

1 (2.00 pm)

2 SIR JOHN CHILCOT: Good afternoon and welcome. Welcome to
3 everyone this afternoon. Our witness is Dr Hans Blix.
4 You, Sir, served as the Executive Chairman for the
5 United Nations Monitoring, Verification and Inspection
6 Commission, which I think we are allowed to call
7 UNMOVIC, from 1 March 2000 until the end of June 2003.
8 As Chairman of UNMOVIC you had overall responsibility
9 for the inspection process in Iraq. The process itself
10 ran, we understand, from 27 November 2002 until
11 18 March 2003, just two days before the commencement of
12 military action.

13 We hope to look today at some detail about the
14 inspection process, the context in which it took place
15 and the stage it had reached by the time the inspectors
16 were withdrawn from Iraq on 18 March 2003.

17 Now I say on every occasion and I repeat it this
18 afternoon, we recognise that witnesses give evidence
19 based on their recollection of events and we of course
20 check what we hear against papers to which we have
21 access and which we are still receiving.

22 I remind every witness on each occasion you will
23 later be asked to sign a transcript of the evidence to
24 the effect that the evidence they have given is
25 truthful, fair and accurate.

1 With those preliminaries out of the way I will ask

2 Sir Martin to Gilbert to open the questions. Martin?

3 SIR MARTIN GILBERT: Dr Blix, we would like to begin by
4 looking at the history of inspections in Iraq and in
5 particular the legacy of the UNSCOM inspections in the
6 1990s that set the context for UNMOVIC's creation and
7 your subsequent work. You were of course at the time
8 the Director General of the International Atomic Energy
9 Agency, which also played a significant part in Iraq.

10 We have of course read your "Disarming Iraq" and all
11 your reports. Could you start by explaining to us what
12 the WMD-related obligations of Iraq were following the
13 conclusion of the 1991 Gulf War and the adoption of
14 UNSCR 871¹?

15 DR BLIX: Right. Yes. They were set out in resolution 687
16 of 1991 and Iraq was to declare its weapons of mass
17 destruction and the logistics of it, the facilities
18 and such. Then UNSCOM was to verify the biological and
19 chemical and missile part of the programme and the IAEA
20 was to verify the nuclear part of the programme. Both
21 UNSCOM and IAEA were to ensure the destruction of items
22 they had found proscribed.

23 The leverage were the sanctions, and the sanctions
24 were quite draconian, simply that no state was allowed
25 to import any oil from Iraq. So they were cut off

¹ This question should have referred to UNSCR 687

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1 altogether from their income.

2 Now the resolution 687 also foresaw that when
3 everything was destroyed and eliminated there would be
4 monitoring by UN inspection and there was no time limit
5 set for that. They assume that the ban on import of
6 weapons would remain for an indefinite period of time.
7 At least it was not decided when. Secondly, that
8 monitoring would be there for a very long time.

9 Now the means to verify the Iraqi declarations were
10 by the right to go anywhere and to request to see
11 anybody, and to check with exporters and to receive
12 intelligence from national intelligence organisations.

13 The thought was at the time that it would be
14 a relatively short time for disarmament, that it would
15 be quick, that the sanctions would be so effective that
16 Iraq would declare everything.

17 That proved a false assumption. The Iraqis did not
18 declare any biological programme at all and they first
19 denied there was a nuclear programme, but very shortly
20 thereafter they came up with some declaration and they
21 enlarged it as we went along.

22 Now due to this lack of cooperation by the Iraqis,
23 the suspicions arose. There was no confidence at all
24 between UNSCOM and IAEA on one side and the Iraqis on the
25 other. A verification developed from a checking of

1 their statements to a hide and seek as we saw it.

2 In reality we know by now that Saddam ordered the
3 destruction of the weapons of mass destruction already
4 in 1991. Some was declared, some chemicals remained and
5 were later destroyed under UNSCOM's supervision, but
6 a very large part was destroyed unilaterally by the
7 Iraqis without inviting the inspectors, which was of
8 course a violation of the resolution.

9 SIR MARTIN GILBERT: Can I ask what were the particular
10 areas in which UNSCOM was successful and what were the
11 areas which it was unable to resolve.

12 DR BLIX: I think that Rolf Ekeus, who was the first
13 Chairman of UNSCOM, is fond of saying that more weapons
14 of mass destruction were destroyed in Iraq during the
15 period of inspections than during the Gulf War and that
16 may well be right, though most of it perhaps was
17 destroyed by the Iraqis without the presence of the
18 inspectors.

19 So it very much was discussed and someone has said
20 this was really achieving disarmament without knowing it
21 is going on.

