kurds and the Marsh Arabs. The USA has argued that a positive chain of events could be set off by democratisation in Iraq, which might lead to democratisation, economic development and peace across the Middle East.

¹ On 25 February 2003 the British Government drew together a number of international instruments and documents on Iraq and laid them before the House in a Command Paper, Cm 5769.

A. Prime Minister's statement of 25 February 2003

On 25 February 2003 the Prime Minister, Tony Blair, gave the following account to the House:

Let me again, for the benefit of the House, briefly recap the history of this crisis. In 1991, at the conclusion of the Gulf war, the true extent of Saddam's weapons of mass destruction programme became clear. We knew that he had used these weapons against his own people, and against a foreign country, Iran, but we had not known that in addition to chemical weapons, he had biological weapons, which he had denied completely, and was trying to construct a nuclear weapons programme.

So on 3 April 1991, the UN passed the first UN resolution on Saddam and weapons of mass destruction, giving him 15 days to give an open account of all his weapons and to co-operate fully with the UN inspectors in destroying them. Fifteen days later, he submitted a flawed and incomplete declaration denying that he had biological weapons and giving little information on chemical weapons. It was only four years later, after the defection of Saddam's son-in-law to Jordan, that the offensive biological weapons and the full extent of the nuclear programme were discovered. In all, 17 UN resolutions have been passed. None has been obeyed. At no stage did he co-operate as he should have done. At no stage did he tell the full truth.

Finally, in December 1998, when he had begun to obstruct and harass the UN inspectors, they withdrew. When they left, they said that there were still large amounts of weapons of mass destruction material unaccounted for. Since then, the international community has relied on sanctions and the no-fly zones policed by US and UK pilots to contain Saddam. But the first is not proof against Saddam's deception and the second is limited in its impact.

In 2001, the sanctions were made more targeted, but around \$3 billion a year is illicitly taken by Saddam, much of it for his and his family's personal use. The intelligence is clear: he continues to believe that his weapons of mass destruction programme is essential both for internal repression and for external aggression. It is essential to his regional power. Prior to the inspectors coming back in, he was engaged in a systematic exercise in concealment of those weapons.

That is the history. Finally, last November, UN resolution 1441 declared Saddam in material breach and gave him a "final opportunity" to comply fully, immediately and unconditionally with the UN's instruction to disarm voluntarily. The first step was to give an open, honest declaration of what weapons of mass destruction he had, where they were and how they would be destroyed. On 8 December, he submitted the declaration denying that he had any weapons of mass destruction, a statement, frankly, that not a single member of the international community seriously believes.

There have been two UN inspectors' reports. Both have reported some co-operation on process; both have denied progress on substance.²

The Leader of the Opposition, Iain Duncan Smith, said,

Twelve years and 17 resolutions on, it is crucial that we understand exactly why we are pursuing the course that we are. Saddam Hussein is a tyrant who tortures and murders his own people and poses a threat to the safety and stability of the middle east. There are few people in Iraq or in the surrounding area who would at any stage mourn his passing. When Iraq's prisons are opened and the stories of persecution and repression can truly be told, many people inside and outside the House will wonder why we waited so long to take such action.

However, Saddam Hussein is not the only example of evil in our world. The difference is that he has the means, mentality and motive to reach beyond his own borders and pose a threat to the safety and security of many—crucially, to British people at home and abroad.³

The Leader of the Liberal Democrats, Charles Kennedy, said,

Given that there is unanimous agreement in the House about supporting the United Nations in its efforts to rid Saddam Hussein of weapons of mass destruction, and that the best route for doing so is the UN-authorized weapons inspectorate, will the Prime Minister amplify his opening remarks, as there will be considerable anxiety in this country and others that in tabling what could be construed as a pre-emptive draft resolution, Britain is in fact undermining the very work of the weapons inspectors? Given Dr. Blix's explicit statement that he feels that the inspectors are meeting with a degree of success but that more time is required, should not we as a country subscribe to that view rather than conducting ourselves as we are?

Why is the Prime Minister so fundamentally hostile to the memorandum that the French and others have now tabled? Should we not respond more positively? Would that not offer a better way forward? On several occasions, senior military opinion in this country has been publicly expressed to the effect that the best route for disarmament is the location, detection and dismantling of any weapons of mass destruction in Iraq by the weapons inspectors themselves. Is that not preferable to a precipitate war?⁴

² HC Deb 25 February 2003, c123.

³ HC Deb 25 February 2003, c126.

⁴ HC Deb 25 February 2003, c128.

B. Debate of 26 February 2003

On 26 February 2003 a debate was held in the Commons on the motion

That this House takes note of Command Paper Cm 5769 on Iraq; reaffirms its endorsement of United Nations Security Council Resolution 1441, as expressed in its Resolution of 25th November 2002; supports the Government's continuing efforts in the United Nations to disarm Iraq of its weapons of mass destruction; and calls upon Iraq to recognise this as its final opportunity to comply with its disarmament obligations.⁵

The Foreign Secretary, Jack Straw, set out to answer what he regarded as the “central” questions exercising people’s minds. The first question was “why Iraq?” Mr Straw pointed to the Security Council resolutions on Iraq. He said that

Iraq is the only country in such serious and multiple breach of mandatory UN obligations. It is the only country in the world to have fired missiles at five of its neighbours, the only country in history to have used chemical weapons against its own people, and the only country in the region that has invaded two of its neighbours in recent years.⁶

He then addressed the question, “why now?” and said that

Saddam's aim is that “now” shall never arrive. His tactics all along have been to prevaricate in the hope that by exploiting people's natural anxieties about military action he can string out the process for ever and keep his arsenal for good.⁷

He argued that examples of Iraqi cooperation with the inspectors, such as the arrangement of private interviews with scientists, had been tardy and partial.

To the question “Why not more time, more inspectors?” Mr Straw said,

in the absence of active and immediate Iraqi co-operation, more time will not achieve anything of substance. Nor, without that active co-operation, can it be a question of more inspectors.⁸

The Foreign Secretary’s next question was, “Why a second resolution?” He pointed to Resolution 1441 and its demand for immediate full compliance, and argued,

if the words “final opportunity,” in operative paragraph 2 of resolution 1441, have any meaning, it is that this time we must not let Saddam lure the international

⁵ HC Deb 26 February 2003, c265.

⁶ HC Deb 26 February 2003, c266.

⁷ HC Deb 26 February 2003, c267.

⁸ HC Deb 26 February 2003, c269.

community into endless indecision. Resolution 1441 called for disarmament “immediately.” We have waited 110 days already, which is stretching the meaning of “immediately” to breaking point.

I ask our friends in France and Germany—who share our goal of Iraqi disarmament, and who fully support resolution 1441—why Saddam is more likely to co-operate actively, fully and immediately in the further 120 days that they now propose than he was in the past 110.⁹

The next question was, “Why not persist with the policy of containment, rather than contemplate military action?” Mr Straw said,

the policy of containment is not the policy of disarmament as set out in resolution 1441 or any of the preceding resolutions. There can be no stable, steady state for Iraq unless it is properly disarmed, and nor can there be stability for the region and the international community. What may appear to be containment to us is rearmament for Saddam.

We do not need to speculate on this, as we have witnessed it. A de facto policy of containment existed between 1998 and 2002 following the effective expulsion of inspectors by Iraq, and Iraq's refusal to comply with resolution 1284.

Far from keeping a lid on Saddam's ambitions, that period allowed him to rebuild his horrific arsenal, his chemical and biological weapons, and the means of delivering them against his enemies at home and abroad. UNMOVIC inspectors chart in their recent reports, which are before the House, how Iraq has refurbished prohibited equipment that had previously been destroyed by UNSCOM, the earlier inspectors. That equipment included rocket motor casting chambers and chemical processors. UNMOVIC has also found that Iraq used the four-year absence of inspectors—the so-called period of containment—to build a missile test stand capable of testing engines with over four times the thrust of the already prohibited al-Samoud 2 missile. All this happened during containment. There is no steady state—the choice is between disarmament or rearmament.¹⁰

Mr Straw then addressed his last question:

I am often asked, “Isn't the west guilty of double standards, especially in relation to Israel and Palestine?” [Hon Members: “Yes.”] Some of my hon. Friends say yes. I accept, as does my right hon. Friend the Prime Minister, that there has been a considerable amount to this charge, and to the perception of double standards, which extends well beyond the Arab and Islamic world. However, we deal with this charge not by ignoring outstanding UN obligations, but by working even harder to see all of them implemented. The key ones on Israel/Palestine—242, 338, 1397—impose obligations on three sets of parties—on the Palestinians to end terrorism, on the Arab

⁹ HC Deb 26 February 2003, cc271-2.

¹⁰ HC Deb 26 February 2003, c273.

countries to end support for terrorism and to recognise the state of Israel, and on Israel fully to co-operate in the establishment of a viable state of Palestine with borders broadly based on those of 1967.¹¹

He continued, “in difficult circumstances, we are working actively to implement this UN policy, including the early publication of the roadmap.” He then said,

We have to ensure the full application of international law by Israel, and—as I have told our friends in the Palestinian authority—we have to ensure as well that the Palestinians take even further action to stop the terrorist organisations in their areas. There is no alternative to that. The Arab states must also end giving terrorist organisations active support, finance and supplies.¹²

The Opposition supported the motion, and it was carried on division. However, there was dissent from some Labour Members. An amendment was selected, tabled in the name of Chris Smith, and this was

To leave out from “destruction” to end and add “but finds the case for military action against Iraq as yet unproven.”

395 Members voted against the amendment, and 201 voted for it, including 122 Labour Members. The Government motion was carried by 436 votes to 126, with 60 Labour Members voting against.¹³

Mr Smith addressed three arguments which he felt were put forward in support of the British and US Governments’ position. The first was that Iraq had been given enough time to comply with its obligations and that to allow more time would not produce results. He said,

Actually, Iraq has had 11 weeks since the weapons inspectors went in this time round. Let us not forget that, from 1991 to 1996–97, the weapons inspection process produced substantial results. Substantial amounts of chemical and biological warfare capacity were destroyed by the process. I would argue that a strongly supported weapons inspection process—one that is given the time to complete the job—is what the international community should be arguing for.¹⁴

He continued,

The second argument is that there has not been full and complete co-operation with the weapons inspection process. That is true. However, there has been a substantial

¹¹ HC Deb 26 February 2003, c274.

¹² HC Deb 26 February 2003, c274-5.

¹³ These figures include tellers. Further information on the divisions is in *Commons divisions on Iraq: 26 February 2003*, SN/SG/2085, 28 February 2003.

¹⁴ HC Deb 26 February 2003, c286.

amount of co-operation. Are we seriously saying that, because Saddam Hussein has complied by 70 per cent. rather than 100 per cent., that is a cause for going to war?¹⁵

He then addressed the third argument:

The third major argument that is used is that we will give comfort to Saddam Hussein by sending the wrong message. That is true only if we fail to maintain the pressure on him. There may well be a time for military action. I do not take the view that military action is never, ever likely to be required. There may well be a time when it becomes necessary.

[...]

At the moment, the timetable appears to be determined by the decision of the President of the United States and not by the logic of events.

The other argument that has been made is that those of us who urge caution are failing to be strong and that, by doing so, we are somehow appeasing a tyrant. That is the shallowest argument of all. Strength does not lie simply in military might. Strength lies in having an unanswerable case. It lies in making the right moral choices. It lies in maintaining the pressure, and it lies in securing the fullest possible international agreement. That is where our efforts should now be directed, but I fear that we may be cutting short those efforts by the timetable that is now upon us.¹⁶

One of the Labour Members who voted against the Government motion, Alan Simpson, made the following remarks:

Our view must identify with the 30 million people worldwide who say no, war is not the answer, nor is it acceptable. It is not justified in the current circumstances and it would be a horrendous gift to one group and one group only: al-Qaeda. From the evidence of the past 50 years, we know that containment works and inspection works. That is the basis on which the United Nations has worked at its best. We ought not to dismiss the value of that work.

In relation to Iraq, have we found weapons of mass destruction that threaten to destroy the west? No. Have we had any threat from Iraq to destroy the west? No. In those circumstances, we should listen to our other allies in the United Nations—to Germany, France, Russia and perhaps to China—and to the inspectors. Their claims for more time, rather than more troops, are the voices that we should hear. We need inspections, not invasions.

The west and the UK must find the courage to speak out in favour of the peaceful settlement of international conflict and tension, rather than the presumption that we can drift into a war that would do nothing but scar the entire century. We owe a duty

¹⁵ Ibid.

¹⁶ Ibid.

to our children and our society to find the courage to ally ourselves with those whose voices urge a peaceful solution to the issue, not a descent into warmongering.¹⁷

Protests have been held in many countries against the policy of the USA and the UK. There were coordinated protests on 15 February 2003. In London the estimates varied between 750,000 and almost 2m for the numbers taking part in a rally on that day, which centred on Hyde Park.¹⁸ The protests have been coordinated in the UK by the Stop the War Coalition.¹⁹

On 9 March 2003 Andy Reed resigned from his post as Parliamentary Private Secretary to the Secretary of State for the Environment, Food and Rural Affairs, Margaret Beckett. A statement was released on Mr Reed's website on 11 March 2003.²⁰

Also on 9 March 2003 the Secretary of State for International Development, Clare Short, told BBC Radio 4, "if there is not UN authority for military action or the reconstruction of the country, I will not uphold a breach of international law or this undermining of the UN."²¹ She also said that she would not "stay to defend the indefensible."

C. US policy statements

President Bush made the following comments in a radio address on 8 March 2003:

Saddam Hussein has a long history of reckless aggression and terrible crimes. He possesses weapons of terror. He provides funding and training and safe haven to terrorists who would willingly deliver weapons of mass destruction against America and other peace-loving countries.

The attacks of September the 11, 2001 showed what the enemies of America did with four airplanes. We will not wait to see what terrorists or terror states could do with weapons of mass destruction. We are determined to confront threats wherever they arise. And, as a last resort, we must be willing to use military force. We are doing everything we can to avoid war in Iraq. But if Saddam Hussein does not disarm peacefully, he will be disarmed by force.

Across the world, and in every part of America, people of goodwill are hoping and praying for peace. Our goal is peace -- for our own nation, for our friends, for our allies and for all the peoples of the Middle East. People of goodwill must also recognize that allowing a dangerous dictator to defy the world and build an arsenal for conquest and mass murder is not peace at all; it is pretense. The cause of peace

¹⁷ HC Deb 26 February 2003, cc327-8.

¹⁸ *BBC on-line*, "'Million' march against Iraq war," 16 February 2003, at <http://news.bbc.co.uk>.

¹⁹ <http://www.stopwar.org.uk/> .

²⁰ <http://www.andyreedmp.org.uk/resignation.htm>.

²¹ Reported in *BBC on-line*, "Short keeps job in Iraq row," 10 March 2003.

will be advanced only when the terrorists lose a wealthy patron and protector, and when the dictator is fully and finally disarmed.²²

The previous day Secretary of State Colin Powell had addressed the United Nations Security Council on what he saw as its role:

Security Council membership carries heavy responsibility, responsibility of the community of nations to take the hard decisions on tough issues such as the one we are facing today.

Last November, this Council stepped up to its responsibilities. We must not walk away. We must not find ourselves here this coming November with the pressure removed and with Iraq once again marching down the merry path to weapons of mass destruction, threatening the region, threatening the world.

If we fail to meet our responsibilities, the credibility of this Council and its ability to deal with all the critical challenges we face will suffer. As we sit here, let us not forget the horror still going on in Iraq, with a spare moment to remember the suffering Iraqi people whose treasure is spent on these kinds of programs and not for their own benefit; people who are being beaten, brutalized and robbed by Saddam and his regime.

Colleagues, now is the time for the Council to send a clear message to Saddam that we have not been taken in by his transparent tactics. Nobody wants war, but it is clear that the limited progress we have seen, the process changes we have seen, the slight, substantive changes we have seen, come from the presence of a large military force -- nations who are willing to put their young men and women in harm's way in order to rid the world of these dangerous weapons.²³

He had defended on a previous occasion the continued pursuit of a policy based on the assessment that Iraq is not complying with its obligations:

Iraq's too little, too late gestures are meant not just to deceive and delay action by the international community, he has as one of his major goals to divide the international community, to split us into arguing factions. That effort must fail. It must fail because none of us wants to live in a world where facts are defeated by deceit, where the words of the Security Council mean nothing, where Saddam and the likes of Saddam are emboldened to acquire and wield weapons of mass destruction.

Saddam's response to Resolution 1441 is consistent with his answers to all the previous resolutions. He has met each one of them with defiance and deception, with every passing year since 1991 and with every passing day since the adoption of

²² *Radio address of the President to the Nation*, White House press release, 8 March 2003, at <http://www.whitehouse.gov/news/releases/2003/03/20030308-1.html>.

²³ White House press release, 7 March 2003, at <http://www.state.gov/secretary/rm/2003/18458.htm>.

Resolution 1441. Saddam, as a result, has taken Iraq deeper and deeper into material breach of its international obligations.

It was precisely because of his long history of defiance and deception when the Security Council's members voted to pass Resolution 1441, we were expecting to see this all again. And we carefully included in the resolution some early tests to see whether or not we were wrong.²⁴

He concluded:

The goal of the United States remains the Security Council's goal: Iraq's disarmament. One last opportunity to achieve it through peaceful means remains open to Saddam Hussein, even at this late hour. What we know for certain, however, is that Saddam Hussein will be disarmed. The only question before us now is how. The question remains as it was at the beginning: Has Saddam Hussein made that strategic choice? He has not and we will see in the next few days whether or not he understands the situation he is in and he makes that choice. And that is the argument we will be taking to the Security Council.

Mr Bush gave comments on what he saw as the longer term implications of his policy:

A liberated Iraq can show the power of freedom to transform that vital region, by bringing hope and progress into the lives of millions. America's interests in security, and America's belief in liberty, both lead in the same direction: to a free and peaceful Iraq.²⁵

He added,

Success in Iraq could also begin a new stage for Middle Eastern peace, and set in motion progress towards a truly democratic Palestinian state.

²⁴ *Iraq: still failing to disarm*, Remarks at the Center for Strategic and International Studies, Washington, DC, 5 March 2003.

²⁵ Speech at American Enterprise Institute dinner, *Washington File*, 26 February 2003.

II United Nations

A. Brief history of involvement with Iraq

The United Nations Security Council has been seized of the matter of Iraq (technically, “the situation between Iraq and Kuwait”) since the invasion of Kuwait on 2 August 1990, when the Council passed Resolution 660. In this it determined that there was a breach of international peace and security as regarded the invasion, and it demanded that Iraq withdraw its forces immediately and unconditionally.

After many further steps and developments the latest phase saw the Security Council adopt Resolution 1441 on 8 November 2002.²⁶

The Resolution stated that Iraq had been and remained in material breach of its obligations under previous resolutions, and it recognised that this, with Iraq’s proliferation of WMD and ballistic missiles, posed a threat to international peace and security. It decided to give Iraq “a final opportunity to comply with its disarmament obligations” and concluded by noting that it had warned Iraq repeatedly that it would “face serious consequences as a result of its continued violations of its obligations.”²⁷

Under the Resolution Iraq was obliged to make a full declaration of all aspects of its programmes to develop chemical, biological and nuclear weapons, ballistic missiles and other delivery systems. It was also obliged to complete the disarmament process set out in previous resolutions. An enhanced inspection regime was established in order to verify this.

There was debate at the time as to whether a failure by Iraq to comply with Resolution 1441 would lead automatically to the use of force. The Resolution indicated that a failure by Iraq to make a full disclosure of information and a failure by it to comply with and cooperate fully in the implementation of the Resolution would constitute a further material breach of its obligations. It indicated also that in the case of a material breach the Security Council should consider the situation and the need for full compliance in order to secure international peace and security, and it recalled the existing threats of serious consequences in that event. It did not stipulate in detail what the Security Council should do beyond “considering” the situation, nor what should happen in the absence of agreement in the Security Council.

The US and British Governments stated that they would return to the Security Council in the event of a breach by Iraq of the provisions of Resolution 1441. However, they were careful not to constrain themselves.

²⁶ Further discussion of this Resolution may be found in Research Paper 02/64, *Iraq and UN Security Council Resolution 1441*, 21 November 2002.

²⁷ Paragraphs 2 & 13, *S/RES/1441* (2002).

President Bush made the following comment following the adoption of the Resolution:

The United States has agreed to discuss any material breach with the Security Council, but without jeopardizing our freedom of action to defend our country.²⁸

Mr Straw said, in response to questions on his statement on the draft Resolution,

I do not want to anticipate what will happen if there is a breach, except to say that although we would much prefer decisions to be taken within the Security Council, we have always made it clear that within international law we have to reserve our right to take military action, if that is required, within the existing charter and the existing body of UN Security Council resolutions if, for example, a subsequent resolution were to be vetoed.²⁹

France, Russia and China issued a joint statement giving their interpretation of the Resolution:

Resolution 1441 (2002) adopted today by the Security Council excludes any automaticity in the use of force. In this regard, we register with satisfaction the declarations of the representatives of the United States and the United Kingdom confirming this understanding in their explanations of vote, and assuring that the goal of the resolution is the full implementation of the existing Security Council resolutions on Iraq's weapons of mass destruction disarmament. All Security Council members share this goal.³⁰

Since that time the Security Council has been briefed by the leaders of the inspection teams, Dr Hans Blix and Dr Mohamed El Baradei, on 27 January 2003, 14 February 2003 and 7 March 2003. These reports, taken with other statements by the inspectors, existing knowledge and intelligence material, have led the USA and the UK to argue that Iraq has not complied with its obligations under Resolution 1441 and that there is little time left for it to take its final opportunity to comply. France, Russia, China and Germany have argued that more time should be allowed, under a revised inspection regime.

B. UNMOVIC and the IAEA

1. The inspection process

Under Resolution 687 of 3 April 1991, which set out the terms of the ceasefire at the end of the Gulf War, the UN Security Council imposed a series of demands on Iraq, including a requirement that it eliminate its weapons of mass destruction and ballistic missile capability.

²⁸ *Remarks by the President on the United Nations Security Council Resolution*, Office of the Press Secretary, 8 November 2002, <http://www.whitehouse.gov/news/releases/2002/11/print/20021108-1.html>.

²⁹ HC Deb 7 November 2002, c435.

³⁰ *Reuter News*, 9 November 2002.

Two bodies were tasked with securing compliance with these disarmament demands.

A UN Special Commission (UNSCOM) was established by the Security Council to supervise the destruction, removal or rendering harmless of any weaponry, equipment and facilities relating to Iraq's chemical and biological weapons and ballistic missile programmes. UNSCOM was disbanded in early 1999 and replaced by the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), which was created under Security Council Resolution 1284. The Executive Chairman of UNMOVIC is Dr Hans Blix.

The International Atomic Energy Agency (IAEA) was tasked with ensuring Iraq's unconditional compliance with its existing obligations under the nuclear *Non-Proliferation Treaty 1968* not to acquire or develop nuclear weapons or related material and facilities. The Director General of the IAEA is Dr Mohamed El-Baradei.

During the period after the withdrawal of UN inspectors in late 1998 UNMOVIC and the IAEA engaged in preparations for the possible resumption of inspections in Iraq, including identifying a list of outstanding disarmament issues to be resolved. UNMOVIC used as a basis the existing work that had been prepared by UNSCOM in its final report to the Security Council in January 1999,³¹ and by the special panel on Iraqi disarmament with its report (known as the Amorim Report) from March 1999.³²

Under its Resolution 1441 the Security Council decided to give Iraq "a final opportunity to comply with its disarmament obligations" and set up an "enhanced inspection regime" involving UNMOVIC and the IAEA.³³ Iraq was required to provide "a currently accurate, full, and complete declaration of all aspects of its programmes to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems," and to cooperate fully and immediately with the inspections process.³⁴

With the revival of the inspections process, UNMOVIC and the IAEA identified three key questions to be answered on the status of Iraq's proscribed weapons programmes:

- How much of Iraq's proscribed weapons programmes remain undeclared and intact from before 1991;
- What, if anything, was illegally produced or procured after 1998, when the inspectors left;
- How can Iraq be prevented from producing or procuring any weapons of mass destruction in the future?³⁵

³¹ S/1999/94, 29 January 1999, from <http://www.un.org/Depts/unscom/s99-94.htm>

³² S/1999/356, 30 March 1999, from <http://www.un.org/Depts/unmovic/documents/AMORIM.PDF>

³³ Paragraphs 2 & 13, S/RES/1441 (2002).

³⁴ Paragraphs 1,3 & 5, S/RES/1441 (2002).

³⁵ Based on comments by Dr Blix from 'The Security Council: An Update on Inspections', 27 January 2003.

a. *Inspection capabilities*

An advance team of UN inspectors arrived in the Iraqi capital, Baghdad, on 18 November 2002 to establish a base, known as the Baghdad Ongoing Monitoring, Verification and Inspection Centre (BOMVIC). A field office opened in the northern city of Mosul in early January 2003 and a second field office is due to open in the southern city of Basrah during March 2003. As of the end of February 2003 UNMOVIC had in Iraq a total of 202 staff from 60 countries, including 84 interpreters.³⁶ The IAEA Iraq Nuclear Verification Office (INVO³⁷) had 24 staff members of 13 different nationalities.³⁸

The first intrusive inspection in four years took place on 27 November 2002.³⁹ On 3 December 2002 a UN team carried out the first inspection of a presidential site, which had been the subject of dispute between the UN and Iraq during the February 1998 crisis.⁴⁰ The visit was seen as a symbolic act to demonstrate the inspectors' reinforced powers under Resolution 1441 to enter any site they deemed necessary.

Further inspections took place during January and February 2003 throughout Iraq at industrial sites, ammunition depots, research centres, universities, presidential sites, mobile laboratories, private houses, missile production facilities, military camps and agricultural sites.⁴¹ Dr Blix reported on 28 February 2003 that UNMOVIC had conducted

more than 550 inspections covering approximately 350 sites. Of these 44 sites were new sites. All inspections were performed without notice, and access was in virtually all cases provided promptly. In no case have the inspectors seen convincing evidence that the Iraqi side knew in advance of their impending arrival.⁴²

³⁶ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para.16, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

³⁷ Prior to December 2002, the IAEA team on Iraq was called the 'Iraq Action Team'. The name was changed officially to the 'Iraq Nuclear Verification Office' on 1 December.

³⁸ INVO web site at <http://www.iaea.org/worldatom/Programmes/ActionTeam/index.html>

³⁹ Limited annual IAEA safeguard inspections of certain declared materials did continue after December 1998, in accordance with Iraq's Non-Proliferation Treaty obligations. For more detail see section III A 4 of Library Research Paper 02/53, 20 September 2002.

⁴⁰ For more detail on the presidential sites and the February 1998 Memorandum of Understanding concluded on this issue by the UN Secretary-General and Iraq, see Chapter I of Library Research Paper 02/53 and Chapter II A of Library Research Paper 02/64.

⁴¹ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para.13, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

⁴² *Twelfth Quarterly Report*, S/2003/232, 28 February 2003, para.12, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

Dr El-Baradei reported on 7 March 2003 that the INVO had conducted

a total of 218 nuclear inspections at 141 sites, including 21 that had not been inspected before. In addition, IAEA experts have taken part in many joint UNMOVIC-IAEA inspections.⁴³

b. Briefings and Reports to the Security Council

The UNMOVIC Executive Chairman and the IAEA Director General have briefed the Security Council both formally and informally on a number of occasions since the resumption of inspections in late November. Informal briefings took place on 19 December 2002⁴⁴ and 9 January 2003⁴⁵ to provide preliminary feedback on the Iraqi declaration of 7 December 2002 and to update the Security Council on the inspections process.

Dr Blix and Dr El-Baradei visited Baghdad for talks with Iraqi government representatives from 19 to 20 January 2003. The talks concluded with a Joint Statement by Iraq and UNMOVIC on the resolution of certain issues.⁴⁶ A further visit took place from 8 to 9 February 2003, during which the Iraqis handed over papers on some of the outstanding disarmament issues.⁴⁷

In accordance with paragraph 5 of Resolution 1441 Dr Blix and Dr El-Baradei provided formal update briefings to the Security Council on 27 January 2003 on the state of the inspections process.⁴⁸

⁴³ 'The Status of Nuclear Inspections: An Update', by IAEA Director General Mohamed El-Baradei, 7 March 2003, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

⁴⁴ 'Notes for briefing the Security Council regarding inspections in Iraq and a preliminary assessment of Iraq's declaration under paragraph 3 of resolution 1441 (2002)', Dr Hans Blix, Executive Chairman of UNMOVIC, 19 December 2002, from <http://www.un.org/Depts/unmovic/recent%20items.html> and 'Preliminary Analysis of the Nuclear-Related "Currently Accurate, Full And Complete Declaration" (CAFCD) Submitted by Iraq', by IAEA Director General Dr. Mohamed El-Baradei, 19 December 2002, from <http://www.iaea.org/worldatom/Press/Statements/2002/ebsp2002n010.shtml>

⁴⁵ 'Notes for Briefing the Security Council, Dr Hans Blix, Executive Chairman, UNMOVIC', 9 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html> and 'Status of the Agency's Verification Activities in Iraq As of 8 January 2003', by IAEA Director General Dr. Mohamed El-Baradei, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n002.shtml>

⁴⁶ Joint Statement, 20 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁴⁷ For more detail on the visit, see the transcript of the press conference with Dr Blix and Dr El-Baradei on 9 February 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁴⁸ 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html> and 'The Status of Nuclear Inspections in Iraq', by IAEA Director General Dr. Mohamed El-Baradei, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n003.shtml>. The IAEA also submitted a written report of 20 January to the Council: *IAEA Update Report for the Security Council pursuant to Resolution 1441 (2002)*, 20 January 2003, from http://www.iaea.org/worldatom/Press/Focus/iaeaIraq/unscreport_290103.html

On 5 February 2003 US Secretary of State Colin Powell gave a presentation to the Security Council during which he offered evidence from intelligence sources to support his Government's claims that Iraq was failing to disarm and that it was engaging in an elaborate procedure to deceive inspectors over the true state of its proscribed weapons programmes.⁴⁹

An additional briefing by the UNMOVIC Executive Director and the IAEA Director General was provided to an open session of the Council on 14 February 2003.⁵⁰

The most recent update on the inspections process was provided on 7 March 2003,⁵¹ during which Dr Blix gave an oral introduction to the latest UNMOVIC *Quarterly Report*, as required under Resolution 1284 of 1999.

He also announced that he would be releasing a 173-page working document, entitled *Remaining Disarmament Issues: Iraq's Proscribed Weapons Programmes*, of 6 March 2003.⁵² This document outlines four main groups of disarmament issues, namely, ballistic missiles, munitions and other delivery means, chemical, and biological. Within these four groups UNMOVIC has identified a total of 29 "clusters" of disarmament issues and has suggested how they could be tackled.

2. Issues arising from the inspection process

The progress of the inspections, and their findings thus far, have been subject to competing interpretation. Information is provided below on the various disarmament issues raised by Dr Blix and Dr El-Baradei in their reports and briefings to the Security Council.

a. Iraqi Declaration

Under paragraph 3 of Resolution 1441 Iraq was required to provide a "currently accurate, full and complete declaration of all aspects of its programmes to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems." Over 12,000 pages of declaration and supporting documents were submitted to UNMOVIC and the IAEA on 7 December 2002.

⁴⁹ The text of Mr Powell's presentation is on the US Department of State web site at: <http://www.usembassy.org.uk/midest481.html>

⁵⁰ 'Briefing of the Security Council', by Dr Hans Blix, Executive Chairman of UNMOVIC, 14 February 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html> and 'The Status of Nuclear Inspections in Iraq: 14 February 2003 Update', by IAEA Director General Dr. Mohamed El-Baradei, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n005.shtml>

⁵¹ 'Oral introduction of the 12th quarterly report of UNMOVIC Executive Chairman Dr. Hans Blix', 7 March 2003, from <http://www.un.org/Depts/unmovic/SC7asdelivered.htm> and 'The Status of Nuclear Inspections in Iraq', by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

⁵² *Unresolved Disarmament Issues: Iraq's proscribed weapons programmes*, UNMOVIC working document, 6 March 2003, from <http://www.un.org/Depts/unmovic/documents/cluster6mar.pdf>, available in Library as Dep 03/755.

The Security Council initially decided that the document should remain confidential to the inspectors, due to IAEA concerns that it might contain sensitive information that could be used by those seeking to develop nuclear weapons. The intention was for the inspectors to brief the Council on its contents and, if necessary, release an expurgated version.

However, the USA lobbied for full sight of the document, a request that was granted after discussions between the President of the Security Council and other members. The USA then distributed full copies of the document to the five recognised nuclear weapons states under the Non-Proliferation Treaty (the five permanent members of the Council). Filtered versions were then passed to the other members of the Council. The President of the Council at the time, Colombia, agreed that, for practical reasons, the USA should take charge of the distribution, due to the size of the document and the US mission's superior photocopying facilities. Some of the non-permanent members of the Council objected to this procedure on the grounds that the USA was privy to the information sooner than other states and was able to control the release of the document to others.

Dr Blix told the Security Council in his preliminary assessment of Iraq's declaration on 19 December 2002 that:

Iraq continues to state in the Declaration, as it has consistently done before its submission, that there were no weapons of mass destruction in Iraq, when inspectors left at the end of 1998 and that none have been designed, procured, produced or stored in the period since then.⁵³

He indicated that the overall impression was that “not much new significant information” had been provided in the declaration.⁵⁴ He reiterated that impression in his briefing of the Security Council on 9 January 2003, declaring that it appeared the declaration was “rich in volume but poor in new information about weapons issues and practically devoid of new evidence on such issues.”⁵⁵

Dr Blix's *Quarterly Report* of 28 February 2003 summarised the Commission's findings on the Iraqi declaration as follows:

[...] UNMOVIC experts have found little new significant information in the part of the declaration relating to proscribed weapons programmes, nor much new supporting documentation or other evidence. New material, on the other hand, was provided concerning non-weapons-related activities during the period from the end of 1998 to the present, especially in the biological field and on missile development.

⁵³ ‘Notes for briefing the Security Council regarding inspections in Iraq and a preliminary assessment of Iraq's declaration under paragraph 3 of resolution 1441 (2002)’, Dr Hans Blix, Executive Chairman of UNMOVIC, 19 December 2002, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁵⁴ ‘Notes for briefing the Security Council’, Dr Hans Blix, Executive Chairman of UNMOVIC, 19 December 2002, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁵⁵ ‘Notes for Briefing the Security Council, Dr Hans Blix, Executive Chairman, UNMOVIC’, 9 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

8. The part that covers biological weapons is, in UNMOVIC's assessment, essentially a reorganized version of a previous declaration provided by Iraq to the United Nations Special Commission (UNSCOM) in September 1997. In the chemical weapons area, the basis of the current declaration was a declaration submitted by Iraq in 1996 with subsequent updates and explanations. In the missile field, the declaration follows the same format, and has largely the same content as Iraq's 1996 missile declaration and updates.

9. However, some sections contained new information. In the chemical weapons field, Iraq further explained its account of the material balance of precursors for chemical warfare agents, although it did not settle unresolved issues on this subject.

10. In the missile area, there is a good deal of information regarding Iraq's activities in the past few years. A series of new projects have been declared that are at various stages of development.

11. As there is little new substantive information in the weapons part of Iraq's declaration, or new supporting documentation, the issues that were identified as unresolved in the Amorim report (S/1999/356) and in UNSCOM's report (S/1999/94) remain. In most cases, the issues remain unresolved because there is a lack of supporting evidence. Such supporting evidence, in the form of documentation, testimony by individuals who took part in the activities, or physical evidence, would be required.⁵⁶

b. Chemical and biological weapons material and munitions

Since the inspection process resumed in November 2002 UNMOVIC has been seeking clarification of the status of Iraq's chemical and biological weapons programmes. A number of outstanding issues had been highlighted by UNSCOM and the Amorim Report in 1999 and it had been hoped that Iraq's declaration would shed more light on the existence or otherwise of materials for which Iraq had not adequately accounted.

Issues identified by UNSCOM and the Amorim panel included the status of 550 mustard gas shells declared lost after the Gulf War, declarations concerning the production and weaponization of the nerve agent VX, the declared unilateral destruction of biological warfare agents such as anthrax, and Iraq's declaration concerning the material balance of bacterial growth media.

As noted above, the Iraqi declaration offered little in the way of new information on these issues and provided no new evidence to support Iraq's claim to have unilaterally destroyed weapons material in 1991.

Some new developments have been reported since January 2003. UNMOVIC discovered 12 empty 122-mm chemical munitions at Al Ukhaidhir on 16 January 2003.⁵⁷ The Iraqi Government then established a commission of inquiry to search for similar munitions at all locations. Four other empty 122-mm munitions were found at Al Taji by the commission and a further two were discovered by UNMOVIC at the same location. Dr Blix declared in his *Quarterly Report* of 28 February 2003 that the first batch of munitions had been tagged pending their destruction, and that the second batch of six munitions would also be destroyed.⁵⁸

Iraqi officials insisted that the munitions had been overlooked from 1991 from a batch of around 2,000 that had been stored there during the Gulf War. Dr Blix acknowledged on 27 January 2003 that “this could be the case”, but warned that:

They could also be the tip of a submerged iceberg. The discovery of a few rockets does not resolve but rather points to the issue of several thousands of chemical rockets that are unaccounted for.⁵⁹

The mandate of the Iraqi commission of inquiry has since been expanded to include any remaining proscribed items. Dr Blix believes the commission is “potentially a mechanism of importance”, saying in his *Quarterly Report* that:

It should, indeed, do the job that inspectors should not have to do, namely, tracing any remaining stocks or pieces of proscribed items anywhere in Iraq. Although appointed around 20 January, it has so far reported only a few findings: four empty 122-mm chemical munitions and, recently, two BW aerial bombs and some associated components;

Two of the principal unresolved questions over Iraq’s unilateral destruction of chemical and biological weapons relate to anthrax and the nerve agent VX. Details on these two issues were provided by Dr Blix on 27 January 2003:

I have mentioned the issue of anthrax to the Council on previous occasions and I come back to it as it is an important one.

⁵⁶ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

⁵⁷ Initial reports had suggested that the bunker in which the munitions at Al Ukhaidhir were stored had been relatively new, leading Dr Blix to declare on 27 January that “the rockets must have been moved there in the past few years, at a time when Iraq should not have had such munitions”. He corrected that report on 9 February by saying that, in fact, the bunkers were not new.

⁵⁸ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, paras 40-41, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

⁵⁹ ‘The Security Council: An Update on Inspections’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

Iraq has declared that it produced about 8,500 litres of this biological warfare agent, which it states it unilaterally destroyed in the summer of 1991. Iraq has provided little evidence for this production and no convincing evidence for its destruction.

There are strong indications that Iraq produced more anthrax than it declared, and that at least some of this was retained after the declared destruction date. It might still exist. Either it should be found and be destroyed under UNMOVIC supervision or else convincing evidence should be produced to show that it was, indeed, destroyed in 1991. [...]

The nerve agent VX is one of the most toxic ever developed.

Iraq has declared that it only produced VX on a pilot scale, just a few tonnes and that the quality was poor and the product unstable. Consequently, it was said, that the agent was never weaponised. Iraq said that the small quantity of agent remaining after the Gulf War was unilaterally destroyed in the summer of 1991.

UNMOVIC, however, has information that conflicts with this account. There are indications that Iraq had worked on the problem of purity and stabilization and that more had been achieved than has been declared. Indeed, even one of the documents provided by Iraq indicates that the purity of the agent, at least in laboratory production, was higher than declared.

There are also indications that the agent was weaponised. In addition, there are questions to be answered concerning the fate of the VX precursor chemicals, which Iraq states were lost during bombing in the Gulf War or were unilaterally destroyed by Iraq.⁶⁰

Dr Blix indicated on 7 March 2003 that some progress on these two issues could be forthcoming:

There is a significant Iraqi effort underway to clarify a major source of uncertainty as to the quantities of biological and chemical weapons, which were unilaterally destroyed in 1991. A part of this effort concerns a disposal site, which was deemed too dangerous for full investigation in the past. It is now being re-excavated. To date, Iraq has unearthed eight complete bombs comprising two liquid-filled intact R-400 bombs and six other complete bombs. Bomb fragments were also found. Samples have been taken. The investigation of the destruction site could, in the best case, allow the determination of the number of bombs destroyed at that site. It should be followed by a serious and credible effort to determine the separate issue of how many R-400 type bombs were produced. In this, as in other matters, inspection work is moving on and may yield results.⁶¹

⁶⁰ 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁶¹ 'Oral introduction of the 12th quarterly report of UNMOVIC Executive Chairman Dr. Hans Blix', 7 March 2003, from <http://www.un.org/Depts/unmovic/SC7asdelivered.htm>

However, he cast doubt on Iraqi suggestions that technology could be used to determine accurately the amount of anthrax and VX nerve agent precursor that had been destroyed at the site.⁶²

More information on the action UNMOVIC believes Iraq could take to help resolve the remaining questions over the chemical and biological programmes can be found in Sections III and IV of the UNMOVIC working document.⁶³

The British and US governments have alleged that Iraq is engaged in an elaborate system of deception and that it has hidden prohibited items on mobile units or underground. Dr Blix acknowledged these two areas of concern in his briefing of 7 March 2003:

intelligence authorities have claimed that weapons of mass destruction are moved around Iraq by trucks and, in particular, that there are mobile production units for biological weapons. The Iraqi side states that such activities do not exist. Several inspections have taken place at declared and undeclared sites in relation to mobile production facilities. Food testing mobile laboratories and mobile workshops have been seen, as well as large containers with seed processing equipment. No evidence of proscribed activities have so far been found. Iraq is expected to assist in the development of credible ways to conduct random checks of ground transportation. [...]

There have been reports, denied from the Iraqi side, that proscribed activities are conducted underground. Iraq should provide information on any underground structure suitable for the production or storage of WMD. During inspections of declared or undeclared facilities, inspection teams have examined building structures for any possible underground facilities. In addition, ground penetrating radar equipment was used in several specific locations. No underground facilities for chemical or biological production or storage were found so far.

I should add that, both for the monitoring of ground transportation and for the inspection of underground facilities, we would need to increase our staff in Iraq. I am not talking about a doubling of the staff. I would rather have twice the amount of high quality information about sites to inspect than twice the number of expert inspectors to send.⁶⁴

⁶² 'Oral introduction of the 12th quarterly report of UNMOVIC Executive Chairman Dr. Hans Blix', 7 March 2003, from <http://www.un.org/Depts/unmovic/SC7asdelivered.htm>

⁶³ *Unresolved Disarmament Issues: Iraq's proscribed weapons programmes*, UNMOVIC working document, 6 March 2003, pp.67-131, from <http://www.un.org/Depts/unmovic/documents/cluster6mar.pdf>, available in Library as Dep 03/755.

⁶⁴ 'Oral introduction of the 12th quarterly report of UNMOVIC Executive Chairman Dr. Hans Blix', 7 March 2003, from <http://www.un.org/Depts/unmovic/SC7asdelivered.htm>

In addition to the task of establishing the true extent of Iraq's former and existing weapons programmes UNMOVIC is engaged in a process of reviving elements of the inspections process that were broken off in late 1998. Dr Blix reported on 28 February 2003 that UNMOVIC had identified and started the destruction of approximately 50 litres of mustard that had been placed under UNSCOM supervision and seal at the Muthanna site in 1998.⁶⁵

c. Access to documents

Certain requested documents have been provided to UNMOVIC and the IAEA, including the so-called "Air force document," which had been found by an UNSCOM inspector in 1998 and taken from her by Iraqi minders. The document gives an account of the expenditure of bombs, including chemical munitions, by Iraq during the conflict with Iran. However, the document appears not to have resolved the outstanding questions over unaccounted chemical munitions. Dr Blix noted on 27 January 2003 that:

The document indicates that 13,000 chemical bombs were dropped by the Iraqi Air Force between 1983 and 1988, while Iraq has declared that 19,500 bombs were consumed during this period. Thus, there is a discrepancy of 6,500 bombs. The amount of chemical agent in these bombs would be in the order of about 1,000 tonnes. In the absence of evidence to the contrary, we must assume that these quantities are now unaccounted for.⁶⁶

A second Iraqi commission has been established to search for relevant documents. Dr Blix noted in his *Quarterly Report* of 28 February 2003 that the commission could be of importance, "as lack of documentation or other evidence is the most common reason why quantities of items are deemed unaccounted for."⁶⁷

Following the discovery in January of 3,000 pages of documents on uranium enrichment at the private home of an Iraqi scientist, Dr Blix has reiterated a longstanding concern that

documents might be distributed to the homes of private individuals. This interpretation is refuted by the Iraqi side, which claims that research staff sometimes may bring home papers from their work places. On our side, we cannot help but think that the case might not be isolated and that such placements of documents is deliberate to make discovery difficult and to seek to shield documents by placing them in private homes.⁶⁸

⁶⁵ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para.15, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

⁶⁶ 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁶⁷ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para 70, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

⁶⁸ 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

He warned that “any further sign of the concealment of documents would be serious”.⁶⁹

d. Status of the nuclear weapons programmes

Prior to the resumption of the UN inspections process in November 2002 the IAEA highlighted a number of areas of concern regarding possible efforts by Iraq to restart its nuclear weapons programme.

Documents passed to the IAEA on an alleged agreement between Niger and Iraq for the sale of uranium between 1999 and 2001 have been investigated by the IAEA, which has concluded that the documents were not in fact authentic and that these specific allegations were unfounded.⁷⁰

The UK and the USA had expressed concern over Iraq’s attempts to obtain large quantities of high-strength aluminium tubes, in contravention of the UN embargo, fearing that they could be used in a revived uranium enrichment programme using centrifuge technology. In his statement to the Security Council on 7 March 2003 Dr El-Baradei said:

Based on available evidence, the IAEA team has concluded that Iraq’s efforts to import these aluminium tubes were not likely to have been related to the manufacture of centrifuges and, moreover, that it was highly unlikely that Iraq could have achieved the considerable re-design needed to use them in a revived centrifuge programme. However, this issue will continue to be scrutinized and investigated.⁷¹

Dr El-Baradei also addressed concerns relating to Iraqi efforts to import high-strength permanent magnets, possibly for use in centrifuge enrichment:

IAEA experts [...] have verified that none of the magnets that Iraq has declared could be used directly for a centrifuge magnetic bearing.⁷²

⁶⁹ ‘The Security Council: An Update on Inspections’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁷⁰ ‘The Status of Nuclear Inspections in Iraq: An Update’, by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

⁷¹ ‘The Status of Nuclear Inspections in Iraq: An Update’, by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

⁷² ‘The Status of Nuclear Inspections in Iraq: An Update’, by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

However, he noted that:

many of Iraq's efforts to procure commodities and products, including magnets and aluminium tubes, have been conducted in contravention of sanctions controls specified under Resolution 661 and other relevant resolutions.⁷³

In his report to the Security Council of 7 March 2003 Dr El-Baradei pointed to the deterioration in Iraq's industrial capacity at the majority of sites over the past four years as a factor that would inhibit Iraq's capability to resume a nuclear weapons programme. He suggested that this deterioration had been caused by the departure of foreign support since the 1980s, the departure of skilled Iraqi personnel during the 1990s, and the lack of consistent maintenance by Iraq of sophisticated equipment.⁷⁴

With regard to the overall status of Iraq's nuclear programmes, he declared that:

After three months of intrusive inspections, we have to date found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq.⁷⁵

He also noted that:

in the past three weeks, possibly as a result of the ever-increasing pressure by the international community, Iraq has been forthcoming in its cooperation, particularly with regard to the conduct of private interviews and in making available evidence [...]. I do hope that Iraq will continue to expand the scope and accelerate the pace of its co-operation.⁷⁶

e. Ballistic missiles

Attention has focused on three types of surface-to-surface ballistic missiles that could exceed the 150-kilometre range limit imposed under Resolution 687.