22 At the same time, of course, there was an attempt by
23 the Iraqis to keep as much as they could of their
24 capability -- well, at least of their resources, that
25 they saw huge buildings that had been used for the

1 weapons programme, and they would be judged, or
2 sentenced for destruction. They presumably felt they
3 could use them later for some other - peaceful - purpose
4 or perhaps even to think one day they might revive the
5 programme. So they were trying to preserve as much as
6 they could, and on the missile side there was -- they
7 had a particular chance to do so, because the missiles
8 were not proscribed except for those that reached,
9 attained a range of 150 kilometres and more. So that
10 meant that continued work to the missiles area was
11 legitimate. They could keep their engineers, they could
12 keep their research institutions, and that also enabled
13 them to stretch a bit and to exceed what really was
14 acceptable and we discovered that later on, as we will
15 probably come to.

16 Now I sometimes ask myself could one have, and
17 I have seen the question has been asked in this
18 commission before, could there have been a somewhat less
19 exacting approach? The approach both we had and the
20 UNSCOM had, and that came originally from IAEA, was what
21 we called the material balance approach. We got their
22 declarations. They had so-and-so much before the war
23 started with Iran.² They consumed so-and-so much during
24 the war. They destroyed so-and-so much, and was there

² The witness can clearly be heard to say "Iraq" on the audio recording of this passage, as well as at line 6:3. However, the witness made clear in reviewing his transcript that he had intended to say "Iran" and this amendment has been accepted by the Inquiry.

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1 balance.

2 There were uncertainties in this. How much actually
3 had they consumed in the war with Iran and how much had
4 they destroyed, and moreover there was the question of
5 how meticulous was their bookkeeping?

6 I for one agreed with the majority that the Iraqis
7 were very good bookkeepers. It was a well organised
8 state. Therefore I became suspicious if the figures
9 didn't tally. Afterwards I think we have to recognise
10 that perhaps it was not all that good, especially at the
11 end of the Gulf War. There was a rush and things were
12 hurriedly buried and I think the British found some in
13 the south of Iraq after the war that had been hurriedly
14 buried. There was not a recording of all of that.

15 Could there have been [something else than]³ this
16 meticulous material balance approach -- could one have
17 had a different one, less exacting? It is not easy to
18 devise one, but I remember well that in the IAEA in 1991
19 we said that the safeguard system that we had was
20 inadequate. Inspectors were not allowed to go to places
21 that were not declared. We developed the
22 reinforced safeguards, the so-called additional
23 protocol.

³ Words in square brackets throughout this transcript were added during the transcript review process to aid clarity and were agreed between the witness and the Inquiry as consistent with the intended meaning. In this case the Inquiry has afforded the witness some leeway on these amendments in recognition of the fact that he was not giving evidence in his first language. Some further proposed amendments, which would have altered the meaning of the original evidence or added additional information or context, have been incorporated as footnotes.

24 At that time we also said there is a bit too mechanic
25 an approach in the material balance and that this was

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1 easy and good for an administration and bureaucracy to
2 have such a rigid and simple, straightforward system,
3 but didn't one have to exercise one's common sense as
4 well? Didn't one have to look at the country as
5 a totality? Some people complained to the IAEA and said,
6 "Look, you are spending more time on Canada than you are
7 doing on Libya and that's not reasonable". We said that
8 well, a police department, they can decide that this
9 particular area is crime-infested and therefore we spend
10 a lot of time, but international inspectors are more
11 like inspectors at the airport. We assume everyone
12 could be violating the rules and whether you wear a tie
13 or not we examine you the same way.

14 So that was our defence, but at the same time we had
15 to admit that yes, maybe you have to combine this
16 approach of the material balance with looking at the
17 country in totality. If they are well-behaved -- you
18 wouldn't use that term, but if they were very good at
19 reporting, if there was a good order and there was
20 an openness, well, then a certain sort of rebate could
21 be given. Maybe something in that direction could have
22 been used in the case of Iraq. One has to admit that
23 over the years this tremendous search for a few items,
24 that was perhaps not worthwhile, that it would have been
25 better to have something a bit more flexible.

1 Scott Ritter who was an inspector for UNSCOM came
2 out after the war and said in his view Iraq had been
3 technically disarmed. Well, I don't think he had
4 sufficient evidence to back it up, but what he meant was
5 probably that, yes, we knew after the war there were no
6 nuclear weapons. There never were any, and moreover
7 that the nuclear infrastructure was gone. So on that
8 area the IAEA, both I in 1997 and Muhammad ElBaradei in
9 1998 said that we did not think that they could
10 resurrect a nuclear programme within a very long time,
11 but we could not guarantee there were not some minor
12 items like prototypes of centrifuges or computer
13 programmes, etc.