⁷³ 'The Status of Nuclear Inspections in Iraq: An Update', by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from

<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

⁷⁴ 'The Status of Nuclear Inspections in Iraq: An Update', by the IAEA Director General, Dr Mohamed El-Baradei, 7 March 2003, from

<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

⁷⁵ 'The Status of Nuclear Inspections in Iraq: An Update', by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from:

<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

⁷⁶ 'The Status of Nuclear Inspections in Iraq: An Update', by IAEA Director General Dr. Mohamed El-Baradei, 7 March 2003, from:

<http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

Dr Blix reported on 27 January 2003 that there remained

significant questions as to whether Iraq retained SCUD-type missiles after the Gulf War. Iraq declared the consumption of a number of SCUD missiles as targets in the development of an anti-ballistic missile defence system during the 1980s. Yet no technical information has been produced about that programme or data on the consumption of the missiles.⁷⁷

More information on the action UNMOVIC believes Iraq could take to help resolve the remaining questions over the SCUD-type missiles can be found in Section I A of the UNMOVIC working document.⁷⁸

In its declaration of 7 December 2002 Iraq declared the development of two other types of surface-to-surface ballistic missiles that could exceed the range limit.

The first missile programme, the Al Samoud 2, involves a liquid-fuelled missile and has been tested by Iraq to a maximum range of 183 kilometres. The second programme, the Al Fatah, involves a solid propellant missile that has been tested to 161 kilometres.

Dr Blix declared in his update of 27 January 2003 that: “These missiles might well represent *prima facie* cases of proscribed systems.”⁷⁹ After further investigation by both UNMOVIC and a panel of international experts it was concluded that all variants of the Al Samoud 2 were “inherently capable of ranges of more than 150 kilometres and were therefore proscribed weapons systems.”⁸⁰ In addition, the missile’s diameter was found to exceed the limit of less than 600 mm. Iraq was also found to have imported 380 rocket engines, in violation of sanctions, for possible use on the Al Samoud 2. Consequently, Dr Blix wrote to the Iraqi Government on 21 February 2003 to set a deadline of 1 March 2003 for commencing the destruction of the Al Samoud 2 inventory.

In an interview with CBS television on 23 February 2003 President Saddam Hussein denied that Iraq was in possession of any missiles that exceeded the range set by Resolution 687, prompting speculation that Iraq was intending to reject the deadline for the Al Samouds’ destruction.⁸¹

⁷⁷ ‘The Security Council: An Update on Inspections’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁷⁸ *Unresolved Disarmament Issues: Iraq’s proscribed weapons programmes*, UNMOVIC working document, 6 March 2003, pp 21-26, from <http://www.un.org/Depts/unmovic/documents/cluster6mar.pdf>, available in Library as Dep 03/755.

⁷⁹ ‘The Security Council: An Update on Inspections’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁸⁰ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para 30, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

⁸¹ ‘Saddam defiant on missiles’, CBSNews.com, 24 February 2003, at <http://www.cbwnews.com/stories/2003/02/21/iraq/printable541427.shtml>

Nonetheless, Iraq conveyed its acceptance of the UNMOVIC deadline and destruction work began, as planned, on 1 March 2003. By 7 March 2003 Dr Blix reported that 23 Al Samoud missiles, including 4 training missiles, 2 combat warheads, 1 launcher and 5 engines had been destroyed under UNMOVIC supervision.⁸² The process of dismantlement continued on 8 March 2003 after a day-long pause. Two reconstituted casting chambers used in the production of solid propellant missiles were also destroyed and the remnants melted or encased in concrete.

Dr Blix welcomed the destruction of the missiles, saying it constituted

a substantial measure of disarmament – indeed, the first since the middle of the 1990s. We are not watching the breaking of toothpicks. Lethal weapons are being destroyed.⁸³

On 5 March 2003 US Secretary of State Colin Powell said the US was in possession of recent intelligence showing that Iraq intended to declare and destroy “only a portion of its al-Samoud inventory” and was already producing more missiles to replace those that had been destroyed.⁸⁴

With regard to the Al Fatah missile, Dr Blix reported on 27 January 2003 and again on 7 March 2003 that further investigation would be required to determine the legality of the programme.⁸⁵

f. Interviews with Iraqi scientists

Under paragraph 5 of Resolution 1441 UNMOVIC and the IAEA have the right, at their sole discretion, to conduct interviews with Iraqi officials and personnel working in areas that could be related to proscribed weapons programmes. Such interviews may take place with or without the presence of observers from the Iraqi government, both inside and outside Iraq.

In his *Quarterly Report* of 28 February 2003 Dr Blix declared that UNMOVIC had requested interviews with 28 individuals in Baghdad without the presence of Iraqi government observers:

At first, none of them agreed. At the meeting on 19-20 January, the Iraqi side committed itself to “encourage” persons to accept interviews “in private”. Immediately prior to the next round of discussions, Iraq informed UNMOVIC that

⁸² ‘Oral introduction of the 12th quarterly report of UNMOVIC Executive Chairman Dr. Hans Blix’, 7 March 2003, from <http://www.un.org/Depts/unmovic/SC7asdelivered.htm>

⁸³ ‘The Security Council: An Update on Inspections’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁸⁴ BBC News web site at <http://news.bbc.co.uk>, 6 March 2003

⁸⁵ ‘Oral introduction of the 12th quarterly report of UNMOVIC Executive Chairman Dr. Hans Blix’, 7 March 2003, from <http://www.un.org/Depts/unmovic/SC7asdelivered.htm>

three candidates, who had previously declined to be interviewed under UNMOVIC's terms, had changed their minds.⁸⁶

He reported on 7 March 2003 that, since UNMOVIC started requesting interviews, 38 individuals had been asked for private interviews, of which 10 had accepted under the inspectors' terms, seven of these during the previous week.

Dr El-Baradei indicated that there were still concerns that interviews were "being listened to by other Iraqi parties", adding that "interviews outside Iraq may be the best way to ensure that interviews are free. We intend therefore, to request such interviews shortly."⁸⁷

British and US sources allege that Iraqi intelligence and security officials are posing as scientists in an attempt to provide disinformation and to uncover the extent of the inspectors' knowledge of Iraq's weapons programmes. The US Deputy Defense Secretary, Paul Wolfowitz, said on 23 January 2003 that Iraq was conducting a wide-ranging campaign of deception to undermine the work of UNMOVIC and the IAEA, including threatening to kill Iraqi scientists and their families if they cooperated during interviews with inspectors.⁸⁸

g. Aerial operations

Iraq initially refused to allow UNMOVIC to use aerial surveillance, arguing that it could not guarantee the safety of such operations. After talks on 8 and 9 February 2003 in Baghdad the Iraqi government formally accepted UNMOVIC's use of such aircraft.

The first flight by a U-2 aircraft, operated by the United States on behalf of UNMOVIC, took place on 17 February 2003. A Mirage IV aircraft, operated by France on behalf of UNMOVIC, undertook its first mission on 26 February 2003. Dr Blix declared in his *Quarterly Report* of 28 February 2003 that discussions were under way on the use of a night-vision-capable AN-30 aircraft from Russia and unmanned aerial vehicles (UAVs) from Germany.⁸⁹

⁸⁶ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para 27, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

⁸⁷ 'The Status of Nuclear Inspections in Iraq: An Update', by the IAEA Director General, Dr Mohamed El-Baradei, 7 March 2003, from <http://www.iaea.org/worldatom/Press/Statements/2003/ebsp2003n006.shtml>

⁸⁸ BBC News web site, 24 January 2003, at: http://news.bbc.co.uk/1/hi/world/middle_east/2690163.stm

⁸⁹ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para 36, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

h. UNMOVIC and IAEA cooperation with UN member states

Dr Blix has acknowledged the role that UN member states and their national intelligence agencies can play in assisting UNMOVIC and the IAEA, commenting that:

with the closed society in Iraq of today and the history of inspections there, other sources of information, such as defectors and government intelligence agents are required to aid the inspection process.⁹⁰

The British Government says it has shared “a large amount of information with the UN inspection teams by various means, including paper documentation and through personal briefings.”⁹¹ Significant amounts of US intelligence have also reportedly been passed to the inspectors. A further source has been the Serbian and Yugoslavian governments in Belgrade. During the Milosevic era Yugoslav defence officials and firms violated UN sanctions by providing extensive assistance to Iraq, a practice that continued illicitly for a period after the downfall of Mr Milosevic, apparently without the knowledge of the new authorities in Belgrade. An investigation into the affair resulted in the handover to the USA of intelligence information on the nature and extent of Yugoslav-Iraqi ties.⁹²

In his briefing to the Security Council on 14 February 2003 Dr Blix declared that:

Intelligence information has been useful for UNMOVIC. In one case, it led us to a private home where documents mainly relating to laser enrichment of uranium were found. In other cases, intelligence has led to sites where no proscribed items were found. Even in such cases, however, inspection of these sites were useful in proving the absence of such items and in some cases the presence of other items - conventional munitions. It showed that conventional arms are being moved around the country and that movements are not necessarily related to weapons of mass destruction.⁹³

With regard to suggestions by Mr Powell in his presentation to the Security Council on 5 February 2003 that satellite imagery had shown Iraqi trucks engaged in chemical decontamination of a munitions depot, Dr Blix commented:

The reported movement of munitions at the site could just as easily have been a routine activity as a movement of proscribed munitions in anticipation of imminent inspection.⁹⁴

⁹⁰ ‘Briefing of the Security Council’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 14 February 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁹¹ HC Deb 13 February 2003, c945w

⁹² ‘Serb secrets aid UN in Iraq’, *IWPR Balkan Crisis Report*, No.388, 6 December 2002

⁹³ ‘Briefing of the Security Council’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 14 February 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁹⁴ ‘Briefing of the Security Council’, by Dr Hans Blix, Executive Chairman of UNMOVIC, 14 February 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

Iraq has suggested on a number of occasions that inspectors are conducting espionage against Iraq, a claim that has been strongly denied by UNMOVIC and the IAEA.

i. General compliance issues

President Bush made the following comments on Iraqi compliance on 8 March:

Unfortunately, it is clear that Saddam Hussein is still violating the demands of the United Nations by refusing to disarm.

Iraqi's dictator has made a public show of producing and destroying a few prohibited missiles. Yet, our intelligence shows that even as he is destroying these few missiles, he has ordered the continued production of the very same type of missiles. Iraqi operatives continue to play a shell game with inspectors, moving suspected prohibited materials to different locations every 12 to 24 hours. And Iraqi weapons scientists continue to be threatened with harm should they cooperate in interviews with U.N. inspectors.

These are not the actions of a regime that is disarming. These are the actions of a regime engaged in a willful charade. If the Iraqi regime were disarming, we would know it -- because we would see it; Iraq's weapons would be presented to inspectors and destroyed. Inspection teams do not need more time, or more personnel -- all they need is what they have never received, the full cooperation of the Iraqi regime. The only acceptable outcome is the outcome already demanded by a unanimous vote of the Security Council: total disarmament.⁹⁵

President Saddam Hussein and his Government have insisted repeatedly that Iraq does not possess weapons of mass destruction and that it is in full compliance with all UN Security Council demands. In an interview in early February 2003 with the British former Member of Parliament and peace campaigner, Tony Benn, the Iraqi leader insisted:

There is only one truth and therefore I tell you as I have said on many occasions before that Iraq has no weapons of mass destruction whatsoever. [...] The question is does the other side want to get to the same conclusion or are they looking for a pretext for aggression?⁹⁶

Dr Blix and Dr El-Baradei have both reported that, in most cases, Iraqi officials have provided prompt access to facilities, meaning that:

⁹⁵ *Radio address of the President to the Nation*, White House press release, 8 March 2003, at <http://www.whitehouse.gov/news/releases/2003/03/20030308-1.html>

⁹⁶ 'Full text of Benn interview with Saddam', BBC News web site, 4 February 2003, at: http://news.bbc.co.uk/1/hi/uk_politics/2726831.stm

there have thus been no sanctuaries in space. Nor have there been any sanctuaries in time, as inspections have taken place on holidays as on weekdays.⁹⁷

However, Dr Blix has stressed on numerous occasions that UNMOVIC and the IAEA need evidence to prove that Iraq is no longer in possession of proscribed weapons programmes. In his briefing of 9 January 2003 to the Security Council, he declared:

in order to create confidence that it has no more weapons of mass destruction or proscribed activities relating to such weapons, Iraq must present credible evidence. It cannot just maintain that it must be deemed to be without proscribed items so long as there is no evidence to the contrary. A person accused of the illegal possession of weapons may, indeed, be acquitted for lack of evidence, but if a state, which has used such weapons, is to create confidence that it has no longer any prohibited weapons, it will need to present solid evidence or present remaining items for elimination under supervision. Evidence can be of the most varied kind: budgets, letters of credit, production records, destruction records, transportation notes, or interviews by knowledgeable persons, who are not subjected to intimidation. [...]

If evidence is not presented, which gives a high degree of assurance, there is no way the inspectors can close a file by simply invoking a precept that Iraq cannot prove the negative. In such cases, regrettably, they must conclude, as they have done in the past, that the absence of the particular item is not assured.⁹⁸

Dr Blix suggested during his briefing of 27 January 2003 that:

Iraq appears not to have come to a genuine acceptance - not even today - of the disarmament, which was demanded of it and which it needs to carry out to win the confidence of the world and to live in peace.⁹⁹

He has repeatedly commented on the need for cooperation by Iraq on both process and substance, a distinction on which he elaborated during a press conference in Baghdad on 9 February 2003:

Iraq has been helpful on process. We distinguish between cooperation on process and cooperation on substance. We have noted repeatedly that access has been given to all sites we've wanted to see and this has been prompt in all cases. Not only not just opening doors but also answering, a lot of explaining etc at sites. The general statement would be that cooperation on process has been good.

⁹⁷ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para 68, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

⁹⁸ 'Notes for Briefing the Security Council, Dr Hans Blix, Executive Chairman, UNMOVIC', 9 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

⁹⁹ 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

Cooperation on substance - the resolution of remaining disarmament issues in my view has been less good.¹⁰⁰

He stressed during his briefing to the Security Council on 27 January 2003 that:

It is not enough to open doors. Inspection is not a game of "catch as catch can". Rather, as I noted, it is a process of verification for the purpose of creating confidence. It is not built upon the premise of trust. Rather, it is designed to lead to trust, if there is both openness to the inspectors and action to present them with items to destroy or credible evidence about the absence of any such items.¹⁰¹

Dr El-Baradei made a similar point on 9 February 2003 when he said that the inspectors are not looking for a "smoking gun", or conclusive proof that Iraq is still in possession of undeclared, proscribed weapons:

What we are looking for is a sustained pattern of cooperation on the part of Iraq, by which we can credibly report to the Security Council that there are no weapons of mass destruction in Iraq.¹⁰²

While he noted and welcomed the initiatives undertaken by Iraq during February and March, Dr Blix also indicated that such initiatives could have come earlier. In his *Quarterly Report* of 28 February 2003 he concluded with the following comments on the pace of Iraqi cooperation with the inspection process:

Under resolution 1284 (1999), Iraq is to provide "cooperation in all respects" to UNMOVIC and the IAEA. While the objective of the cooperation under this resolution, as under resolution 1441 (2002), is evidently the attainment, without delay, of verified disarmament, it is the cooperation that must be immediate, unconditional and active. Without the required cooperation, disarmament and its verification will be problematic. However, even with the requisite cooperation it will inevitably require some time.

73. During the period of time covered by the present report, Iraq could have made greater efforts to find any remaining proscribed items or provide credible evidence showing the absence of such items. The results in terms of disarmament have been very limited so far. The destruction of missiles, which is an important operation, has not yet begun. Iraq could have made full use of the declaration, which was submitted on 7 December. It is hard to understand why a number of the measures, which are now being taken, could not have been initiated earlier. If they had been taken earlier, they might have borne fruit by now. It is only by the middle of January and thereafter

¹⁰⁰ Transcript of press conference with Dr Blix and Dr El-Baradei on 9 February 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

¹⁰¹ 'The Security Council: An Update on Inspections', by Dr Hans Blix, Executive Chairman of UNMOVIC, 27 January 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

¹⁰² Transcript of press conference with Dr Blix and Dr El-Baradei on 9 February 2003, from <http://www.un.org/Depts/unmovic/recent%20items.html>

that Iraq has taken a number of steps, which have the potential of resulting either in the presentation for destruction of stocks or items that are proscribed or the presentation of relevant evidence solving long-standing unresolved disarmament issues.¹⁰³

On the question of how long the inspections process might last, Dr Blix commented on 7 March 2003 that:

While cooperation can and is to be immediate, disarmament and at any rate the verification of it cannot be instant. Even with a proactive Iraqi attitude, induced by continued outside pressure, it would still take some time to verify sites and items, analyse documents, interview relevant persons, and draw conclusions. It would not take years, nor weeks, but months. Neither governments nor inspectors would want disarmament inspection to go on forever. However, it must be remembered that in accordance with the governing resolutions, a sustained inspection and monitoring system is to remain in place after verified disarmament to give confidence and to strike an alarm, if signs were seen of the revival of any proscribed weapons programmes.¹⁰⁴

In an interview with the *BBC Radio 4* “Today” programme on 8 March 2003 Dr El-Baradei said that the ball was very much in Iraq’s court and that: “I hope Iraq understand that they need to have a dramatic change in their attitude.” He also said that a war would have “horrible consequences everywhere, not only in Iraq but in the entire region, globally even.”

With regard to the question of how to proceed with the inspection process, UNMOVIC has sought to identify 29 clusters of disarmament issues in the working document mentioned by Dr Blix in his briefing on 7 March 2003. Dr Blix has summarised the reasons behind the release of the document as follows:

In this working document, which may still be adjusted in the light of new information, members will get a more up-to-date review of the outstanding issues than in the documents of 1999, which members [of the Security Council] usually refer to. Each cluster in the working document ends with a number of points indicating what Iraq could do to solve the issue. Hence, Iraq’s cooperation could be measured against the successful resolution of issues.

I should note that the working document contains much information and discussion about the issues which existed at the end of 1998 – including information which has come to light after 1998. It contains much less information and discussion about the period after 1998, primarily because of paucity of information. Nevertheless, intelligence agencies have expressed the view that proscribed programmes have

¹⁰³ *Twelfth Quarterly Report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)*, S/2003/232, 28 February 2003, para 36, from <http://www.un.org/Depts/unmovic/documents/2003-232.pdf>

¹⁰⁴ ‘Oral introduction of the 12th quarterly report of UNMOVIC Executive Chairman Dr. Hans Blix’, 7 March 2003, from <http://www.un.org/Depts/unmovic/SC7asdelivered.htm>

continued or restarted in this period. It is further contended that proscribed programmes and items are located in underground facilities, as I mentioned, and that proscribed items are being moved around Iraq. The working document contains some suggestions on how these concerns may be tackled.¹⁰⁵

US officials questioned why certain issues contained in the working document had not been mentioned by Dr Blix in his presentation to the Council on 7 March 2003. In particular, the discovery of an unmanned drone aircraft was seen in Washington as further proof that Iraq was failing to comply. The US Permanent Representative to the United Nations, John Negroponte, said:

We think it is a matter of serious concern. The fact that this was not initially declared is another example of Iraq's failure to have told the truth with respect to its holdings when it submitted its declaration.¹⁰⁶

Dr Blix said the issue was being investigated, but stressed that it did not constitute what some observers have referred to as a “smoking gun.” He said the drone should have been included in Iraq’s declaration of 7 December 2002, but said that it would constitute a violation only if it exceeded the 93-mile limit on range or if it were linked in some way to the delivery of chemical or biological weapons.¹⁰⁷

C. New Security Council resolution

1. Draft resolution of 24 February 2003

On 24 February 2003 the UK, the USA and Spain introduced to the Security Council a draft resolution on Iraq. It was reproduced by the BBC as follows:

The Security Council:

Recalling all its previous relevant resolutions, in particular its resolutions 661 (1990) of August 1990, 678 (1990) of 29 November 1990, 686 (1991) of 2 March 1991, 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999 and 1441 (2002) of 8 November 2002, and all the relevant statements of its president,

"Recalling that in its Resolution 687 (1991) the Council declared that a ceasefire would be based on acceptance by Iraq of the provisions of that resolution, including the obligations on Iraq contained therein,

¹⁰⁵ *Unresolved Disarmament Issues: Iraq’s proscribed weapons programmes*, UNMOVIC working document, 6 March 2003, available online at <http://www.un.org/Depts/unmovic/documents/cluster6mar.pdf> . Available in Library as Dep 03/755.

¹⁰⁶ *Associated Press*, 10 March 2003

¹⁰⁷ *Associated Press*, 10 March 2003

"Recalling that its Resolution 1441 (2002), while acknowledging that Iraq has been and remains in material breach of its obligations, afforded Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions,

"Recalling that in its Resolution 1441 (2002) the Council decided that false statements or omissions in the declaration submitted by Iraq pursuant to that resolution and failure by Iraq at any time to comply with, and to cooperate fully in the implementation of that resolution would constitute a further material breach,

"Noting, in that context, that in its Resolution 1441 (2002), the Council recalled that it has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations,

"Noting that Iraq has submitted a declaration pursuant to its Resolution 1441 (2002) containing false statements and omissions and has failed to comply with, and cooperate fully in the implementation of that resolution,

"Reaffirming the commitment of all member states to the sovereignty and territorial integrity of Iraq, Kuwait and the neighbouring states,

"Mindful of its primary responsibility under the charter of the United Nations for the maintenance of international peace and security,

"Recognising the threat of Iraq's non-compliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security,

"Determined to secure full compliance with its decisions and to restore international peace and security in the area,

"Acting under Chapter VII of the charter of the United Nations,

"Decides that Iraq has failed to take the final opportunity afforded to it in Resolution 1441 (2002),

"Decides to remain seized of the matter."¹⁰⁸

A minutely different version appeared on the FCO website the next day. In the third paragraph of the preamble, the version quoted above has "Recalling that its Resolution 1441 (2002), while *acknowledging* that Iraq has been and remains in material breach of its obligations ...," whereas the version on the FCO website has "while *deciding* that Iraq ..." (emphases added). This is stronger language in UN terms.

¹⁰⁸ BBC on-line, 24 February 2003, at <http://news.bbc.co.uk/1/hi/world/europe/2795747.stm>.

The main operative paragraph in the quoted version says that the Council “decides that Iraq has failed to take the final opportunity afforded to it *in* Resolution 1441 (2002),” whereas the FCO website version has “the final opportunity afforded to it *by* resolution 1441 (2002).”

There are also some smaller points which appear to be typographical.¹⁰⁹

France, Russia and Germany expressed their dissatisfaction with the draft. Doubts were raised as to whether it would command the necessary support to be adopted by the Security Council, and whether it would provoke a veto by one of the permanent members (see below). It has now been withdrawn.

2. Memorandum of France, Russia and Germany

France and Russia are permanent members of the Security Council, like the USA and the UK, and Germany is currently a non-permanent member. France, Russia and Germany submitted a memorandum on Iraq to the Security Council, also on 24 February 2003. This is not a draft resolution and will not be voted on unless it should be submitted in that form. It was reproduced by the BBC thus:

1. Full and effective disarmament in accordance with the relevant UN Security Council resolutions remains the imperative objective of the international community.

Our priority should be to achieve this peacefully through the inspection regime.

The military option should only be a last resort.

So far, the conditions for using force against Iraq are not fulfilled:

While suspicions remain, no evidence has been given that Iraq still possesses weapons of mass destruction or capabilities in this field:

- Inspections have just reached their full pace; they are functioning without hindrance; they have already produced results;

- While not yet fully satisfactory, Iraqi co-operation is improving, as mentioned by the chief inspectors in their last report.

2. The Security Council must step up its efforts to give a real chance to the peaceful settlement of the crisis.

In this context, the following conditions are of paramount importance:

¹⁰⁹ The two versions have different capitalisation, and the pre-penultimate preambular paragraph of the media version appears to contain a small grammatical error in the form of an intrusive “of,” which is corrected in the FCO website version.

- The unity of the Security Council must be preserved.

- The pressure that is put on Iraq must be increased.

3. These conditions can be met, and our common objective - the verifiable disarmament of Iraq - can be reached through the implementation of the following proposals:

A) Clear program of action for the inspections:

According to resolution 1284, the UN Monitoring and Verification Commission (Unmovic) and the International Atomic Energy Agency (IAEA) have to submit their program of work for approval of the Council.

The presentation of this program of work should be speeded up, in particular the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions.

The key remaining tasks shall be defined according to their degree of priority. What is required of Iraq for implementation of each task shall be clearly defined and precise.

Such a clear identification of tasks to be completed will oblige Iraq to co-operate more actively.

It will also provide a clear means for the Council to assess the co-operation of Iraq.

B) Reinforced inspections:

Resolution 1441 established an intrusive and reinforced system of inspections.

In this regard, all possibilities have not yet been explored.

Further measures to strengthen inspections could include, as exemplified in the French non-paper previously communicated to the chief inspectors, the following: - increase and diversification of staff an expertise

- establishment of mobile units designed in particular to check on trucks

- completion of the new system of aerial surveillance

- systematic processing of data provided by the newly established system of aerial surveillance.

C) Timelines for inspections and assessment:

Within the framework of resolution 1284 and 1441, the implementation of the program of work shall be sequenced according to a realistic and rigorous timeline:

- the inspectors should be asked to submit the program of work outlining the key substantive tasks for Iraq to accomplish, including missiles/delivery systems, chemical weapons/precursors, biological weapons/material and nuclear weapons in the context of the report due March 1.
- the chief inspectors shall report to the council on implementation of the program of work on a regular basis (every 3 weeks).
- a report of Unmovic and IAEA assessing the progress made in completing the tasks shall be submitted by the inspectors 120 days after the adoption of the program of work according to resolution 1284.
- at any time, according to paragraph 11 of resolution 1441, the executive chairman of Unmovic and the director general of the IAEA shall report immediately to the Council any interference by Iraq with inspections activities as well as failure by Iraq to comply with its disarmament obligations;
- at any time, additional meetings of the Security Council could be decided, including at high level.

To render possible a peaceful solution inspections should be given the necessary time and resources.

However, they can not continue indefinitely. Iraq must disarm. Its full and active co-operation is necessary.

This must include the provision of all the additional and specific information on issues raised by the inspectors as well as compliance with their requests, as expressed in particular in Mr Blix' letter of February 21 2003.

The combination of a clear program of action, reinforced inspections, a clear timeline and the military build-up provide a realistic means to reunite the Security Council and to exert maximum pressure on Iraq.¹¹⁰

3. Draft resolution of 7 March 2003

On 7 March 2003 the UK, the USA and Spain introduced to the Security Council another draft resolution on Iraq. It was reproduced by the BBC as follows:

¹¹⁰ <http://news.bbc.co.uk/1/hi/world/europe/2795917.stm>.

Recalling all its previous relevant resolutions, in particular its resolutions 661 (1990) of August 1990, 678 (1990) of 29 November 1990, 686 (1991) of 2 March 1991, 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999 and 1441 (2002) of 8 November 2002, and all the relevant statements of its president,

Recalling that in its resolution 687 (1991) the council declared that a ceasefire would be based on acceptance by Iraq of the provisions of that resolution, including the obligations on Iraq contained therein,

Recalling that its resolution 1441 (2002), while deciding that Iraq has been and remains in material breach of its obligations, afforded Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions,

Recalling that in its resolution 1441 (2002) the council decided that false statements or omissions in the declaration submitted by Iraq pursuant to that resolution and failure by Iraq at any time to comply with, and to co-operate fully in the implementation, of that resolution, would constitute a further material breach,

Noting, in that context, that in its resolution 1441 (2002), the council recalled that it has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations,

Noting that Iraq has submitted a declaration pursuant to its resolution 1441 (2002) containing false statements and omissions and has failed to comply with, and cooperate fully in the implementation of that resolution,

Reaffirming the commitment of all member states to the sovereignty and territorial integrity of Iraq, Kuwait and the neighbouring states,

Mindful of its primary responsibility under the charter of the United Nations for the maintenance of international peace and security,

Recognising the threat of Iraq's non-compliance with council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security,

Determined to secure full compliance with its decisions and to restore international peace and security in the area,

Acting under Chapter VII of the charter of the United Nations,

- 1 Reaffirms the need for full implementation of resolution 1441 (2002);
- 2 Calls on Iraq immediately to take the decisions necessary in the interests of its people and the region;

- 3 Decides that Iraq will have failed to take the final opportunity afforded by resolution 1441 (2002) unless, on or before 17 March 2003 the council concludes that Iraq has demonstrated full, unconditional, immediate and active cooperation in accordance with its disarmament obligations under resolution 1441 (2002) and previous relevant resolutions, and is yielding possession to UNMOVIC and the IAEA of all weapons, weapon delivery and support systems and structures, prohibited by resolution 687 (1991) and all subsequent relevant resolutions, and all information regarding prior destruction of such items.
- 4 Decides to remain seized of the matter.¹¹¹

It falls to the co-sponsors to introduce a draft resolution for voting on a day of their choosing, and the President puts it to the vote in the course of the relevant sitting of the Security Council.

In his statement to the House on 10 March 2003 Mr Straw said that negotiations were continuing over the details of this draft, and that “we are examining whether a list of defined tests for Iraqi compliance would be useful in helping the Security Council to come to a judgement.”¹¹²

The text of the tests as reported by the BBC was as follows:

The United Kingdom would be ready to accept that Iraq has begun to demonstrate full, unconditional, immediate and active co-operation in accordance with its disarmament obligations under resolution 1441 (2002) if, by (date is subject to negotiation), Iraq has satisfactorily completed the following:

1. Statement by President Saddam Hussein

President Saddam Hussein must make a public statement in Arabic, broadcast on television and radio in Iraq and in the government controlled media, that:

Iraq has, in the past, sought to conceal its weapons of mass destruction and other proscribed activities, but has now taken a strategic decision not to produce or retain weapons of mass destruction or other proscribed items or related documentation and data;

Iraq will without delay yield to Unmovic, the UN Monitoring, Verification and Inspection Commission, and IAEA, the International Atomic Energy Agency, for destruction all remaining prohibited weapons, proscribed items and related documentation and data;

Iraq will fully co-operate with Unmovic and IAEA in immediately addressing and resolving all outstanding questions;

It is the duty of all Iraqi Government personnel and citizens immediately:

To cease any proscribed activity,

To hand over any proscribed items or documentation and data about such items in their possession to Unmovic and IAEA,

To volunteer information on previous and ongoing activities, and to provide to Unmovic and IAEA all co-operation, including by taking part in interviews outside Iraq;

To disobey any orders received to the contrary;

¹¹¹ *BBC on-line*, 7 March 2003, at http://news.bbc.co.uk/1/hi/world/middle_east/2831607.stm.

¹¹² HC Deb 10 March 2003, c22.

Failure to fulfil this duty would be considered a serious crime by the government. The government would, by (date is subject to negotiation) enact comprehensive legislation to ban all government personnel and citizens from supporting or engaging in proscribed activities, from retaining proscribed items, related documentation and data, and obliging all citizens to comply with all requests from Unmovic and IAEA.

2. Interviews outside Iraq

At least 30 Iraqi scientists selected by Unmovic/IAEA must be made available for interview in a secure environment outside Iraq along with their families. They must co-operate fully with their interviewers.

3. Surrender and explanations about anthrax

All remaining anthrax, anthrax production capability, associated growth media, and related weapons/dispersal mechanisms must be surrendered or credible evidence provided to account for their whereabouts;

Credible evidence must also be provided that anthrax was not produced in 1991 and accounting for the anthrax Iraq claims was destroyed in 1991;

Credible evidence must be produced concerning Iraq's efforts to dry BW (biological warfare) agents.

4. Destruction of missiles

Destruction must be completed of all Al Samoud 2 missiles and components, including all warheads, launchers, SA-2 missile engines imported outside of the import/export mechanism and in contravention of paragraph 24 of resolution 687 (1991), and equipment and components designed for the production and testing of the Al Samoud 2 missile.

5. Accounting for unmanned aerial vehicles and remotely piloted vehicles

Credible evidence must be provided on the purpose of all RPV/UAV programs, information on organisations involved, and the inventory of all items related to the programme (such as engines, GPS (Global Position Systems), guidance systems, air frames, etc.) including details of all tests made, of range capabilities, of payloads and of CBW (chemical and biological warfare) spray devices.

6. Surrender of and explanations about mobile chemical and biological production facilities

Mobile chemical and/or biological production facilities must be surrendered for destruction;

A complete accounting must be provided for mobile chemical and/or biological facilities production programs. Details should also be provided of sites providing support for/servicing/hosting mobile facilities.

The United Kingdom reserves its position if Iraq fails to take the steps required of it.¹¹³

At time of writing reports suggest that the UK does not intend to include the tests in a draft resolution, but rather to encourage the Security Council to make a political commitment to them.¹¹⁴

¹¹³ *BBC On-line*, "UK's key Iraq tests: text," 13 March 2003.

¹¹⁴ *BBC On-line*, "Iraq diplomacy 'given more time'," 13 March 2003.

France rejected the tests and indicated that it would use its veto in the Security Council against the draft resolution. According to the BBC,

French Foreign Minister Dominique de Villepin said the British proposals did "not respond to the questions the international community is asking".

"It's not about giving a few more days to Iraq before resorting to force, but about resolutely advancing through peaceful disarmament," he said.¹¹⁵

According to Agence France Presse,

France will veto a new UN resolution on Iraq "whatever the circumstances," French President Jacques Chirac said in a live television interview broadcast late Monday. "France will vote no" to the draft resolution submitted by the United States, Britain and Spain, he said.¹¹⁶

D. Security Council: composition and voting¹¹⁷

1. Composition

The Security Council consists of states, known as members. When the UN was established the Security Council had 11 members. Five of these were permanent, and these were the main Allied powers at the end of World War II, China, France, the UK, the USA and the USSR.¹¹⁸ The remaining members were elected by the General Assembly. In 1966 the Council was expanded to 15 members, with the five permanent members being joined by 10 elected, or "non-permanent," members.

The General Assembly elects the non-permanent members with due regard to their contribution to the maintenance of international peace and security and to the other purposes of the UN, and also to equitable geographical distribution.¹¹⁹ The General Assembly Resolution to enlarge the Security Council put forward a pattern for the election of the non-permanent members, so that five are elected from African and Asian states, one from Eastern European states, two from Latin American states and two from Western European and other states.¹²⁰ States sit on the Security Council in their sovereign capacity and not as representatives nor delegates for these wider groups of states.

¹¹⁵ *BBC On-line*, "Iraq diplomacy 'given more time'," 13 March 2003.

¹¹⁶ *AFP*, "France will veto new UN resolution on Iraq: Chirac," 10 March 2003.

¹¹⁷ Further information may be found in *The United Nations Security Council and its resolutions*, SN/IA/2078, 25 February 2003, from which this section is adapted.

¹¹⁸ For many years China was represented by the Kuomintang, the former government of mainland China which fled to Taiwan in 1949. The communist authorities in the People's Republic of China took over the seat in 1971. The Soviet seat passed to Russia in 1991.

¹¹⁹ Article 23.

¹²⁰ A/Res/1991A, 17 December 1963. These categories reflect the Regional Groupings which are used at the UN for electoral and sometimes political purposes.

The non-permanent members at present are Angola, Bulgaria, Cameroon, Chile, Germany, Guinea, Mexico, Pakistan, Spain and Syria.

Each member state has a Permanent Representative at the UN, who holds the rank of Ambassador. This person will occupy the seat on the Security Council most of the time, although ministers and other representatives can also attend.

A member of the UN which is not a member of the Security Council may attend meetings and participate without vote in discussions when the Security Council considers that that member's interests are "specially affected."¹²¹

If the Security Council is considering a dispute, any party to that dispute, whether or not a member of the Security Council or of the UN, "shall be invited to participate, without vote, in the discussion relating to the dispute."¹²²

The members of the Security Council, permanent and non-permanent alike, take turns to hold the Presidency of the Council for one month at a time.

The President for March 2003 is Guinea.

2. Resolutions, votes and vetoes

The Council makes various types of pronouncement, including press releases and the more formal Presidential statements. Its most important instruments are its resolutions, some of which are legally binding on all members of the UN. They are adopted by vote, and each member of the Council has one vote.

The UN Charter provides that resolutions of the Security Council on non-procedural matters must gain the affirmative votes of nine members, whether permanent or not, including the concurring votes of the permanent members.¹²³ This is interpreted in UN practice to mean that the permanent members may veto a draft resolution by casting a negative vote, although if they abstain or absent themselves from voting that does not count as a veto and the resolution may pass.¹²⁴ If seven or more members do not vote in favour of a draft, then it will fall short of the nine votes required and will not pass. This has sometimes been referred to as a "hidden veto," and it allows the non-permanent members to block a draft resolution which is not vetoed by a permanent member. In practice this happens very rarely, but until the mid-

¹²¹ Article 31.

¹²² Article 32.

¹²³ Article 27 (3).

¹²⁴ There are two types of abstention: obligatory, which applies to a party to a dispute when the Security Council votes on substantive proposals for pacific settlement of the dispute (ie *not* Chapter VII measures), and voluntary. There are two types of absence: involuntary, when a representative fails to reach the meeting in time (extremely rare but not unknown), and boycott, when a member is absent either in protest or in an effort to undermine the legality of the resolution. Occasionally a state may be unrepresented because it lacks a functioning government, as happened with Rwanda in 1994.

1960s the western permanent members were able to avoid casting the veto, because they could usually command enough support among the non-permanent members to defeat unwelcome drafts on the basis of total affirmative votes.

The veto has been used almost 250 times. The totals by state are as follows:¹²⁵

Russia/USSR	116
USA	75
UK	30
France	18
China	5

Since the mid-1960s the Council has striven to avoid provoking the veto. Great effort is made to reach a consensus before a draft is put to the vote. The main reasons for moving to a vote in the knowledge that a veto will be cast have been either to indicate strongly the support of some states for the draft, or to embarrass the vetoing state. Sometimes a veto has been encountered as a result of miscalculation by the proposers of the draft, who feel that a point has been reached in the search for consensus at which an objecting permanent member has been satisfied and will not carry through its threat to veto. The explanations of vote by vetoing states sometimes indicate an objection to the timing of the vote, and the feeling that consensus could have been reached with a little more time.

Partly as a result of this consensus approach the veto has become much less common since the end of the Cold War. In the early years of the UN the USSR was by far the major vetoing state. By 1968 it had vetoed 103 drafts, France 4, the UK 3, China (seat occupied by Taiwan) 1 and the USA none at all. This reflected the ability of western states to secure their interests without resort to the veto, as well as poor faith on the part of the Soviets. Since the Council was expanded from 11 to 15 members in 1966 the balance of power within the Council has shifted, and the western states have resorted to the veto more frequently. The USA cast its first veto in 1970, joining the UK in vetoing a draft on Rhodesia, which condemned the British Government for not using force against the Smith regime. Through the 1970s there was a mixed picture, and a number of vetoes were cast on all sides. The USA cast an increasing number in the 1970s and became the predominant vetoing state of the 1980s. It used the veto mainly on the Middle East, but also, in concert with the UK and for a time France, on southern Africa, as well as on drafts concerning its own behaviour in Latin America.

¹²⁵ Compiled from *Table of Vetoed Draft Resolutions in the United Nations Security Council 1946-1998*, RA Memorandum 2-1999, Global Issues Research Group, FCO, September 1999, and *Subjects of UN Security Council Vetoes*, S Habib, Global Policy Forum, at:
<http://www.globalpolicy.org/security/membership/veto/vetosubj.htm>.

III Possible financial implications

A. Humanitarian contingency planning

The Department for International Development (DFID) does not pre-allocate resources for international humanitarian crises, but it has a contingency reserve of £100 million. In addition, DFID contributes to the UN and other agencies towards humanitarian contingency planning, and has done so specifically for Iraq:

Clare Short: My Department does not pre-allocate financial resources for response to humanitarian crises before they happen. DFID provides a contingency reserve of £100 million which we will draw on for the Iraqi emergency.

DFID's funding for the UN and other humanitarian agencies includes provision for emergency preparedness for a variety of contingencies across the world. We are supplementing this funding with an additional £3.5 million contribution to support UN humanitarian contingency planning for Iraq, including the prepositioning of basic supplies by UN agencies including UNHCR. We also fund a programme of assistance to Iraqi Refugees in Iran, which is managed by AMAR Appeal, an NGO, and consists of the provision of emergency supplies and primary health care for refugees living both in and outside of official camps.¹²⁶

The Government is in active discussion with a range of agencies:

The Parliamentary Under-Secretary of State, Foreign and Commonwealth Office (Baroness Amos): The Government are holding regular discussions with other governments, UN agencies, NGOs and other humanitarian actors about contingency planning for a range of eventualities in Iraq. In the event of military action, a key priority would be to minimise the suffering of the Iraqi people. This would include enabling, as quickly as possible, the provision of immediate humanitarian assistance by those best placed to do so; access for other humanitarian actors; and re-establishment of the UN Oil For Food Programme distribution network.

In addition to its ongoing humanitarian programme in Iraq and its annual support for UN agencies' global emergency preparedness activities, the Department for International Development is providing £3.5 million to support UN humanitarian contingency planning for Iraq, including the prepositioning of basic supplies, through funding to UNHCR, UNICEF, WFP, WHO, OCHA and UNSECOORD. This situation is under close review.¹²⁷

¹²⁶ HC Deb 24 February 2003, cc3-4w.

¹²⁷ HL Deb 4 March 2003, c93w.

International Development questions recently included a series of supplementaries on contingency planning for Iraq.¹²⁸ The Secretary of State for International Development, Clare Short, argued that the people of Iraq were already suffering a humanitarian catastrophe, with some 60% of people dependent upon the UN “oil-for-food” programme and a third of children in Baghdad-controlled Iraq chronically malnourished.¹²⁹ She went on to stress the importance of UN involvement in a post-conflict situation:

If the UN authorises military action to force Saddam Hussein to comply with his disarmament obligations, it is essential that great care be taken to minimise any harm to the people of Iraq, who are already very vulnerable. This means very careful targeting of military action, and ensuring that order is maintained, that food distribution is quickly resumed, and that the health, water and sanitation infrastructure is rehabilitated as soon as possible. Planning is in hand for all of this. My greatest worry is that there is not yet agreement that the UN should have the lead role in a post-conflict Iraq. Without that, there would be significant legal and other difficulties for the working of the international humanitarian system.

Ms Short said that one of the most serious risks that might be faced was the use of chemical and biological weapons, and she assured the House that every effort would be made to bring help to any people who might be affected.¹³⁰

During an Opposition Day debate on a humanitarian contingency plan for Iraq on 31 January 2003 Ms Short outlined a number of specific risks to illustrate the complexity of humanitarian planning.¹³¹ The first was that large scale ethnic fighting could break out, resulting in a humanitarian disaster. Second, the bombing of military targets could also affect water, sanitation and electrical facilities. A third risk was environmental and other damage arising from the booby-trapping of oil installations. Fourth, the oil for food programme, on which many relied for basic food needs, might be disrupted. Finally, biological and chemical weapons might be used. This was the most difficult risk for the international humanitarian system to prepare for, especially when it came to protecting the people of Iraq.

However, Ms Short implied that international co-operation on contingency planning had recently improved:

All parties have recently been more willing to prepare for all contingencies, including the military in the United States of America, but it has not been easy to get discussions and analysis going across the international system to prepare for all those. Anyone who pauses to reflect intelligently on the strains and tensions across the international system because of the crisis would realise why that has been difficult. Greater movement to that effect has taken place recently. The hon. Lady got the true answers to her questions, but my Department has been working for a considerable

¹²⁸ HC Deb 26 February 2003, cc242ff.

¹²⁹ See <http://www.un.org/Depts/oip/> for details of the “oil-for-food” programme.

¹³⁰ HC Deb 26 February 2003, c243.

¹³¹ HC Deb 30 January 2003, cc1042-1102.

time on all contingencies. That work is developing and we are getting more co-operation from some of our international partners which was difficult to get before.

[...]

I have had talks with the various UN humanitarian organisations and the UN Office for the Co-ordination of Humanitarian Affairs, which leads co-ordination of the UN effort. I think that the preparations are as good as they can be. There are so many risks and uncertainties that it is very difficult to prepare. I shall come on to some of those risks and uncertainties. With regard to the UN appeal for, I think, \$37 million to make preparations, the United States has said that it will pay that money and that the pay-over is in hand. I had discussions with Andrew Natsios, head of the United States Agency for International Development, USAID, in Addis Ababa a week or so ago, when he gave that undertaking.

The US Agency for International Development (USAID) says that with other US agencies it has assembled the largest ever US humanitarian rapid response team.¹³² During a recent press briefing the USAID administrator and Director of the Office of Foreign Disaster Assistance expanded upon the US contingency plans:

QUESTION: You said you weren't doing long-term relief, you were just doing emergency response. How long are you planning on being there, and what's your budget?

MR. McCONNELL: Budget. That's a hard one. Nobody budgeted for an event in Iraq. We don't have a budget for it. What we are doing is spending money in order to be ready. We're using, we're advancing ourselves some of our own money, and we're trying -- the money we actually spend, we're trying to ensure that as much of it as possible is not consumables. Things that, if you don't use a water bottle in the Middle East, you can use a water bottle somewhere else.

So we have spent somewhere around \$26 million in getting ready for this. I really don't -- I'm not smart enough to project what the relief effort is going to cost, because one of the first things we'll need to do is get in and assess what the needs are. We do have funds available. We are also well aware that there's a rest of the world out there. So we're certainly interested in whether supplemental funds are made available later on, and we're certainly anxious that that do occur in order to reimburse us for monies that we're expending.

MR. NATSIOS: I would just add that the funding decisions have not been made by the President yet, beyond the contingency planning funds that we already had available to us. But he will be briefed later this week and he will make the decisions that will supplement what we're already spending.

¹³² <http://www.usaid.gov/iraq/>

There's another \$52 million in addition to the 26 -- I'm sorry, \$56 million. Bear has already spent \$26.5 million on purchase of commodity, forward funding, equipment, that sort of thing. There's another \$56 million which is now being purchased that's in process from existing funding sources within AID. And then beyond that, the President will make the decisions later this week, and you will see when he makes the decisions because they will be announced publicly.

[...]

MR. NATSIOS: There is a reconstruction plan that's separate from this that we haven't talked about.

[...]

MR. NATSIOS: The only office in AID that does not have to send detailed Congressional approvals before they can spend it is the Office of Foreign Disaster Assistance because of the nature of the work it does. It has to do things immediately.

MR. McCONNELL: At least half of our annual budget in OFDA is what is laughingly referred to as the Director's fund. People seem to think I have some say over how that is spent, but in fact that is used for unforeseen emergencies. Yes, ma'am.

QUESTION: Are there actually people on the ground in the area already? Besides building up your supplies, is there anyone -- do you send anyone into Iraq, for example, or is that just out of the question at this point?