14 So we wanted to write off the nuclear programme, but
15 of course it was not for us, it was for the Security
16 Council and I have seen from some testimony here that
17 I think the UK also wanted to close the nuclear dossier
18 but the US refused, which we noticed at the time.

19 SIR MARTIN GILBERT: If I could just go back to the general
20 perception of UNSCOM's work, our former
21 Foreign Secretary Jack Straw told us in his evidence:

22 "The Iraqi regime had for four years following the
23 Gulf War and notwithstanding the best efforts of UNSCOM
24 inspectors and intelligence agencies been successful in
25 wholly concealing an extensive biological weapons

1 programme."

2 What impact did this have on the credibility of the
3 inspections as a tool for achieving disarmament.

4 DR BLIX: Well they had, of course, destroyed -- at least
5 most of the biological weapons in 1991, but they denied
6 in 1991 that they had the programme and it was not --
7 UNSCOM was on its track to it and by 1995 UNSCOM had
8 concluded and the Iraqis had admitted to UNSCOM there
9 had been a biological programme. The breakthrough
10 came in the so-called chicken farm, through Kamil, the
11 son-in-law of Saddam Hussein who defected to Jordan and
12 admitted there had been a biological programme.

13 I think the fact that UNSCOM did not discover this
14 from the beginning, although there could have been
15 suspicions, shows the difficulties of finding traces.
16 Iraq is a big country. There were many bases. They had
17 suspicions, they came into facilities where there was
18 fresh paint, etc. So there were suspicions, but they
19 didn't find the Iraqis red-handed on it.

20 Nuclear in a way was easier, because if you find A,
21 nuclear, you say where is B? If you find B, then where
22 is C? Nuclear was the easiest and biological was
23 probably the most difficult.

24 SIR MARTIN GILBERT: Can I ask you when you came into your
25 own UNMOVIC position, what lessons did you yourself

1 learn from the UNSCOM experience with regard to what
2 your work would be, the problems and the prospects?

3 DR BLIX: Well, one reason I accepted the task was that
4 I thought that some of the resistance met by UNSCOM was
5 due to the way in which they conducted their
6 inspections. At the IAEA we often thought they were too
7 "Rambo", if I may say so. They thought that the IAEA
8 were like diplomats coming in with striped pants.
9 I thought -- I never thought that humiliating Iraq was
10 a very good way. Some of the content, I will not
11 generalise, but some of it was I think humiliating. The
12 IAEA developed techniques of conversation, of seminars
13 even, with Iraqis, interviews and eventually we got
14 ourselves a clear picture of the whole nuclear
15 programme.

16 UNSCOM I think also imitated some of that approach
17 and learned a great deal, but this was one lesson that
18 I took from the UNSCOM affairs.

19 Otherwise we had many similar means. I mean, there
20 was the inspection. We used overhead imagery received
21 from the US and from France both at the IAEA and UNSCOM,
22 and when we resumed in UNMOVIC, we did the same. We
23 also had people who were able to read these images. We
24 also bought images then commercially, which was not
25 doable in the 1990s.

1 There were big differences in the approaches and
2 techniques. UNSCOM frequently had very huge groups of
3 inspectors that came in swarms, 50 or even up to near
4 100. They flew into Bahrain through something called
5 Gateway, which was located in the American marine base.
6 They were briefed there. They went in for the
7 inspection. They came out. They were also debriefed at
8 the American base, which I did not think was a very good
9 idea. IAEA did not use that. When we set up UNMOVIC, we
10 did not continue with Gateway, but we set up a transit
11 place in Cyprus, which I think was a better arrangement.

12 That leads me to another lesson which we drew. You
13 recall that at the end of 1999 and the beginning of 2000
14 there was a scandal about UNSCOM, that they had had very
15 close relations with the intelligence in the US in
16 particular, but also with the UK. There were inspectors
17 in the teams who actually came from the Intelligence
18 Services and performed a sort of dual function. How
19 often I don't know, but this certainly happened and it
20 exploded in the media and the whole of UNSCOM was
21 discredited at the time.

22 This was one reason why the Security Council
23 concluded they wanted to have a new agency, a new
24 instrument. It was certainly my determination coming
25 from the IAEA where we would never have tolerated, if we

1 had known it, any dual use of inspectors, that we would
2 not have it. In resolution 1284 that set up
3 UNMOVIC in 1284, it was taken that the staff should be
4 under UN contracts and UN obligations.