MR. McCONNELL: That is absolutely out of the question at this point. We are -- by the middle of next week, we'll have sort of advanced parties in Kuwait, Amman, Ankara, and then Doha. But those are people that are working on the coordination, because coordination is so important in here. UNOCHA, which I think everybody knows is the coordinator for all that we're -- we're basically talking about what we're up to. But we're anxious for the day that UNOCHA is fully engaged in coordinating the humanitarian efforts of everybody, and we're anxious enough to help fund them to do that.¹³³

UNHCR, however, has drawn attention to a funding shortfall:

While UNHCR has to date spent more than \$25 million building up its regional stockpiles of relief items and fielding additional staff, we have only received \$16.6

¹³³ Andrew S. Natsios, USAID Administrator, Bernd McConnell, Director, Office of Foreign Disaster Assistance, Michael Marx, Disaster Assistance Response Team Leader, Lauren Landis, Director, Office of Food for Peace, and Dr. Skip Burkle, Deputy Assistant Administrator, Bureau for Global Health, *Briefing on Humanitarian Assistance to Iraqis in the Event of War*, U.S. Department of State, Washington, D.C., 25 February 2003.

million, with the last major contribution a month old. The cost of our preparedness effort for up to 600,000 refugees is \$60 million, so we still need about \$44 million for the effort and to repay borrowed funds. So we're doing the very best we can within the limited resources available to us.¹³⁴

The Center for Economic and Social Rights (CESR), based in New York, has recently produced an assessment of the human costs of war in Iraq. This says that a confidential UN contingency plan has warned that the collapse of essential services could lead to humanitarian consequences with which the international community is unable to deal. It also alleges that secrecy on the part of the UN and the USA is hampering contingency planning:

The secrecy of humanitarian preparations by the United States and the United Nations is impeding efforts to develop an effective emergency response capacity. The United States has not shared information about humanitarian planning with international agencies that are planning to provide assistance inside Iraq. Such secrecy regarding relief operations is difficult to reconcile with the U.S. government's detailed public statements about military operations. Similarly, U.N. agencies have also prepared confidential documents on emergency planning for Iraq that they have not shared with other relief agencies. Under these circumstances, the right of affected populations to receive assistance is likely to be compromised.¹³⁵

On 12 March 2003 the International Development Select Committee published its report *Preparing for the Humanitarian Consequences of Possible Military Action Against Iraq*.¹³⁶ This says that:

The wide range of scenarios as to how a conflict might develop greatly complicates the task of planners. Nevertheless, we consider that insufficient emphasis has been placed on the humanitarian implications of military action. The UK Government and the UN have been reluctant to plan openly for fear that this would be seen as condoning military action or accepting it as inevitable. The US Government, through USAID, has developed a plan in isolation from other agencies. The resulting lack of information-sharing and coordinated planning could lead to either duplication or gaps in the relief effort. A lack of funds which are immediately available could affect all the key humanitarian players. The potentially massive scale of the relief effort—leaving aside the costs of post-war reconstruction—could exceed the capacity of the international system.

[...]

Our overall conclusion is that we are not yet convinced that there is, to use The Prime Minister's words, "a humanitarian plan that is every bit as viable and well worked out as a military plan".

¹³⁴ *High Commissioner completes mission*. UNHCR news stories, 7 March 2003.

¹³⁵ *The human costs of war with Iraq*, Center for Economic and Social Rights, 7 March 2003, at <http://www.reliefweb.int/w/rwb.nsf/UNID/3A534DE395513486C1256CE20036BA7E?OpenDocument>.

¹³⁶ 12 March 2003 Fourth Report 2002-03 HC444-I

The report recommended that DFID immediately issue a statement outlining its basic humanitarian contingency plans. The UN had told the Committee that its detailed planning had begun in October 2002. In contrast to the view of many NGOs, it said that there had been meetings with NGO consortia, and co-operation in the field. DFID is planning to issue a response to the committee on 13 March 2003, according to one report.¹³⁷

On 13 March 2003, at time of writing, Ms Short released a Written Ministerial Statement on humanitarian contingency planning.

B. Funding of military action

Shortly before the cessation of hostilities in 1991, in evidence before the Treasury Select Committee, the then Chief Secretary stated that the gross costs of the previous Gulf War to the UK would be about £1.25 billion.¹³⁸ This figure excluded the costs of lost equipment and ammunition spent, a further £200 million. The net costs of the war are much lower. Much of the expenditure, for instance wages, would have been spent anyway and to some extent real action is a substitute for training and exercises. Furthermore, from the public finance point of view the capital cost of weapons purchased by the MOD is written off when they are purchased. Hence, losses incurred now will only feature in the accounts as and when they are replaced.

Currently the only indication there has been of increased public sector financial spending came in the following extract from a speech by the Chancellor in an Opposition Day debate on the economy. The Chancellor said:

In the pre-Budget report, I set aside £1 billion to be drawn on by the Ministry of Defence for security and military matters, if and when it becomes necessary. Nothing should prevent us from equipping and supporting our armed forces, which perform a great service for Britain, as do our security services. Money is being drawn down by the MOD to meet the costs that it is entailing. I shall report to the House again in full in the Budget, but I can tell it today that in this financial year I have increased this sum from £1 billion to £1.75 billion, to be set aside for possible commitments, and to be drawn on only if and when necessary. This is, of course, a time of great risk economically and geopolitically, and I believe that most Members of the House will support what I am doing.¹³⁹

Defence spending (DEL) in the UK was forecast in the 2002 Pre Budget Report (PBR) to be £31.9 billion in 2002/03 and £33 billion in 2003/04. It is not apparent where the extra provision will come from. There was a £100 million reserve for 2002/03 at the time of the November PBR and a £1 billion reserve for 2003/04. The remaining sums may be found

¹³⁷ *Financial Times* 13 March 2003 Allies 'not prepared for huge humanitarian crisis' p.3

¹³⁸ Reported *Financial Times* 7 February 1991 p2

¹³⁹ HC Deb 12 February 2003, c883

either from underspends on other programmes, for example lower benefit payments, or from either higher borrowing or taxation in the next financial year.

IV Military Forces in the Gulf

A. Forces in the Gulf region before 31 December 2002

There has been a permanent international military presence in the Persian Gulf region since the end of the Gulf War in 1991. The majority of military forces in the region have been US and UK personnel, although the naval Multinational Interception Force (MIF), which enforces Iraqi compliance with UN sanctions, has involved a further fifteen countries on a rotational basis over the last 12 years.

1. UK forces

The Defence Analytical Services Agency (DASA) provides quarterly figures on the number of UK personnel deployed overseas. The latest figures prior to the recent deployments are from 1 October 2002. The number of personnel deployed in the Middle East region totalled 2,750.¹⁴⁰ 470 were naval personnel, 940 were army personnel and 1,350 were serving with the RAF.¹⁴¹

The UK has maintained forces in the Gulf region to enforce the no-fly zones in Iraq,¹⁴² to contribute to the MIF, and in Qatar and Kuwait for ongoing training and liaison purposes. There are also approximately 300 military personnel and two RAF Nimrod reconnaissance and maritime patrol aircraft deployed in Afghanistan as part of the International Security Assistance Force (ISAF).

The RAF contribution to enforcing the northern no-fly zone over Iraq, entitled Operation *Reinstate North*, consists of 4 Jaguar GR3/3A aircraft from No 6, No 41 and No 54 Squadrons and a detachment of 2 VC10 tankers from No 10 Squadron. All aircraft are based at Incirlik in Turkey.¹⁴³

The RAF contribution to the southern no-fly zone, entitled Operation *Reinstate South*, consists of a deployment of 8 Tornado GR4s at Ali Al Salem in Kuwait, crewed on a rotational basis by No 9, No 12, No 13, No 14, No 31 and No 617 Squadrons, and a deployment of 6 Tornado F3s, from No 11, No 25, No 43 and No 111 Squadrons, based at Prince Sultan Air Base in Saudi Arabia.¹⁴⁴ Both deployments are supported by a detachment of Tristar tanker support aircraft from No 216 Squadron based in Bahrain, an RAF Regiment Field Squadron and a "Tactical Survive to Operate" HQ at Ali Al Salem in Kuwait.

¹⁴⁰ The Middle East is defined by DASA as the Gulf region and its immediate surrounding area, including Afghanistan, Egypt and Libya.

¹⁴¹ DASA, *Tri-Service Publication 06: Global Deployment*, 1 October 2002

¹⁴² Further information on the Iraqi no-fly zones is available in Library Standard Note SN/IA/1981.

¹⁴³ The home base of No. 6, No. 41 and No.54 Squadrons is RAF Coltishall.

¹⁴⁴ The home base of No. 9, No. 13 and No. 31 Squadrons is RAF Marham; No. 12, No. 14 and No. 617 Squadrons are usually based at RAF Lossiemouth; No. 11 and No. 25 Squadrons are usually based at RAF Leeming and No. 43 and No. 111 Squadrons are usually based at RAF Leuchars.

In a Written Answer on 17 December 2002 the Minister of State for the Armed Forces, Adam Ingram, outlined the number of RAF and Army personnel serving in Kuwait:

The number of armed forces personnel serving in Kuwait undergoes regular minor fluctuations as working practices and establishment requirements are generated or reviewed, and deployments start or finish for training, liaison and defence diplomacy purposes. The figures given are taken on or near the mid-month point.

Year	Number
September 2001	471
October 2001	525
November 2001	497
December 2001	482
January 2002	501
February 2002	517
March 2002	502
April 2002	494
May 2002	504
June 2002	497
July 2002	480
August 2002	470
September 2002	588
October 2002	493
November 2002	626

The numbers for September and November this year are higher than average because in both months Royal Engineers deployed to Ali Al Salem air base to undertake various necessary building works.¹⁴⁵

The UK has maintained a permanent naval presence in the Gulf since 1980, when the Armilla Patrol was established to ensure the safety of British entitled merchant ships operating in the region. Since then the UK's naval presence has varied from a single frigate or destroyer during periods of stability to large Task Groups during times of crisis. The Armilla Patrol contributes to the MIF. The Type 23 Frigate HMS *Richmond* relieved the Type 42 Destroyer HMS *Cardiff* as the UK's contribution to the MIF on 9 March 2003.¹⁴⁶ The Royal Fleet Auxiliary tanker RFA *Bayleaf* is also present in support of the UK contingent.

¹⁴⁵ HC Deb 17 December 2002, c719W

¹⁴⁶ HC Deb 11 February 2003, c630W

The Type 22 Frigate HMS *Cumberland* is also currently in the Gulf in support of operations against international terrorism and a Mine Countermeasures Group, consisting of HMS *Bangor*, HMS *Brockelsby*, HMS *Blyth*, HMS *Sandown* and RFA *Sir Bedevere*, was deployed to the Gulf in November 2002.

In a Written Answer on 9 December 2002 the Secretary of State for Defence, Geoff Hoon, stated:

A Mine Countermeasure Group deployed to the Gulf during November. This is a long planned, routine deployment, to conduct bilateral exercises with a number of Gulf States, building on the successful bilateral training conducted in the region in the wake of last year's Saif Sareea II in Oman.¹⁴⁷

The survey vessel HMS *Roebuck* is also currently deployed in the Gulf.¹⁴⁸

2. US forces

Estimates toward the end of December 2002 placed the number of US forces deployed in the Gulf region at approximately 50,000-52,000 personnel.¹⁴⁹

Since 1991 a permanent force of approximately 4,000 personnel has been deployed at Incirlik in Turkey to enforce the no-fly zone over northern Iraq and approximately 16,000 personnel have been based in Saudi Arabia, Bahrain, Oman, Kuwait, Qatar and the United Arab Emirates in support of operations enforcing the no-fly zone over southern Iraq.

US Army Central Command maintains a forward presence in Kuwait, Saudi Arabia, Bahrain, Qatar, and Diego Garcia, while the US Naval Forces Central Command and US Fifth Fleet¹⁵⁰ maintain a permanent presence in the Persian Gulf, which also contributes to the MIF.

US Central Command also has approximately 5,000 troops in Afghanistan in support of Operation *Enduring Freedom*.¹⁵¹ An estimated 2,000-3,000 personnel are based in Djibouti with the aim of tracking down al-Qaeda members operating in Somalia and Yemen, although some analysts have argued that they could be utilised in the event of conflict with Iraq.¹⁵²

Global Security.Org has provided a detailed breakdown of the number of personnel and equipment deployed in the Gulf region as at 30 December 2002.¹⁵³

¹⁴⁷ HC Deb 9 December 2002, c2W

¹⁴⁸ HC Deb 27 January 2003, c632W

¹⁴⁹ Information from <http://www.globalsecurity.org>

¹⁵⁰ The US 5th Fleet is headquartered in Bahrain.

¹⁵¹ A detailed breakdown of US forces in Afghanistan is available online at:

http://www.globalsecurity.org/military/ops/oef_orbat_030101.htm

¹⁵² BBC News Online. Available at:

http://news.bbc.co.uk/1/shared/spl/hi/middle_east/03/v3_iraq_key_maps/html/mbu_djibouti.stm

¹⁵³ This is available online at: http://www.globalsecurity.org/military/ops/iraq_orbat_021230.htm.

3. Other Allied forces

a. *Multinational Interception Force (MIF)*

The MIF was established in 1990 pursuant to UN Security Council Resolution 665,¹⁵⁴ in order to enforce Iraqi compliance with UN sanctions. Over the last 12 years 15 countries and members of the US Coast Guard have participated in the MIF on a rotational basis, including Argentina, Kuwait, the Netherlands, New Zealand and the United Arab Emirates.¹⁵⁵ The MIF currently involves naval vessels from the USA, the UK, Australia, Canada and Spain.

b. *International Security Assistance Force (ISAF)*

Under UN Security Council Resolution 1386 of December 2001 a 5,000-strong International Security Assistance Force (ISAF) was mandated to deploy to the Afghan capital, Kabul, where it would work closely with the UN and the Afghan interim administration in achieving three principal tasks:

- aiding the interim government in developing national security structures;
- assisting the country's reconstruction; and
- assisting in developing and training future Afghan security forces.

On 10 February 2003 the Netherlands and Germany formally took over the command of ISAF for a period of six months. UN Security Council Resolution 1444, adopted on 27 November 2002, also extended ISAF's mandate until December 2003.

In December 2002 22 countries were contributing to ISAF:¹⁵⁶

Country	Personnel
Albania	30
Austria	72
Azerbaijan	30
Bulgaria	27
Czech Republic	133
Denmark	37
Finland	43
France	454
Macedonia	2
Germany	1139
Greece	123

¹⁵⁴ A copy of UNSCR 665 is available online via: <http://www.un.org/documents/scres.htm>

¹⁵⁵ Information available at: <http://www.cusnc.navy.mil/pages/maritime.htm>

¹⁵⁶ Turkish Embassy in Washington DC, 4 December 2002

Ireland	7
Italy	442
Lithuania	4
Netherlands	222
New Zealand	3
Norway	17
Romania	35
Spain	268
Sweden	31
Turkey	1331
United Kingdom	379

Germany, Italy and Spain also have naval forces in Djibouti, while France and Japan have naval forces in the Indian Ocean, in support of Operation *Enduring Freedom*.

B. Deployment of forces since 1 January 2003

1. UK forces (Operation *Telic*)

Approximately 42,000 UK personnel are now in the Gulf region.

a. Naval forces

The deployment of naval forces and an initial call-up of the Reserves was announced on 7 January 2003. In a statement to the House Mr Hoon stated:

I have today made an order under section 54(1) of the Reserve Forces Act 1996 to enable the call-out of reservists for possible operations against Iraq. That does not mean that a decision has been taken to commit British forces to such operations, but it is an essential enabling measure to ensure that if such operations become necessary they will be properly supported with the skills and expertise that our reserve forces provide.

Following the making of the order, the armed forces will issue call-out notices as required in order to mobilise those individuals who may be needed. That process is likely to be incremental. The overall scale of mobilisation will depend on the continuing evolution of our contingency planning. It should also be borne in mind that experience shows that the number of call-out notices issued needs to be significantly larger than the number of individual reservists likely to be required. It would therefore be misleading, as well as undesirable for reasons of operational security, for me to give specific numbers or details at this stage. However, we envisage initially sending out sufficient call-out notices to secure about 1,500 reservists, and we will issue further notices as appropriate. The Government take seriously their duty to call out reservists only when it is absolutely necessary. We understand the impact of call-out both on reservists and on their employers. I pay tribute to the valuable contribution they make to the overall strength of our armed forces.

Secondly, in my statement on 18 December, I described the long-planned deployment of naval task group 2003 to the Gulf and Asia-Pacific regions, and said that we were also considering the deployment of additional maritime forces early in the new year. I have now authorised the deployment of a number of additional vessels and units later this month, which will represent a significant amphibious capability. The group will conduct training in the Mediterranean with a view to proceeding to the Gulf region if and as required.

The objective is to ensure the readiness of a broad range of military capabilities. Preparatory steps of this nature are necessary in order to keep military options open. It is likely that we will want to make further deployments in the coming weeks for the same purpose. We are taking steps to ensure the readiness of units and equipment, and the availability of appropriate chartered shipping and air transport in which to deploy them.

The planned deployments in the next few weeks will now include the aircraft carrier HMS *Ark Royal*; the helicopter carrier HMS *Ocean*; the destroyers HMS *Liverpool*, HMS *Edinburgh* and HMS *York*; the frigate HMS *Marlborough*; the Royal Fleet Auxiliary vessels *Argus*, *Fort Victoria*, *Fort Rosalie* and *Fort Austin*; the landing ships logistic *Sir Galahad*, *Sir Tristram* and *Sir Percivale*; a mine countermeasures group initially comprising HMS *Grimsby* and HMS *Ledbury*; and a submarine, as originally planned for naval task group 2003. We plan to deploy amphibious forces in HMS *Ark Royal*, HMS *Ocean* and associated shipping, including headquarters 3 Commando Brigade, 40 Commando Royal Marines and 42 Commando Royal Marines with all supporting elements.¹⁵⁷

HMS *Ark Royal* has been reconfigured as a commando carrier, carrying Sea King airborne early warning and anti-submarine helicopters and Merlin anti-submarine helicopters, rather than fixed-wing aircraft, in order to achieve the rapid deployment of amphibious forces.

In total the naval deployment will involve around 8,000 personnel, including the 4,000 personnel from 40 and 42 Commando with 3 Commando Brigade headquarters and relevant supporting elements.¹⁵⁸ 480 Royal Marine Commandos of 9 Assault Squadron are also deployed aboard HMS *Ocean*.

Further information on the technical specifications, capabilities and armaments of the deployed fleet is available in Library Standard Note SN/IA/1967 *The Royal Navy Fleet*.

¹⁵⁷ HC Deb 7 January 2003, c24-5

¹⁵⁸ 40 Commando Royal Marines are based at Norton Manor Camp in Taunton, while 42 Commando are based at Bickleigh Barracks in Plymouth.

b. Ground forces

In a further Statement to the House on 20 January 2003 Mr Hoon outlined the composition of land forces to be deployed to the Gulf:

I am now in a position to be able to tell the House that we have reached a view on the composition and deployment of a land force package to provide military capabilities for potential operations against Iraq. That force will include the Headquarters of 1 UK Armoured Division with support from 7 Armoured Brigade, 16 Air Assault Brigade and 102 Logistics Brigade. Its equipment will include 120 Challenger 2 main battle tanks, 150 Warrior armoured personnel carriers, 32 AS-90 Self Propelled guns, 18 light guns, and a number of reconnaissance and other vehicles. The total number of personnel involved in this land force will be approximately 26,000. In addition, we are already deploying 3 Commando Brigade, with around 4,000 personnel including their supporting elements.¹⁵⁹

A Ministry of Defence letter dated 4 February 2003, and placed in the Library of the House, provided a detailed breakdown of the land forces to be deployed. The letter stated:¹⁶⁰

The Defence Secretary's statement of 20 January (*Official Report*, Cols 34-35) announced the deployment of UK land forces to the area. These include:

HQ 1 (UK) Armoured Division and Divisional Troops (8,500 personnel)

- 1st (UK) Armoured Division Headquarters and Signal Regiment [Herford, Germany]
- 1st The Queen's Dragoon Guards [Maindy Barracks, Cardiff]
- 28 Engineer Regiment [Linsingen Kaserne, Germany]
- 1 General Support Regiment Royal Logistics Corps [Princess Royal Barracks, Gütersloh, Germany]
- 2 Close Support Regiment Royal Logistics Corps [Princess Royal Barracks, Gütersloh, Germany]
- 2 Close Support Medical Regiment [Princess Royal Barracks, Gütersloh, Germany]
- 5 General Support Medical Regiment [Chorley, UK]
- 2nd Battalion Royal Electrical and Mechanical Engineers [Siebenfelder Camp, Fallingbostel, Germany]
- 1 Regiment the Royal Military Police¹⁶¹

¹⁵⁹ HC Deb 20 January 2003, c34

¹⁶⁰ MoD Letter in response to PQ 92340, 4 February 2003. Where possible, the base locations of each unit have been added.

¹⁶¹ The Regiment is split into three sub units; 110 Provost Company [Sennelager, Germany], 111 Provost Company [Hohne, Germany] and 115 Provost Company [Osnabruck, Germany]. The regimental HQ is in Herford, Germany.

Including elements from:

- 3rd (UK) Division Headquarters and Signal Regiment [Bulford, UK]
- 5th Regiment Royal Artillery [Richmond , N.Yorks, UK]
- 12th Regiment Royal Artillery [Fennelager, Germany]
- 32nd Regiment Royal Artillery [Larkhill, UK]
- 40th Regiment Royal Artillery [Thirsk, UK]
- 1st Military Intelligence Brigade
- 33 Engineer Regiment (Explosive Ordnance Disposal) [Carver Barracks, Wimbish, UK]
- 2 Signal Regiment [York, UK]
- 14 Signal Regiment [Brawdy, SW Wales, UK]
- 30 Signal Regiment [Brawdy, SW Wales, UK]

7 Armoured Brigade (5,600 Personnel)

- 7 Armoured Brigade Headquarters and Signal Squadron [Hohne Garrison, Germany]

Battle Groups:

- The Royal Scots Dragoon Guards [Fallingbostel, Germany]
- 2nd Royal Tank Regiment (Fallingbostel, Germany)
- 1st Battalion The Royal Regiment of Fusiliers [Celle, Germany]
- 1st Battalion The Black Watch (Royal Highland Regiment) [Fallingbostel, Germany]

Artillery:

- 3rd Regiment Royal Horse Artillery [Hohne Garrison, Germany]

Engineers:

- 32 Engineer Regiment [Hohne Garrison, Germany]

Including elements from:

- 4 Armoured Brigade Headquarters and Signal Squadron [Osnabrück/Munster, Germany]
- The Queen's Royal Lancers [Imphal Barracks, Osnabruck, Germany]
- 1st Royal Tank Regiment [RAF Honington, Suffolk, UK]¹⁶²
- 26th Regiment Royal Artillery [Gütersloh, Germany]
- 38 Engineer Regiment [Ripon, UK]
- 1st Battalion Irish Guards [Oxford, UK]

¹⁶² A Squadron of the 1st Royal Tank Regiment is based at Warminster.

- 1st Battalion The Light Infantry [Peninsula Barracks, Winchester, UK]

16 Air Assault Brigade (5,400 personnel)

- 16 Air Assault Brigade Headquarters and Signal Squadron [Colchester, UK]

Battalions:

- 1st Battalion The Royal Irish Regiment [Ballymena, Northern Ireland, UK]
- 1st Battalion The Parachute Regiment [New Normandy Barracks, Aldershot, UK]
- 3rd Battalion The Parachute Regiment [[New Normandy Barracks, Aldershot, UK]

Recce:

- Elements of The Household Cavalry Regiment [Windsor, UK]

Artillery:

- 7th Parachute Regiment Royal Horse Artillery [Portsmouth, UK]

Engineers:

- 23 Engineer Regiment [Waterbeach, UK]

Aviation:

- 3 Regiment Army Air Corps [Wattisham, UK]

Logistic Support Elements:

- 7th Air Assault Battalion Royal Electrical and Mechanical Engineers [Wattisham, UK]
- 13 Air Assault Support Regiment Royal Logistics Corps [Colchester, UK]
- 16 Close Support Medical Regiment [Colchester, UK]
- 156 Provost Company Royal Military Police [Colchester, UK]

Including elements from:

- 47th Regiment Royal Artillery [Emsworth, UK]
- 132 Aviation Supply Squadron Royal Logistics Corps [Wattisham, UK]

102 Logistics Brigade (3,600 personnel)

- Headquarters 102 Logistics Brigade [Wattisham, UK]
- 36 Engineer Regiment [Maidstone, UK]
- 3rd Battalion Royal Electrical and Mechanical Engineers [Paderborn, Germany]

- 7 Transport Regiment Royal Logistics Corp [Aldershot, UK]
- 6 Supply Regiment Royal Logistics Corps [Aldershot, UK]
- 17 Port and Maritime Regiment Royal Logistics Corps [Marchwood, UK]
- 23 Pioneer Regiment Royal Logistics Corps [Bicester, UK]
- 24 Regiment Royal Logistics Corps [Catterick Barracks, Bielefeld, Germany]
- 5 Regiment The Royal Military Police¹⁶³
- 4 General Support Medical Regiment [Aldershot, UK]
- 33 Field Hospital [Fort Blockhouse, Gosport, UK]
- 34 Field Hospital [York, UK]
- Defence Fire Service (Army) [Middle Wallop, Hampshire, UK]

Including elements from:

- 35 Engineer Regiment [Paderborn, Germany]
- 9 Supply Regiment Royal Logistics Corps [Chippenham, UK]
- 10 Transport Royal Logistics Corps [Colchester, UK]
- 11 Explosive Ordnance Disposal Regiment Royal Logistics Corps [Didcot, UK]
- 27 Transport Regiment Royal Logistics Corp [Aldershot, UK]
- 29 Regiment Royal Logistics Corps [Cirencester, UK]

Joint Supporting Elements

Joint Force Engineers:

- Military Works Force – 62, 63 and 64 Specialist Teams Royal Engineers [Chilwell, Nottingham, UK]

Air Support:

- Headquarters 12 (Airfield Support) Engineer Brigade [Waterbeach UK]
- 39 Engineer Regiment (Airfield Support) [Waterbeach, UK]

Reserves

The following Reserve Units will provide elements, in addition to individual Reservists from all three services.

¹⁶³ The Regiment is split into sub-units; 101 Provost Company (Dusseldorf, Germany) 243 Provost Company (Livingston, Scotland) and 252 Provost Company (Stockton-On-Tees, England). 101 Provost Company consists of Regular Army soldiers while 243 and 252 Provost Companies are entirely Territorial Army. The regiment HQ is in Edinburgh

- The Royal Yeomanry¹⁶⁴
- 165 Port and Maritime Regiment Royal Logistics Corps (Volunteer) [Grantham, UK]
- 166 Supply Regiment Royal Logistics Corps (Volunteer) [Grantham, UK]
- 131 Commando Squadron Royal Engineers (Volunteer).¹⁶⁵

An article in *The Guardian* commented on the size of the ground forces to be deployed:

Though a decision to deploy ground forces to the Gulf has been long-awaited, the size of the force is much bigger than anticipated and is likely to reflect the Pentagon's advice that as large a force as possible is needed to give the military a wide range of options for an invasion of Iraq.

It also reflects the determination of British military commanders that if their political masters take the decision to go to war, with all the risks that entails, then Britain's contribution must be more than a token one.¹⁶⁶

c. Air forces

In a statement to the House on 7 February 2003 Mr Hoon announced the Government's plans for the deployment of air forces to the Gulf:

As with the Royal Navy, the Royal Air Force already maintains a significant presence in the Middle East region, routinely involving around 25 aircraft and 1,000 personnel. For more than a decade, the Royal Air Force has played an important part in patrolling and enforcing the northern and southern no-fly zones over Iraq, in support of UN Security Council resolution 688, in order to provide the Iraqi people with some protection from Saddam Hussein's regime. In carrying out this task, it has on many occasions been attacked by Iraqi forces, and I am sure that the House will join me in saluting its courage and professionalism.

As part of our contingency planning over recent months, we have been considering carefully what additional air capabilities might be required in the event of operations against Iraq. The details of that planning will necessarily continue to evolve. It is in the nature of air forces that they can be deployed over long distances more rapidly than maritime or land forces, but we envisage that in the days and weeks ahead we will increase the Royal Air Force presence in the region to around 100 fixed-wing aircraft supported by around 7,000 personnel, including members of the Royal Auxiliary Air Force. That will be a balanced and highly capable force, including E3D Sentry aircraft for airborne command and control; Jaguar and Tornado aircraft in the reconnaissance role; VC10 and Tristar air-to-air refuelling aircraft; Hercules transport

¹⁶⁴ The Royal Yeomanry has squadrons based in Swindon, Nottingham, Leicester, Croydon and London. Its HQ is in Chelsea, London.

¹⁶⁵ 131 Commando Squadron Royal Engineers has troops based in Hull, Birmingham, Plymouth and Kingsbury, London

¹⁶⁶ '35,000 troops head for the Gulf', *The Guardian*, 21 January 2003

aircraft; Tornado F3 aircraft, with the newly integrated ASRAAM missile providing an air defence capability; and Tornado GR4 and Harrier GR7 aircraft providing an offensive capability should it be required, including precision-guided weapons. The Royal Air Force Regiment will protect the deployed forces. In addition, the Royal Air Force element of the joint helicopter command will deploy a very substantial proportion of its equipment and personnel, providing helicopter support to other deployed forces. Its contribution will consist of 27 Puma and Chinook helicopters and about 1,100 people.¹⁶⁷

Assets from the following units, and locations, have been assigned to Operation *Telic*:¹⁶⁸

Squadron	RAF Base
1 Squadron RAF Regiment	RAF St Mawgan
11 Squadron RAF Regiment	RAF Leeming
16 Squadron RAF Regiment	RAF Honington
34 Squadron RAF Regiment	RAF Leeming
51 Squadron RAF Regiment	RAF Waddington
120 Squadron (Nimrod MR2 Reconnaissance and Maritime Patrol Aircraft)	RAF Kinloss
201 Squadron (Nimrod MR2 Reconnaissance and Maritime Patrol Aircraft)	RAF Kinloss
206 Squadron (Nimrod MR2 Reconnaissance and Maritime Patrol Aircraft)	RAF Kinloss
3 (F) Squadron (Harrier GR7 Offensive/ Ground Attack Aircraft)	RAF Cottesmore
1 Tactical Survive to Operate	RAF Wittering
3 Tactical Survive to Operate	RAF Marham
4 Tactical Survive to Operate	RAF Marham
10 Squadron (VC 10 Air-to-Air Refuelling Aircraft)	RAF Waddington
101 Squadron (VC 10 Air-to-Air Refuelling Aircraft)	RAF Waddington

¹⁶⁷ HC Deb 6 February 2003, c455W. Location information is available on RAF website at: <http://www.raf.mod.uk/news/deplex.html>

¹⁶⁸ HC Deb 13 February 2003, c872-3W

216 Squadron (Tristar Air-to-Air Refuelling Aircraft)	RAF Brize Norton
32 (The Royal) Squadron (HS 125 Small Transport Aircraft)	RAF Northolt
8 Squadron (E-3D Airborne Surveillance/ Command and Control aircraft)	RAF Waddington
23 Squadron (E-3D Airborne Surveillance/ Command and Control aircraft)	RAF Waddington
1 (F) Squadron (Harrier GR7 Offensive/ Ground Attack Aircraft)	RAF Cottesmore
IV Squadron (Harrier GR7 Offensive/ Ground Attack Aircraft)	RAF Cottesmore
24 Squadron (Hercules C130 Transport Aircraft)	RAF Waddington
30 Squadron (Hercules C130 Transport Aircraft)	RAF Waddington
47 Squadron (Hercules C130 Transport Aircraft)	RAF Waddington
70 Squadron (Hercules C130 Transport Aircraft)	RAF Waddington
99 Squadron (C17 Transport Aircraft)	RAF Brize Norton
II Squadron (Tornado GR4 Offensive/ Ground Attack Aircraft)	RAF Marham
IX (B) Squadron (Tornado GR4 Offensive/ Ground Attack Aircraft)	RAF Marham
13 Squadron (Tornado GR4 Offensive/ Ground Attack Aircraft)	RAF Marham
31 Squadron (Tornado GR4)	RAF Marham
617 Squadron (Tornado GR4 Offensive/ Ground Attack Aircraft)	RAF Lossiemouth
12 Squadron (Tornado GR4 Offensive/ Ground Attack Aircraft)	RAF Lossiemouth
14 Squadron (Tornado GR4 Offensive/ Ground Attack Aircraft)	RAF Lossiemouth
54 Squadron (Jaguar GR3 Ground Attack/ Reconnaissance Aircraft)	RAF Coltishall
6 Squadron (Jaguar GR3 Ground Attack/ Reconnaissance Aircraft)	RAF Coltishall
41 Squadron (Jaguar GR3 Ground Attack/ Reconnaissance Aircraft)	RAF Coltishall
11 Squadron (Tornado F3 Air	RAF Leeming

Defence Aircraft)	
25 Squadron (Tornado F3 Air Defence Aircraft)	RAF Leeming
43 Squadron (Tornado F3 Air Defence Aircraft)	RAF Leuchars
111 Squadron (Tornado F3 Air Defence Aircraft)	RAF Leuchars
Helicopter RAF Odiham (Chinook Transport Helicopter)	RAF Odiham
Helicopter RAF Benson (Puma HC1 Tactical Transport Helicopter)	RAF Benson

In an assessment of the air forces to be deployed, *The Financial Times* commented:

A third of the RAF's frontline aircraft are to be deployed to the Gulf, bringing the total British commitment for any invasion of Iraq to 42,000 troops. The RAF is deploying about 80 jets and 6,000 personnel to the Middle East to join the 22 aircraft and 1,000 staff currently involved in patrolling the Iraqi no-fly zones.

Three-quarters of the commitment, which is about the same size as the force used in the Gulf war in 1991, is made up of strike aircraft and fighters, supported by transport aircraft, air-to-air refuelling tankers and surveillance aircraft. Ground attack aircraft are expected to make up the bulk of the contribution, including a significant proportion of the RAF's 60 Tornado bombers and most of the 39 Harrier jump-jets [...]

The aircraft will be much more capable than those deployed against Iraq in 1991 and more recently in Kosovo, when high-level bombing was severely hampered by cloud. The aircraft will be able to bomb in all weather conditions and at night using laser-guided and satellite-guided bombs as well as infrared-guided anti-armour missiles. RAF fighters will also be armed with the world's most advanced short-to-medium range air-to-air missile, which entered service only late last year.

Separately Geoff Hoon, defence secretary, ordered the RAF to deploy a "very substantial proportion" of its helicopter force, which would be used to ferry troops into battle. Some 1,100 RAF personnel and 27 Pumas and Chinooks from the Joint Helicopter Command will be sent to the Middle East.¹⁶⁹

The article went on to state:

The call-up of 42,000 troops almost matches the 45,000 service personnel who took part in the 1991 Gulf conflict.

¹⁶⁹ "Hoon deploys one-third of RAF aircraft to the Gulf", *The Financial Times*, 7 February 2003, p.2

Mr Hoon refused to be drawn on whether British forces would fall under the command of the US military. The Ministry of Defence yesterday appointed Air Marshal Brian Burridge, deputy commander-in-chief Strike Command, in overall command of British forces in the Gulf.¹⁷⁰

A separate assessment of the overall UK deployment by *The Financial Times* suggested:

British involvement in any offensive could take several forms, from support in the skies to control of the infrastructure. The first wave of any attack will be from the air. The presence of the helicopter carrier Ocean and the equipping of Ark Royal to do the same task, lends the flexibility for a quick deployment of marines and an amphibious attack.

The main thrust of the ground offensive will be led by US and British tanks, with Special Forces operating behind enemy lines. “This is something different from Desert Storm and there could be objectives that need to be taken quickly such as bridges and oil wells” said Col. Christopher Langton, Editor of *The Military Balance*.¹⁷¹

Forces are expected to be in place by mid-March 2003.¹⁷²

d. Command and control

The command and control arrangements for any military operation are likely to involve allied forces, including UK forces, remaining under national command but being made available for specific operations under the overall strategic command of the US Commander-in-Chief. This type of arrangement existed during the Gulf War in 1991 and more recently during Operation *Enduring Freedom* in Afghanistan.

In November 1990 the then Secretary of State for Defence, Tom King, stated:

The command arrangements we have agreed provide for United Kingdom forces to be placed under the tactical control of a United States commander for specific actions where this makes military sense.¹⁷³

In January 1991 this position was reiterated when Prime Minister John Major said that “the troops in the Gulf are under British command and under American tactical control.”¹⁷⁴

¹⁷⁰ *ibid*

¹⁷¹ “Britain set for big role in Iraq conflict”, *The Financial Times*, 21 January 2003, p.3

¹⁷² Details on all of the UK forces deployed to the Gulf are available on the Ministry of Defence website at: <http://www.operations.mod.uk/telic/forces.htm>.

¹⁷³ HC Deb 22 November 1990, c425

¹⁷⁴ HC Deb 15 January 1991, c741

The Defence Committee commented on the specific command and control arrangements for UK forces in the Gulf War in its 1991 report on the *Preliminary Lessons of Operation Granby*:

The United States provided the majority of the personnel – some 540,000 people – and consequently took the lead in formulating the operational plans [...]

Although the UK contribution to the overall effort was dwarfed by that of the US, it was substantial enough to ensure that the British view on the overall pattern of operations, and in particular on the exact way in which UK forces were used, would be heard at the highest level of command [...]

A senior British Officer was fully integrated into General Schwarzkopf's personal planning team of five US officers, thus enabling a British input into overall strategic planning at the conceptual stage; a parallel arrangements was made for an RAF Officer on General Horner's USAF planning staff... Air Vice-Marshal Wratten had a power of veto over particular targets.¹⁷⁵

Commenting on the current situation during Oral Questions on 3 March 2003, Mr Hoon confirmed:

The command and control arrangements will not differ significantly from those that operated in the course of the Gulf War. It is not sensible to talk at this stage about who may be commanding which different forces in the Gulf but this is certainly a significant coalition operation.¹⁷⁶

There has been speculation in the media over the possibility of the UK taking command of a number of US troops, a rare occurrence.¹⁷⁷

2. US forces

Since the end of December 2002 the USA has built up troops and equipment in the Gulf region.

Initial deployments at the beginning of January 2003 concentrated on getting heavy ground equipment, supplies and some key capabilities into place. According to analysts, a further 11,000 troops of the 3rd Infantry Division, which specialises in desert warfare, were deployed to Kuwait, alongside army and marine headquarters from the 5th Corps (V Corps) in Germany and the 1st Marine Expeditionary Force, elements of the 94th Engineer Battalion, 205th Military Intelligence Brigade, 22nd Signals Brigade and 3rd Corps Support Command. B-1B

¹⁷⁵ Defence Select Committee, *Preliminary Lessons of Operation Granby*, HC 287/I, 1990-91, 17 July 1991, ppX-xi

¹⁷⁶ HC Deb 3 March 2003, c564

¹⁷⁷ *The Washington Post*, "War plan for Iraq largely in place", 2 March 2003, *Financial Times*, "British army to command US troops during war," 4 March 2003.

bombers, F-15E strike aircraft and F-15C fighters were also deployed to various bases in the region.

On 10 and 11 January 2003 the US Secretary of Defense, Donald Rumsfeld, ordered a full-scale deployment to the Gulf, involving approximately 62,000 military personnel and requisite equipment.

The San Francisco Chronicle commented:

35,000 troops, half of them Marines, were dispatched to the Gulf region on Friday [10 January]. On Saturday, 27,000 more personnel including Marines and an airborne infantry brigade joined them, along with a squadron of Air Force Nighthawk stealth fighters and radar-jamming fighters.¹⁷⁸

Over 17,000 Marines from the 2nd Marine Expeditionary Force, 1st Marine Expeditionary Force and 15th Marine Expeditionary Unit were among those deployed.

On 20 January 2003 a further 37,000 army personnel were ordered to deploy, including the 4th Infantry Division, which has been regarded by many analysts as one of the centrepieces of the US Army, as it is the first division to field a fully digitised battlefield intelligence and awareness capability.¹⁷⁹ Two further carrier battle groups (USS *Abraham Lincoln* and USS *Theodore Roosevelt*) also received deployment orders, each with approximately 8,000 personnel, 80 aircraft and a flotilla of smaller warships. They will join the USS *Constellation*, the USS *Harry S Truman* and the USS *Kitty Hawk* carrier battle groups, which are already in the Gulf region. Nearly 17,000 reservists have also been mobilised, raising the number of reservists to more than 110,000. Analysts expect, however, that many of them will fill the gaps left by units on active service in the Gulf.

On 19 February 2003 the deployment of an additional 28,000 troops was announced by the US Department of Defense. 5,200 troops from the US Army 3rd Cavalry Regiment were among those assigned for deployment along with an artillery brigade, a combat support hospital, a chemical weapons defence company and a military policy unit.

At the beginning of March 2003 a number of US B-52 long-range bombers arrived in the UK at RAF Fairford for possible use in a conflict,¹⁸⁰ while a five-ship US Battle Group led by the USS *Nimitz* also departed for the Gulf. Its arrival, expected in the second week of March, will make it the sixth US carrier within striking distance of Iraq.

¹⁷⁸ "At the ready: US forces in the Persian Gulf", *The San Francisco Chronicle*, 12 January 2003

¹⁷⁹ More information on the capabilities of the 4th infantry Division is available in the article "American forces prepare for the first digital war", *The Financial Times*, 24 January 2003.

¹⁸⁰ "US bombers arrive in UK", *BBC News Online*, 3 March 2003. B-52 bombers were also based at RAF Fairford during the Gulf War and the Kosovo campaign.

Including the US standing forces already in the Gulf region, these latest deployments bring the current total of US forces immediately available for conflict to approximately 200,000 personnel.

The order of a further 60,000 troops to the Gulf on 4 March 2003 is considered likely, by many analysts, to be part of secondary forces expected in theatre after a possible conflict has begun.¹⁸¹ This has prompted further speculation that these troops could be utilised in possible post-conflict humanitarian operations or in the reconstruction of Iraq.

An official figure of US forces in the Gulf region and the numbers ordered to deploy is unavailable. However, the International Institute for Strategic Studies (IISS) has made an evaluation of the build up of coalition forces in the Persian Gulf region. This is available online at: <http://www.iiss.org/iraq.php>.

3. Other Allied forces

a. Australia

On 23 January 2003 Australia deployed an initial tranche of 350 armed forces personnel to the Gulf in support of coalition forces. The deployment consisted mainly of Special Forces Commandos, but also comprised the amphibious assault vessel HMAS *Kanimbla*, carrying a Sea King helicopter, army landing craft, an army air defence detachment and a specialist explosives ordnance disposal team.

On 7 February 2003 the Australian Government approved the final stages of deployment, which will see a contribution of 2,000 personnel and equipment to a coalition force. An RAAF reconnaissance team has been deployed along with 14 F/A-18 Hornet fighters. A navy clearance diver team, Weapons of Mass Destruction (WMD) specialists, two CH-47 troop lift helicopters, three C130 transport aircraft and approximately 50 soldiers from the 4th Royal Australian Regiment Commando unit are also part of the military contingent.¹⁸²

HMAS *Anzac* and HMAS *Darwin* are already in the Gulf, assigned to the Multinational Interception Force.

b. Czech Republic

The Czech Republic has deployed a force of 110 personnel to the Gulf to join a chemical warfare protection unit, already in Kuwait, which comprises 250 Czech military personnel.

The Czech Republic was also among eight European nations which issued a joint declaration on 29 January 2003 expressing their commitment to the US campaign to disarm Iraq. This has been regarded by many analysts as an indication of their willingness to participate in a

¹⁸¹ "US orders more troops to Gulf", *BBC News online*, 4 March 2003

¹⁸² "Australia approves final troop deployments for Gulf", *AFX European Focus*, 7 February 2003

US-led coalition in Iraq, even without a further UN resolution. The UK, Spain, Italy, Portugal, Hungary, Poland and Denmark also signed the declaration.¹⁸³ The extent to which the latter six countries will deploy troops is not known. Spain and Italy already have a small naval presence in the region either as part of the MIF or in support of Operation *Enduring Freedom*.

c. Canada

According to an assessment by the IISS, a 25-strong military planning team has deployed to US Central Command Headquarters in Qatar.¹⁸⁴

d. Peninsula Shield

The Gulf Co-operation Council (GCC) has agreed to deploy a mechanised brigade of more than 4,000 troops to Kuwait in order to safeguard the country in the event of conflict. The force, codenamed *Peninsula Shield*, will comprise troops from the United Arab Emirates, Saudi Arabia, Bahrain, Qatar and Oman along with a number of AH-64 Apache helicopters, tanks and armoured infantry fighting vehicles.

This force will not, however, participate in any coalition-led conflict with Iraq. *Peninsula Shield* will be a defensive force only.

¹⁸³ A copy of the Declaration is available online at: <http://news.bbc.co.uk/1/hi/world/europe/2708877.stm>

¹⁸⁴ International Institute of Strategic Studies, *War with Iraq: Ground Forces*, 21 February 2003. Available online at: <http://www.iiss.org/iraqCrisis-more.php?itemID=2&PHPSESSID=44c9b694886ec597c4a08d1cd64122f8>

V Regional attitudes

A. Gulf States

Saudi Arabia

The Saudi Government has said it would allow base access for certain US forces, while publicly indicating its concerns over the possible impact of US action.

It was reported in early March that the USA had secured agreement from Riyadh for the use of key command and control facilities at the Prince Sultan airbase. US tanker and support aircraft will reportedly be able to operate out of Saudi bases, although Washington has said it will need to launch bombing missions from Saudi soil only in the event of a contingency. In addition, US ground forces are reported to be present on Saudi territory for what has been termed “humanitarian purposes,” but they are unlikely to be involved in a ground invasion of Iraq.¹⁸⁵ It has also been suggested that the agreement on basing has come in return for a phased withdrawal of all US forces, once any conflict in Iraq is over.¹⁸⁶

On 17 February 2003 the Saudi Foreign Minister, Prince Saud al-Faisal, said in an interview with the BBC that the US Government should continue to work through the UN on the Iraq issue:

Independent action in this, we don't believe is good for the United States. It would encourage people to think...that what they're doing is a war of aggression rather than a war for the implementation of the United Nations resolutions. [...]

So we are ardently...urging the United States to continue to work with the United Nations...and not to create an act of individual aggression, of individually taking charge of the duties of the Security Council.¹⁸⁷

He went on to say that:

If change of regime comes with the destruction of Iraq, then you are solving one problem and creating five more problems. That is the consideration that we have to make, because we are living in the region. We will suffer the consequences of any military action.¹⁸⁸

He added that any regime change within Iraq should be indigenous, saying:

¹⁸⁵ *Financial Times*, 10 March 2003

¹⁸⁶ *Daily Telegraph*, 27 February 2003

¹⁸⁷ ‘Saudis warn US over Iraq war’, BBC News web site, 17 February 2003, from http://news.bbc.co.uk/1/hi/world/middle_east/2773759.stm

¹⁸⁸ ‘Saudis warn US over Iraq war’, BBC News web site, 17 February 2003, from http://news.bbc.co.uk/1/hi/world/middle_east/2773759.stm

There has never been in the history of the world a country in which a regime change happened at the bayonets of guns that has led to stability. [...] Our worry is the new emerging fundamentalism in the United States and in the West. Fundamentalism in our region is on the wane. There, it's in the ascendancy. That's the threat.¹⁸⁹

Kuwait

Kuwait is hosting over 120,000 US and British troops and is likely to play a key role as the southern land base in the event of US-led military action.

Since October 2002 there has been a series of gun attacks on the growing number of US troops and civilian contractors stationed in Kuwait, resulting in at least two fatalities. The attacks are believed to have been carried out by militant Islamist sympathisers of al-Qaeda. The Kuwaiti authorities have arrested a number of men in connection with the attacks and other alleged plots to strike US targets in the country.