5 This was a leading idea for me. I came from the IAEA
6 where we saw ourselves as international civil servants
7 in the tradition that was started by a famous Brit,
8 Sir Eric Drummond, the first Secretary General of the
9 League of Nations who was very firm on this. Dag
10 Hammarskjöld, too, although he as the Secretary
11 General⁴ also had, under the charter, political
12 responsibility. But the secretariat was the same. They
13 were to be international civil servants.

14 This was the way we saw it and I would not go along
15 with any too close cooperation with intelligence. If
16 you set the rule, both Mohammed ElBaradei and I, that
17 yes -- we would love to have information from
18 intelligence; we would love to have sites given to us
19 by them -- but the traffic is one way.

20 They tell us and we try to find, use this
21 intelligence, try to find out on the basis where, if
22 there was something, I think that we would probably --
23 I think we probably told those who gave us the
24 intelligence that, "Yes, this is what we found", or,
25 "This was not found". However, if one had been

⁴(of the UN)

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1 rigid one would have said, "You listen to us in the
2 Security Council", but I think it was a little more
3 flexible than that, and I think that moreover had been
4 reasonable.

5 So we saw ourselves -- this was even more good
6 lessons -- we were international civil servants, we had
7 the mandate from the Security Council, not from the CIA,
8 the US Government or the UK Government.

9 SIR MARTIN GILBERT: Thank you very much. That's very
10 helpful.

11 SIR JOHN CHILCOT: I will ask Sir Roderic Lyne to pick up
12 the questions now. Rod.

13 SIR RODERIC LYNE: I would like to move the story forward to
14 the autumn of 2002, getting into the frame of reference
15 that we are really focusing on in this Inquiry.

16 UNMOVIC, as you say, was set up by resolution 1284
17 passed on 17 December 1999. March 2000 you had taken up
18 I think your new duties.

19 Then on 16 September 2002 Iraq finally makes
20 an offer to allow the inspectors, the UNMOVIC inspectors
21 to come into Iraq.

22 Why it was that Iraq at this point, having rejected
23 the inspectors up to then, turned around and invited
24 them to come in?

25 DR BLIX: I think the main reason was the military build-up

1 by the United States. The idea had begun gently in the
2 spring of 2002 and it accelerated in the summer of 2002.
3 In August 2002 you had the US national security,
4 what's it called -- doctrine or paper in which they said
5 some sensational things. To me at any rate it was
6 sensational. They said that the US can use force
7 when it sees a growing threat.

8 I had always seen and still see the UN Charter as
9 a fundamental progress in the international community
10 when it says that states are not allowed to use force
11 against other states' territorial integrity, etc. -- with
12 two exceptions. One is the self-defence against
13 an armed attack and the other is when there is
14 an authorisation from the Security Council, but the US
15 here did not even refer to the UN Charter article 2,
16 paragraph 4 or article 51, but simply said that in the
17 time of nuclear weapons and of missiles this doesn't
18 apply.

19 Of course, this was against the background of 9/11
20 and the whole reasoning that with 9/11 you cannot sit
21 and wait for a danger growing. If you do that, then it
22 gets too late. You have to do something before.

23 Well, that is a very fundamental issue even today,
24 because if you say that you must wait for the attack to
25 occur before you can do something, well, then it is

1 rather late. On the other hand, if you say that you can
2 take action before that, then you have to rely upon
3 intelligence.

4 There is something in between this and that is the
5 "imminent threat" [doctrine] which already came up in the
6 19th Century with the famous case between the UK and the
7 US⁵: you don't have to wait until they cross the
8 territorial border, but if you see the rockets coming,
9 then you can intervene. Well, that was probably not
10 good enough for the United States.

11 We have seen other strains on this. It is still
12 fundamental today. We saw in Kosovo how there was
13 a bombing without an authorisation by the Security
14 Council, much criticised by many since, and I am not
15 convinced myself it was a legal action. We saw the
16 British intervention in Sierra Leone. We saw the Indian
17 gobbling up Goa, and an even better instance perhaps
18 Nyerere's attack on Uganda, Amin's Uganda. That was
19 also without a UN authorisation.

20 So there has been some stretch on this, but the US
21 in 2002 at the time you refer to, threw it overboard,
22 I simply say. I think they were high on military at the
23 time. They said, "We can do it".

24 SIR RODERIC LYNE: You commented in your book, "Disarming
25 Iraq" you said and I quote:

⁵ In reviewing this transcript the witness indicated that he was referring here to the Caroline case

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1 "I did not see that increasing military pressure and
2 armed action necessarily excluded a desire for
3 a peaceful solution."