In common with the other states bordering Iraq, Kuwait has expressed concern over the potential impact of a rapid influx of refugees. A Kuwaiti official was reported as saying in early February 2003 that:

We are aware of the humanitarian crisis which war would bring and have made provisions to supply food and shelter in southern Iraq. But Kuwait is a small country and we would encourage them to go to other countries before they come to us.¹⁹⁰

UN observers responsible for monitoring the Iraq-Kuwait border reported on 7 March 2003 that the border fence had been cut in three places by unidentified men in civilian clothing. The breaches were seen as possible access routes for US and Allied forces entering Iraq in the event of military action. The size of the observer mission, known as UNIKOM, was scaled back in early March 2003 and UN officials have indicated that all personnel would be withdrawn in the event of hostilities.¹⁹¹

Iraqi Deputy Prime Minister Tariq Aziz warned on 28 January 2003 that Iraq would retaliate against Kuwait and other states that served as a base for any US-led military action, saying that: "Kuwait is a battlefield ... we will of course retaliate against the American troops wherever they start their aggression on Iraq. This is legitimate."¹⁹²

¹⁸⁹ 'Saudis warn US over Iraq war', BBC News web site, 17 February 2003, from http://news.bbc.co.uk/1/hi/world/middle_east/2773759.stm

¹⁹⁰ *Daily Telegraph*, 10 February 2003

¹⁹¹ *Financial Times*, 11 March 2003

¹⁹² *Financial Times*, 29 January 2003

United Arab Emirates, Qatar and Bahrain

Qatar and Bahrain provide important facilities for US forces in the Gulf region. In Qatar US forces have been engaged in a comprehensive upgrade of the al-Udeid airbase and Camp As Sayliyah, where US Central Command has established its command and control facilities for the region. Bahrain is home to the US Fifth Fleet.

In early March 2003 the ruler of the United Arab Emirates, Sheikh Zayed bin Sultan al-Nahyan, brought forward a proposal for President Saddam Hussein to hand over power and go into exile. The proposal envisaged an amnesty for Iraqis linked to the regime and a joint UN-Arab League interim administration to run Iraq. The proposal drew support from Bahrain, Kuwait and Qatar and Saudi Arabia. However, attempts to secure backing for the plan from the League of Arab States and the Organisation of the Islamic Conference met with opposition from states such as Egypt and Syria which were opposed to any interference in the internal affairs of a fellow Arab state.

Reports on 11 March 2003 suggested that a delegation of Arab states was to visit Baghdad shortly to convey a series of specific requests on outstanding issues concerning weapons inspections. Iraq apparently agreed to the visit on condition that proposals for exile would not be discussed. The delegation would include the Secretary-General of the Arab League, Amr Moussa, and the foreign ministers of Egypt, Syria, Lebanon, Bahrain and Tunisia.

B. Jordan

The Jordanian government has expressed concern over the potential impact that a conflict could have on the country's fragile economic and political stability. The economy remains depressed and tourism has plummeted since the outbreak of conflict in neighbouring Israel and the Palestinian territories in 2000 and the terrorist attacks of 11 September 2001.

Iraq is Jordan's main trading partner and supplier of oil. The Jordanian planning minister, Bassem Awadallah, said in early January 2003 that:

Jordanian industries and trade and transport are all highly dependent on opportunities in Iraq. Tourism and investment levels in general would also be affected. The direct and indirect impact on the well-being of the Kingdom is of extreme concern.¹⁹³

During the Gulf War of 1991 Jordan hosted around 1.2m migrant workers, mainly Asians and Egyptians, who had fled from Iraq and Kuwait. More than 300,000 Iraqi refugees crossed the border and a similar number of Jordanian expatriates returned from Kuwait.¹⁹⁴ The Government fears that a similar influx of refugees could place significant strain on the country, both economically and socially, and has warned it would consider closing the

¹⁹³ 'Iraq war talk stokes Jordanian fears', BBC News web site at <http://news.bbc.co.uk>, 3 January 2003

¹⁹⁴ *The Times*, 1 March 2003

border. Consultations between Amman and UN officials have reportedly resulted in an agreement to keep the border open in the event of conflict, and work has begun on the construction of two camps in eastern Jordan, near to the border with Iraq.¹⁹⁵

C. Turkey

The Turkish Government has expressed concern over the possible impact military action could have on what it sees as its vital political and economic interests. The economic fallout for Turkey from the first Gulf War in 1991 and the UN sanctions on Iraq was substantial, not least with regard to the loss of trade with its neighbour. Consequently, Turkey has been anxious to secure agreement with the US Government on an economic aid package to lessen the impact of any conflict.

Turkish officials believe the instability in northern Iraq since 1991 and the emergence there of a *de facto* Kurdish-controlled territory outside Baghdad's control have impacted on Turkey's south-eastern border regions, inflaming separatist tendencies among its ethnic Kurdish population and fuelling a violent insurgency by Kurdish PKK rebels. The insurgency has weakened in recent years following the arrest of PKK leader Abdullah Öcalan and a series of operations by Turkish forces into northern Iraq, aimed at disrupting attempts to regroup by the PKK. Nonetheless, Turkey has concerns over the behaviour of Iraq's Kurdish groups if Saddam Hussein's regime should fall, including a possible interest in independence. It fears that this might inspire Kurdish irredentism within Turkey.¹⁹⁶

Turkey reportedly maintains a force of several thousand troops in Kurdish-controlled northern Iraq, to counter potential PKK activity and support the local Turcoman minority.¹⁹⁷ A key element in the negotiations between Ankara and Washington over the issue of access for US ground forces through Turkey was related to the modalities of possible Turkish action in northern Iraq. The Turkish Government has indicated that, in the event of conflict, it intends to send in more troops as a humanitarian measure to prevent large refugee flows into Turkey. In the aftermath of the Gulf War in 1991 around 500,000 Kurdish refugees entered Turkey from northern Iraq.

Some Iraqi Kurdish officials have said they would not oppose a Turkish incursion, whereas others have indicated that such a move would be seen as hostile.¹⁹⁸

According to a *Newsweek* report of 24 February 2003 Washington has sought to limit the size of any such incursion to well below the 60,000-80,000 troops suggested by Ankara and to ensure that Turkish forces would be under US overall command. Turkey has said it would be

¹⁹⁵ *The Times*, 1 March 2003

¹⁹⁶ See 'Where the world stands on Iraq', BBC News web site, 3 December 2002, at <http://news.bbc.co.uk/1/hi/world/2240570.stm>

¹⁹⁷ See, for example, *New York Times*, 7 February 2003

¹⁹⁸ See, for example, *Agence France Presse*, 24 December 2002, and 'U.S. in talks on allowing Turkey to occupy a Kurdish area in Iraq', *New York Times*, 7 February 2003.

willing to “coordinate” with US forces. US officials also said they were seeking agreement from Turkey and Iraqi Kurdish leaders to allow US troops to seize the northern oil-producing towns of Mosul and Kirkuk, fearing that their seizure by Kurdish or Turkish forces would serve as a flash point.¹⁹⁹ Talks involving officials from Turkey, the USA and Iraqi Kurdish groups took place during February 2003 in an attempt to avoid potential misunderstandings.

A government motion authorising the deployment of US troops on its territory was submitted to the Turkish Parliament for approval, but narrowly failed in a vote on 1 March 2003. The motion appeared to have been carried by 264 in favour to 250 against, but the Speaker nullified the vote because the total number of “no” votes and abstentions (19) was greater than the number of favourable votes. Under the Turkish Constitution, a resolution can become law only if it is supported by a majority of the deputies present.²⁰⁰

There was doubt initially as to whether the Government intended to resubmit the motion. On 5 and 6 March 2003, however, the leader of the governing Justice and Development Party, Recep Tayyip Erdogan, and the head of Turkey’s armed forces, Chief of General Staff Hilmi Ozkok, both indicated their support for the package agreed with the USA, saying it would be in the country’s best interests to accept a US troop deployment.²⁰¹ US officials reportedly warned that Turkey “risked losing billions of dollars in aid that the United States has offered and damaging relations with a key ally.”²⁰²

Following his election to parliament in a by-election on 9 March 2003 Mr Erdogan is expected to be confirmed as Prime Minister in the near future.²⁰³ He said on 11 March 2003 that he would wish to seek clarification of Turkey’s role in a post-war Iraq, before re-submitting to Parliament the motion on US troop deployments.²⁰⁴

On 11 March 2003 Mr Erdogan was asked by the Turkish President to form a government. The Turkish Parliament is expected to sit from 14 to 17 March 2003 for a vote of confidence in the new government before it would be possible to re-introduce the motion on deployment of US troops. On 12 March 2003 the Turkish Foreign Minister, Yasar Yakis, said there was no guarantee that this would happen.²⁰⁵

¹⁹⁹ ‘Risking Civil War’, *Newsweek*, 24 February 2003

²⁰⁰ *Radio Free Europe/Radio Liberty*, via CNN, 3 March 2003

²⁰¹ *Financial Times*, 5 March 2003 and BBC News web site at <http://news.bbc.co.uk>, 5 March 2003

²⁰² *Washington Post*, 13 March 2003.

²⁰³ The Justice and Development Party won a decisive victory in the November 2002 parliamentary elections, but Mr Erdogan was at that time prevented from seeking election and becoming Prime Minister because of a past conviction for inciting racial hatred. Abdullah Gul has served as interim Prime Minister.

²⁰⁴ ‘Another Vote on US Troops Possible in Turkish Parliament’, *Voice of America News*, 11 March 2003

²⁰⁵ *BBC News On-line*, 13 March 2003.

Latest reports suggest there may be complications:

Turkey's leaders insist they need further assurances about postwar Iraq before they allow US troops to deploy along the border for an attack. In a new complication, they also are refusing to let the Pentagon use Turkish airspace without approval from parliament.²⁰⁶

D. Iran

Commentators characterise the Iranian attitude towards possible military action against Iraq as ambivalent. On the one hand, Iraq's invasion of Iran in 1980, and the ensuing eight-year war which cost more than 200,000 Iranian lives, continue to overshadow relations between Tehran and Baghdad. Consequently, there is little sympathy for the regime of Saddam Hussein, both in official circles and among the wider population.

On the other hand, the possibility of US-led military action has raised concern in Iran over the potential impact on the Iraqi civilian population and the prospect of a pro-US administration in Baghdad, which could leave Iran surrounded by states allied to Washington. Furthermore, the inclusion by President Bush of Iran in the "axis of evil" during his 2001 State of the Union address has caused disquiet within the Iranian Government, with some fearing that Iran may be Washington's next target for regime change.

In early February 2003 the Iranian Foreign Minister, Dr Kamal Kharrazi, said Iran supported the emergence of a democratic system in Iraq through indigenous developments rather than outside intervention. He went on to warn of the possible consequences that could arise from a mistaken handling of the Iraq issue, saying his Government had a deep concern

that this war may lead to a clash of civilisations. The reason is the suspicion which prevails in the Islamic world about the real intention behind this war - if it is the question of Saddam Hussein and the Iraqi regime, or it is the question of the whole Middle East and the Islamic world?

In Islamic communities in that part of the world, you find that everyone is suspicious to the real intention behind all of these war drums.²⁰⁷

Iran supports the main Iraqi Shi'a opposition group, the Supreme Council for the Islamic Revolution in Iraq (SCIRI), which is reported to have deployed 5,000 troops from its Badr Corps into Kurdish-controlled northern Iraq, in preparation for possible military action.²⁰⁸ SCIRI have been involved in consultations with other opposition groups and US officials on the possible political contours of a post-Saddam Iraq.

²⁰⁶ *Washington Post*, 13 March 2003.

²⁰⁷ BBC News web site at <http://news.bbc.co.uk>, 6 February 2003

²⁰⁸ *Financial Times*, 10 March 2003

E. Syria

Damascus has traditionally had an uneasy relationship with Baghdad, although bilateral ties have improved in recent years. Syria currently has a seat as a non-permanent member on the Security Council. Contrary to some expectations, Syria voted in favour of Resolution 1441 in November 2002, but it has been a vocal critic of US and British efforts to secure a further resolution which might be taken to authorise military action against Iraq. It has also underlined its position that Resolution 1441 does not authorise military action.

The Syrian Vice President, Abd-al-Halim Khaddam, declared in a speech to the summit of the Non-Aligned Movement on 25 February 2003 that:

All the justifications for war against Iraq have no legal basis because they are not the real reasons for the war. The real reason for the war that is being prepared against Iraq was declared by the US Secretary of State [Colin Powell] in one of the hearing sessions of the Foreign Relations Committee at the US Senate. In that session, he said that attacking Iraq may create some difficulties in other parts of the Middle East during the months that will directly follow the war. He added: "I believe it is possible to succeed and this success can dramatically reshape the region in a way that can be positively instrumental in serving the interests of the United States." The purpose of the war is to redraw the political map of the Middle East to guarantee that US interests are served. This is an extremely dangerous goal because it jeopardizes the independence and sovereignty UN member states and profoundly conflicts with the UN Charter and international law. [...]

Those who are walking the path of war ought to read history well, and this includes the history of the United States and the United Kingdom too.²⁰⁹

F. Israel and the Palestinian Territories

The Israeli Prime Minister, Ariel Sharon, has declared his strong support for military action against Iraq and has welcomed the prospect of regime change in Baghdad.

During the 1991 Gulf War Israel was targeted by 39 Iraqi Scud-based missiles. The Israeli government of Yitzhak Shamir decided against a military response, after coming under heavy pressure from Washington, which feared that an Israeli strike would undermine the broad international coalition aligned against Iraq. However, the policy of restraint drew criticism from Mr Sharon who was serving at the time as housing minister and who accused the Government of undermining Israel's doctrine of deterrence and handing over responsibility for defending the country to the USA and its allies.

²⁰⁹ Syrian News Agency SANA web site, 25 February 2003, from *BBC Monitoring*

A number of Israeli officials from the current Government have indicated that military action would be taken in the event of an Iraqi strike against Israel. Mr Rumsfeld stressed Washington's desire to avoid such an outcome, declaring in September 2002 that: "It would be in Israel's overwhelmingly best interest not to get involved."²¹⁰ US Patriot surface to air missiles have been deployed to Israel, as they were during the first Gulf War, as a defensive measure against ballistic missile attack.

During the Gulf War the Palestinian leadership and much of the population supported Iraq's occupation of Kuwait, a position that many Palestinians subsequently came to see as a mistake and detrimental to their interests.

Some commentators have expressed concern that the focus of international attention on Iraq may lead to an escalation in the 30-month conflict between Palestinian militia groups and Israeli forces, despite recent progress on Palestinian political reform.

²¹⁰ *Financial Times*, 21 September 2002

VI Social and economic indicators

A. Iraq: key population and vital statistics

The following tables provide a range of statistical information relating to Iraq, including population, life expectancy, birth and death rates, GDP per capita, and labour force participation. Data on Iraq is relatively easy to obtain until the late 1980s and there are a number of reputable sources providing a range of socio-economic indicators. Since then, however, data is much less reliable and it is infrequent. Nonetheless, notable points include:

- The Iraqi population grew from around 5 million inhabitants in 1948 to 23.5 million in 2001. There were significant net increases in population during the late 1950s/early 1960s, and also since the late 1970s.
- The Iraqi birth rate rose from 6.5 births per 1,000 population to 38.4 births/1,000 by 1993. UNICEF data for 2001 reports the birth rate in Iraq as 35.0 births/1,000.
- The death rate in Iraq rose from 5.3 deaths per 1,000 population in 1989 to 10.4/1,000 by 1993. UNICEF data for 2001 estimates the death rate in Iraq as 8.0 deaths/1,000 population.
- Infant mortality in Iraq is high by international standards. In 1993 there were 127 infant deaths per 1,000 live births, although recent data from UNICEF reports that the infant mortality rate fell to 107 infant deaths/1,000 live births.
- GDP per capita rose from \$245 in 1960 to \$3,465 in 1991 (cash prices).
- Life expectancy at birth for Iraqi males born between 1950 and 1955 was 43.1 years, and it was 44.9 years for Iraqi females.
- Life expectancy for Iraqi males born in 1990 was 77.4 years, and it was 78.2 years for Iraqi females.
- In 1995 46% of the Iraqi population aged over 15 was in employment, although there were significant gender differences. 75% of men aged over 15 participated in the labour force, and only 16.5% of women did so. It also worthy of note that over 40% of Iraqi men (compared with only 3.6% of women) aged 65 and over were in some form of employment in Iraq in 1995.

Iraq: estimates of mid-year population and vital statistics, 1948-1997

	Population	Live births		Deaths		Natural increase	Infants deaths		GDP per capita
	Number	Number	Rate	Number	Rate	Rate	Number	Rate	US dollars
1948	4,935,000	...	...	...	...	...	...	...	...
1949	5,065,300	32,935	6.5	22,306	4.4	2.1	3,216	97.6	...
1950	5,198,400	37,578	7.2	19,580	3.8	3.4	3,657	97.3	...
1951	5,337,600	38,127	7.1	18,490	3.5	3.6	3,395	89.0	...
1952	5,483,100	45,530	8.3	17,571	3.2	5.1	2,548	56.0	...
1953	5,635,300	65,154	49.4	29,275	21.9	27.5	2,406	165.0	est
1954	5,794,300	64,365	11.1	29,004	5.0	6.1	2,826	43.9	...
1955	5,960,600	74,567	12.5	27,748	4.7	7.8	2,575	34.5	...
1956	6,083,000	80,396	13.2	24,201	4.0	9.2	2,295	28.5	...
1957	6,298,976	64,758	10.3	25,449	4.0	6.3	2,522	38.9	...
1958	6,487,882	77,675	49.4	26,794	21.0	28.4	3,029	148.0	est
1959	6,682,010	169,916	25.4	27,943	4.2	21.2	3,047	17.9	...
1960	6,885,244	197,465	28.7	29,861	4.3	24.4	3,496	17.7	245
1961	7,098,013	136,874	19.3	28,993	4.1	15.2	3,727	27.2	258
1962	7,320,761	137,805	18.8	28,732	3.9	14.9	4,014	29.1	267
1963	7,553,959	140,444	49.3	26,609	18.8	30.5	2,971	130.0	est
1964	7,798,096	158,430	20.3	33,314	4.3	16.0	3,076	19.4	298
1965	8,047,415	124,653	15.5	33,892	4.2	11.3	2,950	23.7	316
1966	8,308,376	149,161	18.0	32,652	3.9	14.1	2,665	17.9	332
1967	8,579,852	160,743	18.7	34,250	4.0	14.7	2,598	16.2	324
1968	8,859,918	133,808	48.8	30,482	16.9	31.9	2,346	111.0	est
1969	9,148,846	134,408	14.7	35,329	3.9	10.8	2,826	21.0	360
1970	9,440,098	143,299	15.2	33,464	3.5	11.7	2,826	19.7	378
1971	9,749,597	143,240	14.7	38,546	4.0	10.7	3,647	25.5	436
1972	10,074,169	157,703	15.7	40,599	4.0	11.7	4,515	28.6	426
1973	10,412,586	166,087	47.4	40,750	14.6	32.8	4,559	96.0	est
1974	10,765,442	170,819	15.9	44,649	4.1	11.8	5,488	32.1	1,063
1975	11,124,253	196,108	17.6	51,755	4.7	12.9	6,068	30.9	1,224
1976	11,505,234	261,863	22.8	48,310	4.2	18.6	8,146	31.1	1,371
1977	12,029,760	289,522	24.1	50,558	4.2	19.9	8,868	30.6	1,701
1978	12,405,000	...	41.9	...	8.8	33.1	...	84.0	est
1979	12,821,000	...	...	...	...	...	...	...	3,008
1980	13,238,000	371,022	28.0	64,673	4.9	23.1	...	...	4,080
1981	13,669,000	388,252	28.4	67,589	4.9	23.5	12,078	31.1	2,761
1982	14,110,425	...	...	...	...	...	...	...	2,913
1983	14,586,000	...	41.0	...	8.4	32.6	...	78.0	est
1984	15,077,000	...	...	...	...	...	9,926	...	3,184
1985	15,585,000	445,255	28.6	72,055	4.6	24.0	13,523	30.4	3,198
1986	16,110,000	468,752	29.1	75,270	4.7	24.4	13,075	27.9	3,008
1987	16,330,000	471,305	28.9	78,905	4.8	24.1	11,804	25.0	3,526
1988	16,882,000	549,222	40.3	75,585	7.2	33.1	12,321	64.0	est
1989	17,428,000	641,791	36.8	92,255	5.3	31.5	16,146	25.2	3,881
1990	18,078,000	...	...	...	...	...	...	...	4,146
1991	18,514,000	457,074	24.7	...	...	...	...	...	3,465
1992	18,898,000	502,415	26.6	...	...	...	...	...	...
1993	19,261,000	...	38.4	...	10.4	28.0	...	127.0	est
1994	19,650,000	...	...	...	...	...	...	...	...
1995	20,095,000	...	...	...	...	...	...	...	...
1996	20,607,000	...	...	...	...	...	...	...	...
1997	21,177,000	...	...	...	...	...	...	...	...
1998	21,750,000	...	...	...	...	...	...	...	...
1999	22,340,000	...	...	...	...	...	...	...	...
2000	22,950,000	...	...	...	...	...	...	...	...
2001	23,580,000	823,000	35.0	...	8.0	...	...	107.0	...

Notes

... data not available

est population data estimated by the Population Division of the United Nations

2001 data extracted from UNICEF *The State of the World's Children 2003*

Other Sources: United Nations: *Demographic Yearbook, Historical supplement*; IMF *International Financial Statistics Yearbook*

Iraq: expectation of life at birth, by gender: 1948-1997

	<u>Year of birth</u>	<u>Life expectancy at birth (years)</u>
Male		
	1950-1955	43.10 <i>e</i>
	1955-1960	46.10 <i>e</i>
	1960-1965	49.10 <i>e</i>
	1965-1970	52.10 <i>e</i>
	1970-1975	56.10 <i>e</i>
	1975-1980	60.50 <i>e</i>
	1980-1985	61.50 <i>e</i>
	1985-1990	63.50 <i>e</i>
	1990	77.43
Female		
	1950-1955	44.90 <i>e</i>
	1955-1960	47.90 <i>e</i>
	1960-1965	50.90 <i>e</i>
	1965-1970	53.90 <i>e</i>
	1970-1975	57.90 <i>e</i>
	1975-1980	62.30 <i>e</i>
	1980-1985	63.30 <i>e</i>
	1985-1990	66.50 <i>e</i>
	1990	78.21

Notes

Average number of years of life remaining to persons surviving to exact age specified, if subject to mortality conditions of period indicated

e Estimate prepared by the Population Division of the United Nations

Source: United Nations: *Demographic Yearbook, Historical supplement*

Iraq: Labour force participation rate, by age and gender, 1990-

percentage

Age	1990			1995			latest year		
	M/F	Male	Female	M/F	Male	Female	M/F	Male	Female
15+	44.9	74.6	14.5	46.0	74.7	16.5	...	...	...
15-24	32.2	52.1	11.5	32.9	52.1	12.7	...	...	...
15-64	46.2	76.2	15.1	47.4	76.4	17.3	...	...	...
25-54	56.9	93.7	18.6	58.3	93.6	21.5	...	...	...
55-64	39.0	71.5	7.4	39.0	70.4	8.3	...	...	...
65+	21.6	42.4	3.7	20.6	40.2	3.6	...	...	...