4 In this particular case, as you just said, the
5 military pressure --

6 DR BLIX: Yes.

7 SIR RODERIC LYNE: -- had from your point of view the useful
8 effect of getting you and your inspectors into Iraq.

9 DR BLIX: That's right.

10 SIR RODERIC LYNE: At that point -- this is before
11 resolution 1441 is actually passed -- what were the
12 timelines under which UNMOVIC was expected to operate
13 and was it focused just on verifying the destruction of
14 weapons or also of programmes?

15 DR BLIX: Well, Resolution 1284 was a sort of -- not
16 a resignation. That's saying too much, but they
17 certainly took a step back. They felt that the approach
18 they had was too rigid, and things were not moving in
19 the UN's direction. The inspectors were out in 1998.
20 The sanctions were eroding and there was also
21 disagreement within the Security Council between those
22 who wanted to do away with the sanctions altogether and
23 those wanted to retain them.

24 However, under the leadership of Mr Amorim, who is
25 now the Foreign Minister of Brazil, they came to

1 an approach which was less rigid than the 687. They
2 said the emphasis is to identify key
3 unresolved disarmament issues -- not the whole lot
4 necessarily, but key unresolved disarmament issues -- and
5 if we were to report that Iraq had cooperated to achieve
6 this 120 days in a row then the Security Council would
7 consider suspending sanctions, not lifting sanctions but
8 suspending sanctions.

9 The third element that was new then was that we
10 should also have international civil servants. They
11 wanted to cut off the connection with the intelligence.

12 So UNMOVIC mandate was a milder one than 687 and
13 1441 that came later was sort of clawing back or at
14 least giving the impression of a greater impatience.
15 UNMOVIC gave us time lines, but they were to start
16 inspections I think, present a work programme some 60
17 days after we had gone in, which curiously became to be
18 defined as I think in March 2003. I don't remember
19 quite why, but it was rather late at any rate. They
20 wanted to give us time to find our way through
21 inspections before we formulated our work programme,
22 which was a reasonable thing to do, but they didn't put
23 any end to UNMOVIC inspections. It was 120 days and if
24 we were to report that the Iraqis were not cooperating,
25 then they would suspend -- they would impose sanctions

1 again.

2 So there was no end set except one was sure
3 monitoring would continue.

4 SIR RODERIC LYNE: But it therefore appeared that 1441 had
5 changed a timeline from 120 days to 60 days, although it
6 was not expressed as a final deadline, it was a period
7 within which you were asked to report. Is that right?

8 DR BLIX: Well, 1441 did not give any other timeline than:
9 update in 60 days after we have started inspection.
10 I am a little puzzled I must say at how they calculated,
11 because the impression was that the invasion would take
12 place through Turkey and that it would occur even in the
13 beginning of January, and that would have given very,
14 very short time to the inspections. As it turned out,
15 we only got three and a half months, but had they gone
16 into Turkey it would have been even shorter. There was
17 nothing in 1441 to say we could not continue beyond
18 March.

19 SIR RODERIC LYNE: Were you consulted on the drafting of
20 1441?

21 DR BLIX: Yes, but not on this particular point. The first
22 draft -- the American drafts were draconian, more than
23 draconian in the beginning and I thought absurd, and
24 I think the community in New York felt it also. Over
25 time it became more reasonable. I wanted the resolution

1 for different reasons.

2 First of all, I think we were in a new ball game,
3 and secondly, they wanted to strengthen the rights of
4 the inspectors. I thought that was very important,
5 because UNSCOM had so many conflicts with Iraqis about
6 their mandate and I thought, "Let's settle that".
7 Mohammed ElBaradei and I had negotiations with Iraqis
8 and settled a great many of them but not all.
9 Eventually the Security Council in 1441 said, "On those
10 points which Blix and ElBaradei have not been satisfied
11 we decide the Iraqis have to abide by what they said".

12 It was the first time in my life that anything
13 I had written in a letter was elevated to world law,
14 which was nice, but the main point was really that
15 it strengthened our position and we thought we could
16 thereby avoid having a lot of debates with Iraq about
17 the mandate.

18 SIR RODERIC LYNE: So you were broadly content with 1441?

19 DR BLIX: I was content with it and there was one other
20 reason. That was I liked the idea of a new declaration.
21 The declaration I felt might give Iraq a chance for
22 a new start. If they had weapons, which I thought might
23 very well be the case, they had an opportunity now [to
24 say:] "Here it is!" -- they could put the blame on some
25 general or other. I was hoping for that. I was in

1 favour of the resolution.

2 SIR RODERIC LYNE: Did you feel that it gave Iraq
3 a realistic possibility of meeting the requirements of
4 the resolution?

5 DR BLIX: Yes, except that it was very hard for them to
6 declare any weapons when they didn't have any.

7 SIR RODERIC LYNE: No, but we didn't know they didn't have
8 any. I mean, I ask the question because we have had at
9 least one witness that has said that actually the way it
10 was drafted was actually as a trigger for military
11 action, but that's evidently not what you felt at the
12 time from what you have just said.

13 DR BLIX: No. There is this big discussion as to whether
14 a second resolution would be required. I for my part
15 thought it was clear that a second resolution
16 was required. I have seen from some of the testimony
17 that some of the British felt that it was desirable, but
18 it was not absolutely indispensable. I saw that Jeremy
19 Greenstock had said that he certainly wanted a second
20 resolution, but he also recognised that the views in the
21 Security Council were very divided on it.

22 I think it was Ambassador Meyer who said there were
23 the three groups. There were the Americans on the one
24 side who said, "No, nothing is needed". There were
25 others who said, "You need a second resolution", and the

1 British were somewhere in between.

2 Now the resolution, as you recall, simply says that
3 if something happens, in the inspectors' report or
4 status report there is a violation, then the Council
5 shall convene and they shall consider the situation.

6 Well, in diplomatese of New York maybe this implies
7 that something will happen, but I don't think that's
8 necessarily how I would read it as a lawyer. If I sat
9 on the other side of the Security Council, I would say,
10 "No, we will convene and reconsider but it is
11 an absurdity that we should hand it out, give a free
12 hand to anyone in the Security Council to decide that
13 this resolution has not been respected and therefore we
14 have the right, unilaterally, individually, to take
15 military action". It would accrue to the Russians, to
16 the Chinese, to anyone. This to me was not a very
17 reasonable interpretation..

18 SIR RODERIC LYNE: In your book, just talking about the
19 divided views, you say that the French consent was given
20 on the understanding that a material breach could only
21 be registered and acted upon on the basis of a report
22 from the inspectors, ie from yourself.

23 Now some witnesses have argued to us that when the
24 French were voting for resolution 1441, they were fully
25 conscious of the American position that no further

1 Security Council decision was required to determine
2 a further material breach.

3 Were the French really of the view that the Council
4 would have to take a further decision or had they, as
5 some witnesses have put it to us, lost that battle?

6 DR BLIX: No. I don't think they had lost the battle.

7 I think they were aware of the American interpretation.
8 They had wrangled about it. My reading is that the
9 French and the Germans too had tried to get it clearly
10 put into the resolution that there would be a new
11 resolution needed, but they had not succeeded. They had
12 to give up on that one. So they went into the
13 resolution accepting with the open eyes that some
14 interpret it one way and others interpret it the other
15 way, which is not a very exceptional event in the UN, I m
16 may say. But reading simply the words of it, I would
17 have said that "convene and consider" does not really
18 give an authorisation to go to war.

19 I think Jeremy Greenstock first also was of that
20 view but later said maybe it could be interpreted
21 otherwise.

22 SIR RODERIC LYNE: So was it then your understanding that it
23 was the reports of UNMOVIC which would be the element
24 that would determine whether or not there had been
25 a further material breach, or did it leave it open to

1 members of the Security Council to determine on the
2 basis of the reports you made a failure by Iraq to meet
3 its obligations?

4 DR BLIX: Well, I think our job was to provide evidence and
5 we might say that, yes, we think this is a breach of
6 their obligations, but in the last resort I think it
7 would be for the Security Council to judge whether in
8 their view it was a breach or not.

9 Not only that, but also decide would it follow from
10 there that they would authorise armed force? This is
11 not what 1441 said. This was sort of implied and
12 I think Jeremy Greenstock in his testimony said, you
13 know, there was an expectation that the council would
14 take action, but I would have sided clearly with the
15 French and the Germans that this was not a necessity.

16 I find it also sort of absurd that the Security
17 Council would sit there and say, "Yes, if any one of us
18 comes in and maintain this is a breach, then any one of
19 us can take military action". I don't think that's the
20 way the Security Council operates or we want it to
21 operate. Giving it a free hand -- I am sure they will
22 be more cautious in the future about drafting their
23 resolutions and not leaving any such implication open.

24 SIR RODERIC LYNE: So, just to be clear, there are really
25 three points there.

1 The first is that the responsibility for determining
2 the material breach did not rest with you. You were
3 providing evidence on which the Security Council would,
4 as you say, make a judgment.