... data not available

Source: International Labour Organisation (ILO) *Key Indicators of the Labour Market 2001-02* (2001)

B. Oil prices and production

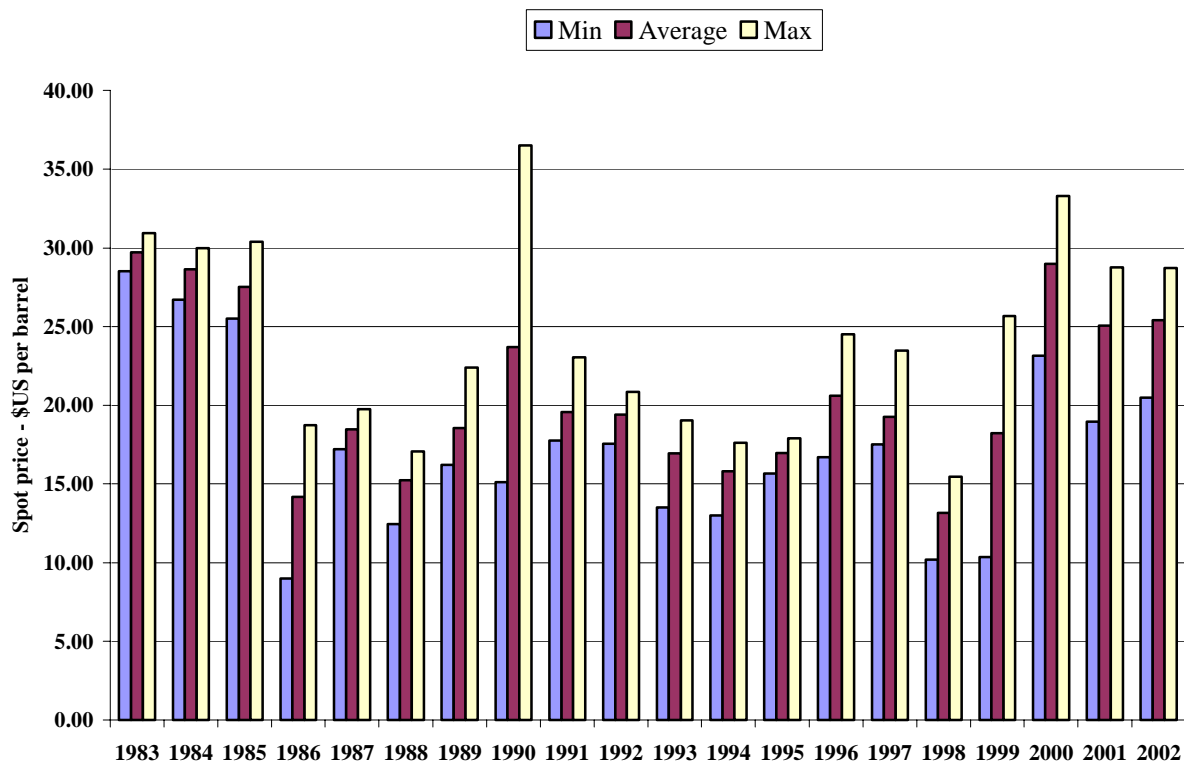
1. Brent Crude oil prices

The graph below reports the spot price (in \$US per barrel) for Brent crude oil between 1983 and 2002, reporting the minimum price during the year as well as the maximum price and the average.

During the period 1983 to 2002 the annual average spot price was \$20.77/barrel. The lowest price was recorded in August 1986 at \$9.00/barrel. The highest Brent Crude price during this period was recorded in September 1990, shortly before the 1991 Gulf War, at \$36.50/barrel. By February 1991 the spot price fell back to \$17.75, rising again in March 1991 to \$19.05.

In January 2003 the Brent crude spot price was \$31.38, compared with \$20.48 the previous year.²¹¹

Brent Crude Oil Prices 1983-2002



²¹¹ Institute of Petroleum *IP Statistics 14* (March 2003)

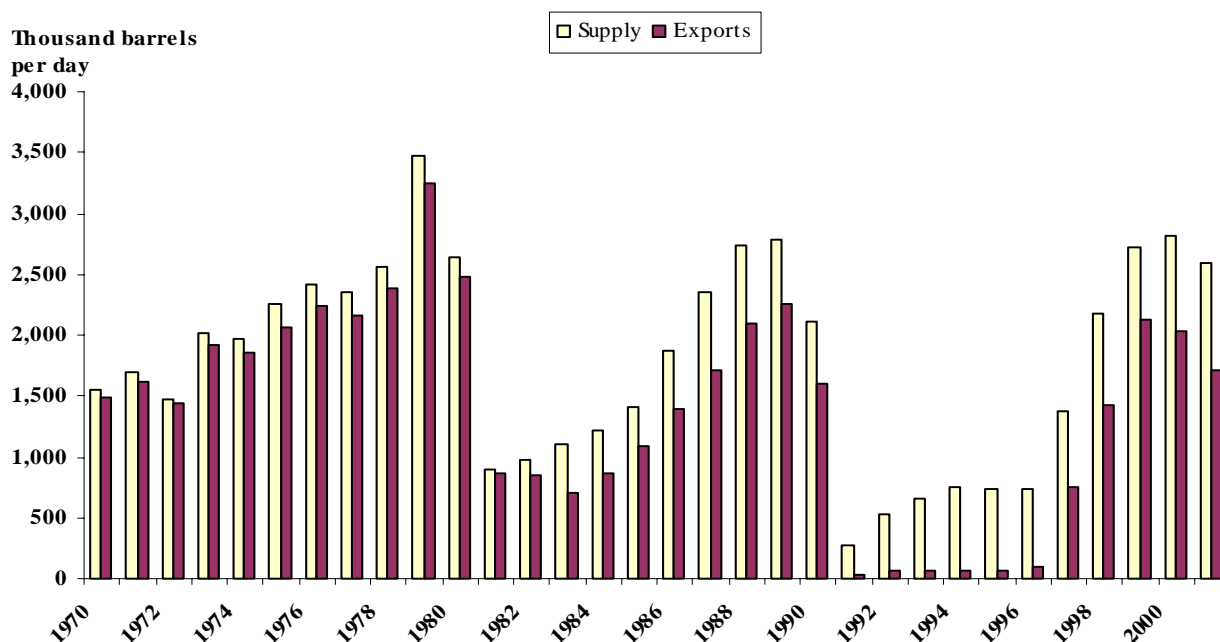
2. Oil production in Iraq

The following chart illustrates Iraqi oil production and exports since 1970.

Oil production and exports grew steadily during the 1970s, rising from 1.5million barrels per day in 1970 to 3.5million barrels/day by the end of the decade. Exports broadly kept pace with supply during this period, increasing from slightly under 1.5million barrels exported each day in 1970 to 3.2million barrels/day by 1979.

In 1979, the year Saddam Hussein assumed power as President, oil production and exports fell markedly, followed by a further significant downturn in 1980 as hostilities heightened at the start of the Iran-Iraq war. By the end of the war, in 1989-90, oil production had returned to 1980 levels, although it immediately declined following the invasion of Kuwait and the subsequent Gulf War in 1991. Between 1991 and 1996 Iraq supplied less than 800,000 barrels/day, mostly for its own domestic consumption. UN sanctions prevented the Iraqis from exporting more than 60 or 70 thousand barrels of oil each day. Since the start of the “oil-for-food” programme in May 1996 (UN Security Council Resolution 986), oil production has increased steadily, from 1.4million barrels/day in 1997 to 2.6million in 2001. Oil exports have also increased, from 54% of supply (or 746,000 barrels/day) in 1997 to 66% (or 1.7million barrels/day) in 2001.

Iraqi crude oil production and exports 1970-2001



Sources: IEA Oil Market Report December 2002; OPEC annual statistical bulletin 2001

Oil Production by Iraqi Oilfields, 2001-02

million barrels oil per day

Company	Production		Company	Production	
	March 2001	July 2002(est)		March 2001	July 2002 (est)
South Oil Company (SOC)			North Oil Company (NOC)		
South Rumaila	0.700	...	Kirkuk	0.800	...
North Rumaila	0.350	...	Bai hassan	0.100	...
Zubair	0.155	...	Jambuer	0.075	...
West Qurna	0.140	0.250	Khabbaz	0.025	...
Missan	0.040	...	Saddam	0.025	...
Luhais	0.030	...	Ain Zalah	0.008	...
Nahr Bin Omar	0.005	...	Sufaya	0.008	...
Majnoon	...	0.005			
Total SOC and NOC	2.460				

Sources: Petroleum Argos 2001 *Special Report: Iraq* (19 March 2001); Energy Intelligence Group *Energy Compass* (July 2002) RIIA *The Future of Oil in Iraq: Scenarios and Implications* Sustainable Development Programme (Briefing Paper 5), p.4;

The table opposite reports estimated crude oil production in selected OPEC and non-OPEC countries for the month of November 2002. At the time of writing this is the latest available data. In November 2002 global oil production was estimated at 78.6 million barrels/day.

Iraqi crude oil accounted for 3% of global oil production (or 2.7 million barrels/day). OPEC countries produced 38% of total world oil supplies, while non-OPEC states accounted for 62%. The largest oil producing states in November 2002 were the countries of the former USSR (12%; 9.8million barrels/day), United States (10%; 7.9million barrels/day), and Saudi Arabia (10%; 7.7million barrels/day).

Estimated crude oil production in selected countries, November 2002

Million barrels per day

OPEC	30.1
Saudi Arabia	7.7
Iran	3.5
Venezuela	2.7
Iraq	2.4
Qatar	0.7
UAE	2.0
Non-OPEC	48.5
United States	7.9
Former Soviet Union	9.8
Norway	3.4
China	3.4
UK	2.5
Canada	2.7
Mexico	3.6
World	78.6

Source: International Energy Authority *Oil Market Report December 2002*

3. Iraq's oil: foreign investment agreements and contracts

A number of companies have been awarded or promised contracts by the present Iraqi regime to invest in the Iraqi oil sector. These contracts have been held in abeyance while UN sanctions remain in place.

The following tables detail current international investment agreements and contracts in the Iraqi oil industry, and information regarding the country of registration of companies who are signatories (or likely to be signatories) to these agreements.

Stakeholders in the Iraqi Oil Industry

<u>Company</u>	<u>Country of registration</u>
Sonatrach	Algeria
BHO	Australia
Bow	Canada
Nexen	Canada
CNPC	China
TotalFinaElf	France
ONGC	India
Reliance	India
Pertamina	Indonesia
Eni	Italy
Japex	Japan
Petronas	Malaysia
Crescent	Pakistan
Bashneft	Russia
LUKoil	Russia
Mashinoimport	Russia
Stroyexport	Russia
Tatneft	Russia
Zarubezhneft	Russia
Korean consortium	South Korea
Repsol	Spain
SPC	Syria
ETAP	Tunisia
TPAO	Turkey
Pacific	UK
Shell	UK; Netherlands
PetroVietnam	Vietnam

Source: Royal Institute of International Affairs *The Future of Oil in Iraq: Scenarios and Implications* (Sustainable Development Programme Briefing Paper 5, December 2002)

The most costly of the contracts was signed by the Russian-registered company, Mashinoimport, for the Suba-Luhais oil field (\$5.5bn estimate). The potential for oil production at this site is estimated at 100,000 barrels/day. Reserves are estimated at 2.2billion barrels.

The French-registered company, TotalFinaElf, has been selected for direct negotiations for the Majnoon oil field (\$4bn est) and the contract has been initialled. The potential for oil production at Majnoon is estimated at 600,000 barrels/day while oil reserves at the site are estimated at between 10 and 30 billion barrels. In a recent paper published by the Royal Institute of International Affairs, Valerie Marcel noted that:

“France’s TotalFinaElf (TFE) has been the most high-profile player to sign preliminary agreements with Iraq to develop its fields. If TFE succeeds in signing for both of the promised fields [Majnoon and Nahr Bin Omar] the prize would be great for the group’s future, doubling its reserves (with an added 10bn barrels) and eventually adding 400,000 b/d to its production (a 16% increase) However, these fields, like those awarded to LUKoil, are the ones that would be of greatest interest to the major American and British companies so far excluded during the sanctions regime.”²¹²

²¹² Valerie Marcel, *The Future of Oil in Iraq: Scenarios and Implications*, Royal Institute of International Affairs Sustainable Development Programme Briefing Paper 5 (December 2002), p.8, at <http://www.riia.org/pdf/research/sdp/The%20Future%20of%20Oil%20In%20Iraq%20Marcel%20Dec%202002.pdf>.

Iraqi Oil Production: Current International Investment Agreements and Contracts

Field Name	Production capacity (mm barrels/day)	Reserves (billion barrels)	Cost (\$bn, estimate)	Company
Al-Ahdab	0.09	0.20*	0.50	CNPC
Amara	0.08	0.20/0.48*	0.50	Petro Vietnam
Gharaf	0.10/0.13*	1.00	2.50	TPAO/Japex
Halfaya	0.22/0.25*	2.50/4.60*	2.00	BHP, CNPC, South Korean Consortium
Hemrin	0.06	0.20	0.50	Stroyexport/Bow Canada
Khurmala	0.10	1.00	2.50	Stroyexport/Bow Canada
Kifl Structure				ETAP
Majnoon	0.60	10.00 - 30.00	4.00	TotalFinaElf
Nahr Bin Omar	0.44	6.00	3.40	TotalFinaElf
Nassiriya	0.30	2.00/2.60*	1.90	Eni/Repsol
North Rumaila Mishrif	0.25	0.40	1.00	Mashinoimport
Nur	0.05*			Syrian Petroleum Company
Rafidain	0.10	0.30/0.68*	0.75	Pacific/Sidanco/Taipenelf/JNPC/Perenco
Ratawi	0.20/0.25*	1.00/3.10*	2.50	Shell/Nexen/Petronas/Crescent
South Rumaila Mishrif	0.25	0.40	1.00	Tatneft
Suba-Luhais	0.10	2.20	5.50	Mashinoimport/Salvneft
Tuba	0.18/0.2*	0.50/1.50*	1.25	ONGC/Sonatrach/Reliance/Pertamina
West Qurna DS 6	0.07	0.20	0.50	Bashneft
West Qurna Phase I	0.20	0.40	1.00	Zarubezhneft
West Qurna Phase II	1.00/0.60*	15.00	3.70	Lukoil/Zarubezhneft/Mashinoimport
Western Desert Bloc 3		2.00*		Pertamina
Western Desert Bloc 8				ONGC/Sonatrach/Reliance/Pertamina
Zubair Mishrif	0.06	0.20	0.50	Indigenous

* indicates MEES figures where diverging

Sources: RIIA *The Future of Oil in Iraq: Scenarios and Implications* Sustainable Development Programme (Briefing Paper 5), p.7; Deutsche Bank *Global Oil and Gas* (9 August 2002) and *Major Oils 2002 - crossing the rubicon* (October 2002); MEES (16 July 2001 and 14 October :

Annex I: Chronology of developments since 1990

2 August 1990	Iraq invades Kuwait. UN Security Council adopts Resolution 660 , demanding withdrawal.
6 August 1990	UNSC Resolution 661 , imposing sanctions on Iraq.
29 November 1990	UNSC Resolution 678 , demanding withdrawal by 15 January 1991 and authorising “all necessary means” to bring about liberation of Kuwait and to restore peace and security in area.
16 January 1991	US-led military coalition begins Operation Desert Storm .
February 1991	Iraqi forces expelled from Kuwait
March – April 1991	Uprisings in Kurdish north of Iraq and among Shi’a population in south, put down with great force by regime.
3 April 1991	UNSC Resolution 687 , the “cease-fire resolution,” imposing obligations on Iraq to destroy its weapons of mass destruction programmes. UNSCOM established to carry out inspection and monitoring of destruction of chemical, biological and ballistic missile capabilities. IAEA charged with inspecting and destroying nuclear capability. Iraq obligated to recognise inviolability of border with Kuwait and return all Kuwaiti POWs.
5 April 1991	UNSC Resolution 688 , demanding end to Iraqi repression of its population and appealing to all Member States to contribute to humanitarian relief efforts.
April 1991	USA, UK and France create no-fly zone north of 36 th parallel, citing Resolution 688, and arguing that zone is necessary humanitarian measure to deter further internal repression.
August 1991	Iraq submits initial declaration in which it admits to possessing chemical weapons and 53 ballistic missiles. It denies having offensive biological weapons programme or nuclear weapons grade material and related facilities.

- 15 August 1991 UNSC **Resolution 707**, condemning Iraq's failure to comply with the IAEA and UNSCOM as "serious violation" and "material breach" of obligations under Resolution 687.
- August 1992 Second no-fly zone created south of 32nd parallel (later extended to 33rd parallel) to protect Shi'a population.
- 14 April 1995 UNSC **Resolution 986**, establishing "oil-for-food" programme, to allow sale of US\$2 billion of oil to finance purchase of food and medical supplies.
- August 1995 Iraq admits to offensive biological weapons capability following defection and revelations by Hussein Kamel.
- 12 June 1996 UNSC **Resolution 1060**, deploring Iraq's refusal to allow access for UNSCOM to suspected weapons sites as "clear violation" of Resolutions 687, 707 and 715.
- 21 June 1997 UNSC **Resolution 1115**, condemning denial of access for UNSCOM to certain sites, and demanding immediate, unconditional and unrestricted access.
- 23 October 1997 UNSC **Resolution 1134**, condemning repeated refusal of access for UNSCOM teams, and deciding that such refusals constitute "flagrant violation" of Resolutions 687, 707, 715 and 1060.
- February 1998 Iraq decides to terminate cooperation with UNSCOM, prompting threat of military action by USA and UK to bring about forced disarmament of Iraq.
- Iraq signs **Memorandum of Understanding** with UN Secretary-General Kofi Annan to allow inspections to resume.
- 2 March 1998 UNSC **Resolution 1154**, endorsing Memorandum of Understanding and warning that any violation of it would have "severest consequences for Iraq."
- 5 March 1998 UNSCOM inspectors return to Iraq.
- 5 August 1998 Iraq announces suspension of all cooperation with UNSCOM and IAEA.

- 5 November 1998 UNSC **Resolution 1205**, condemning Iraq's decision to end cooperation with inspectors as "flagrant violation" of existing resolutions, and demanding that Iraq provide UNSCOM and IAEA with "immediate, complete and unconditional co-operation."
- 11 November 1998 UNSCOM personnel withdraw from Iraq on recommendation of USA.
- 14 November 1998 US and British Governments **authorise air strikes against Iraq** as efforts continue at UN to find diplomatic solution. Action averted when Iraq indicates willingness to comply with UN demands.
- 17 November 1998 UNSCOM inspectors return to Iraq.
- 15 December 1998 UNSCOM Executive Chairman makes report on state of Iraqi compliance. "Butler Report" states that in general Iraq had not provided full co-operation promised on 14 November 1998. UNSCOM and IAEA personnel withdraw from region due to concerns over their security
- 16 December 1998 **Operation Desert Fox.** USA and UK initiate four days of air strikes against suspected WMD infrastructure, citing Resolutions 1154 and 1205, among others.
- 21 December 1998 Iraqi Vice President, Taha Yasin Ramadan, declares Iraq no longer willing to co-operate with UN inspectors.
- 17 December 1999 UNSC **Resolution 1284**, disbanding UNSCOM and replacing it with UNMOVIC.
- 29 January 2002 President Bush makes State of Union address, including Iraq in "Axis of Evil," claiming its possession of weapons of mass destruction constitute grave threat to world, linking it to threat from terrorism.
- 12 September 2002 **President Bush addresses UN General Assembly** in attempt to secure support for US position on Iraq.
- 16 September 2002 Iraq informs UN of acceptance of unconditional return of weapons inspectors.
- 11 October 2002 President Bush receives congressional support for use of force against Iraq with or without UN support.

- 8 November 2002 UNSC **Resolution 1441**, affording Iraq “a final opportunity to comply with its disarmament obligations.” Council states that Iraq had been and remained in material breach of obligations and concludes by noting that it had repeatedly warned Iraq it would “face serious consequences as a result of its continued violations of its obligations.”
- 7 December 2002 Iraq submits weapons declaration to UN, pursuant to Resolution 1441.
- 19 December 2002 Heads of UNMOVIC and IAEA, Dr Hans Blix and Dr Mohamed El-Baradei, give informal briefing to Security Council on Iraqi declaration and the inspection process.
- 9 January 2003 Blix/El-Baradei briefing to Security Council.
- 27 January 2003 Blix/El-Baradei update Security Council on state of inspection process, pursuant to Resolution 1441.
- 5 February 2003 US Secretary of State, Colin Powell, makes presentation to Security Council on case for action, claiming that Iraq is failing to disarm and is deceiving inspectors over true state of proscribed weapons programmes.
- 14 February 2003 Blix/El-Baradei brief open session of Security Council.
- 15 February 2003 Peace protests around world.
- 24 February 2003 UK, USA and Spain introduce draft resolution to Security Council. France, Russia and Germany submit memorandum.
- 1 March 2003 Turkish Parliament narrowly fails to approve authorisation of deployment of US troops on its territory.
- 7 March 2003 Blix/El-Baradei brief Security Council.
- UK, USA and Spain introduce different draft resolution to Security Council.

Annex II: Parliamentary debates, statements and papers since September 2002

a. Debates and Statements

The following is a list of debates and statements on Iraq in Government time in the Commons since the recall in September 2002.

24 September 2002, cc26-156, Debate on motion to adjourn.

7 November 2002, cc431-51, Statement by Jack Straw, Foreign Secretary, Negotiations on a new UN Security Council resolution on Iraq.

25 November 2002, cc47-133, Debate on motion:

That this House supports UNSCR 1441 as unanimously adopted by the UN Security Council; agrees that the Government of Iraq must comply fully with all provisions of the Resolution; and agrees that, if it fails to do so, the Security Council should meet in order to consider the situation and the need for full compliance.

Motion agreed on question.

18 December 2002, cc845-58, Statement by Geoff Hoon, Secretary of State for Defence, Contingency preparations for possible military action against Iraq.

7 January 2003, cc23-39, Statement by Geoff Hoon, Secretary of State for Defence, Iraq and military contingency preparations.

20 January 2003, cc34-46, Statement by Geoff Hoon, Secretary of State for Defence, Further contingency preparations (posting 26,000 additional troops to the Gulf).

21 January 2003, cc167-83, Statement by Jack Straw, Foreign Secretary, Global Terrorism/Iraq (general policy update).

22 January 2003, cc326-406, Debate on Defence in the World, on a motion for the adjournment (includes reference to Iraq).

3 February 2003, cc21-38, Statement by Tony Blair, Prime Minister, Iraq (reporting his meeting with President Bush in Washington).

6 February 2003, cc455-66, Statement by Geoff Hoon, Secretary of State for Defence, Iraq: further contingency provisions (deployment of air forces).

13 February 2003, cc1056-72, Statement by Jack Straw, Foreign Secretary, Iraq (in advance of Blix/el-Baradei presentation to Security Council).

25 February 2003, cc123-140, Statement by Tony Blair, Prime Minister, Iraq (following introduction of new draft resolution to Security Council).

26 February 2003, cc265-371, Debate on motion:

That this House takes note of Command Paper Cm 5769 on Iraq; reaffirms its endorsement of United Nations Security Council Resolution 1441, as expressed in its Resolution of 25th November 2002; supports the Government's continuing efforts in the United Nations to disarm Iraq of its weapons of mass destruction; and calls upon Iraq to recognise this as its final opportunity to comply with its disarmament obligations.

Motion carried on division 434 to 124.

10 March 2003, cc21-39, Statement by Jack Straw, Foreign Secretary, Iraq and Israel/Palestine.

b. *Papers*

Foreign Policy Aspects of the War Against Terrorism, Foreign Affairs Committee, Second Report of 2002-03, HC 196, 17 December 2002 (includes discussion of legal points regarding Iraq, see Ev17ff).

Iraq, Cm 5769, 25 February 2003 (selection of useful international instruments and documents relevant to the Iraq crisis).

Unresolved Disarmament Issues: Iraq's proscribed weapons programmes, UNMOVIC working document, 6 March 2003, available at <http://www.un.org/Depts/unmovic/documents/cluster6mar.pdf>, and in Library as Dep 03/755.

Preparing for the Humanitarian Consequences of Possible Military Action Against Iraq, International Development Select Committee, Fourth Report of 2002-03, HC 444-I, 12 March 2003.