5 DR BLIX: Right.

6 SIR RODERIC LYNE: That we are agreed on.

7 Secondly, your interpretation of 1441 was that
8 a judgment needed to be made by the Security Council.
9 Having a discussion was not enough. There was
10 an implication that a judgment was needed, that Iraq was
11 in further material breach. Am I right on that?

12 DR BLIX: Also a decision to authorise.

13 SIR RODERIC LYNE: Then the third point is that before using
14 military action, in your view, an actual decision was
15 needed to authorise that?

16 DR BLIX: An Authorisation, yes.

17 SIR RODERIC LYNE: This was absent from Security Council
18 Resolution 1441. I know you are among many other things
19 a very distinguished lawyer and the legal argument has
20 been made that you didn't need a decision, because you
21 reach right back to Security Council Resolutions 678 and
22 687, which had not been revoked, which would authorise
23 military action against Iraq in the event of a breach of
24 the ceasefire conditions.

25 So was it necessary to have a further decision?

1 DR BLIX: Yes, I still think it was indispensable. First of
2 all, the 687 and the earlier resolutions, they were
3 authorising use of force against an Iraqi aggression
4 against Kuwait. We were not in such an important
5 situation now.

6 Secondly, I think that when Condoleezza Rice, for
7 instance, said, and I quoted in my book, when she said
8 that the military action taken was simply upholding the
9 authority of the Security Council, it strikes me as
10 something totally absurd. Here you are in March 2003
11 and they knew that three permanent members, the French
12 and the Chinese and the Russians, were opposed to any
13 armed action, and they were aware that they could not
14 get a majority for a resolution that even implied the
15 right to military action.

16 To say then that yes, the action upheld the
17 authority of a council that they knew was against it
18 I think strikes me as going against common sense.

19 SIR RODERIC LYNE: Although the military pressure from the
20 United States had helped to uphold the authority of the
21 Security Council, because for the first time in many
22 years Iraq had paid some attention to the Security
23 Council Resolutions.

24 DR BLIX: Yes.

25 SIR RODERIC LYNE: So your distinction is between pressure

1 and action.

2 DR BLIX: That's true. Threat is a different thing from
3 actually taking action.

4 SIR RODERIC LYNE: But at a certain point someone calls your
5 bluff is the problem.

6 DR BLIX: That's true. You might be called a paper tiger
7 eventually but the charter prohibits you from using
8 armed force. It does not necessarily prohibit you from
9 exerting pressure. There is a grey zone there. You are
10 not allowed to go too far in the pressuring either.

11 In any case I would have tolerated that and I think
12 that's frequently done, economic and military pressure.
13 Today we have economic pressure against Iran. I do not
14 think that's illegal. I think the use of weapons or
15 force against Iran today would be illegal.

16 SIR RODERIC LYNE: Without a Security Council Resolution.

17 DR BLIX: Without a Security Council authorisation. As you
18 say, the Americans, to them, it was indifferent. They
19 had already a doctrine that said: why should we have
20 a permission slip from the Security Council? So they
21 didn't need it. I admit I agree with you that the
22 pressure was the one that moved the Iraqis and as the
23 pressure mounted, yes, they became also more
24 cooperative.

25 SIR RODERIC LYNE: I think we will want to come back to that

1 a little later on in the story.

2 I am going to turn to Sir Lawrence Freedman in a
3 moment. We are in for quite a long afternoon and it
4 would very much help with the transcription if we could
5 take a measured pace. Thank you.

6 SIR LAWRENCE FREEDMAN: Just following up from what has been
7 said, I mean, you have made the point about the
8 Americans suggesting that they were upholding the
9 Security Council Resolutions and you noting that the
10 Security Council as a whole did not seem to go along
11 with that at that time, but, as I recall, part of the
12 American argument was to challenge the Security Council
13 to uphold its own resolutions.

14 There was a concern that from the late 1990s
15 a number of key Security Council members had lost
16 interest in pursuing this question and therefore this
17 whole exercise might peter out.

18 Do you think that was a reasonable concern?

19 DR BLIX: Well, I think there was at least implied from the
20 US side that if the Security Council doesn't agree with
21 us and go along with our view, then it sentences itself
22 to irrelevance. I think that's a very presumptuous
23 attitude. I think the US at the time was high on
24 military. They felt they could get away with it and
25 therefore it was desirable to do so.

1 I think this has changed with Obama. Obama says
2 yes, they will still retain the right to -- they reserve
3 the possibility to take unilateral action but they will
4 try to follow international rules.

5 SIR LAWRENCE FREEDMAN: Even before 9/11 and the Bush
6 Administration even there was a concern that the
7 Security Council was losing a grip of this issue.

8 DR BLIX: Well, from the Cold War, of course, the Security
9 Council was paralysed. The security system of the UN
10 did not work during the Cold War, but I think it changed
11 completely with the end of the Cold War. In 1991, 1990
12 the Russians and the others went along with the action
13 against Iraq, and Bush the elder, the President, said
14 that this was a new international order. Well, that
15 collapsed with his son and I think that the world has
16 changed dramatically with the end of the Cold War. It
17 is only recently in the last few years some American
18 statesmen -- Sam Nunn and others -- have said, well, we
19 ought to re-discover, the Cold War is over. So the
20 Security Council in my view was not paralysed in the
21 1990s. They are still not paralysed. That's why it is
22 reasonable to look to it and to have respect for its
23 decisions.

24 SIR LAWRENCE FREEDMAN: Thank you.

25 What I want to ask you about is the various

1 assessments that were published on Iraq's weapons of
2 mass destruction. There is a number published in 2002,
3 the 9 September one by the Institute for Strategic
4 Studies, the British Government's dossier of
5 20 September and then there was an American one in
6 October 2002.

7 I would just be interested in your views of these
8 assessments at the time you saw them and read them.
9 Obviously we are particularly interested in your view of
10 the British dossier.

11 DR BLIX: Right. Well, the British dossier was shown to me
12 in New York. I read it and I said to the young diplomat
13 who took it to me that I thought it was interesting,
14 useful. I think I probably also said, as he has quoted
15 me saying, that I did not think it was exaggerated.

16 However, I said this at a time we had not restarted
17 inspections even. Much of it of the dossier was taken
18 based upon UNSCOM's accounts, but there was this big
19 difference that UNSCOM never said these items exist.
20 They said these are unresolved issues. In fact, I don't
21 think there is any resolution of the Security Council in
22 which they assert affirmatively that the weapons exist.
23 So this was a big difference.

24 However, it seemed plausible to me at the time, and
25 I also felt -- I, like most people at the time, felt

1 that Iraq retains weapons of mass destruction. I did
2 not say so publicly. I said it perhaps to Mr Blair in
3 September 2002 privately, but not publicly because
4 I think there is a big difference between your role as
5 a trustee of the Security Council, "Investigate this and
6 report to us", and the role of a politician. Individual
7 governments here could prosecute and say, "We are
8 accusing you, you have this", but that was not my role.
9 The Security Council did not assume it and therefore
10 I didn't say anything about it publicly. Privately,
11 yes, I thought so.

12 There was one particular type of weapons of mass
13 destruction of which I was suspicious and that was the
14 anthrax. We had an inspector from Australia, Rod Barton,
15 who later wrote a book about the whole thing. He came
16 to me and said, "Here is the evidence we have on
17 anthrax". It seemed to me to be very convincing. It
18 had one element that was worrying me. That was that it
19 relied on some CIA document, finding. They were not
20 willing to show it to us. I was not willing to say or
21 affirm then that, "Yes, we assert that there is
22 anthrax", but we were very suspicious. I came out right
23 from September 2002 on to the very end when I said,
24 "Yes, there might be weapons of mass destruction".
25 I had this in mind. I could not exclude that others

1 existed but when I saw this dossier that was taken to
2 me, yes, I thought it was plausible, because what UNSCOM
3 has said in its report 1999 was these things are missing
4 and they assert that is there. They might have had
5 information which we have not had. I hoped that at any
6 rate. So that was my view on the British dossier.

7 The American dossier differed somewhat. In some
8 respects it was a little milder and others a little
9 tougher. The institute, IISS, I have not been able to
10 recheck, but they were fairly severe as well.

11 They all went in the same direction. They were not
12 directly useful to us, because they didn't say how did
13 they come to this conclusion or where was the stuff.
14 They simply asserted "Yes, it is here".

15 SIR LAWRENCE FREEDMAN: Just then to confirm what you have
16 just told us, your feeling at the time was that there
17 probably was something there.

18 DR BLIX: Yes.

19 SIR LAWRENCE FREEDMAN: And that, as you say, you were
20 sharing quite a broad consensus.

21 I would just be interested in your views at this
22 point about the difficulty of modulating assessments of
23 this sort. There's a question of whether Iraq was in
24 violation of past UN agreements which could actually
25 have been quite trivial amounts of material or

1 non-disclosure of documents, but would nonetheless
2 strictly be a material breach. There is questions about
3 the degree to which Iraq was preparing for
4 reconstitution should the opportunity arise.

5 There is questions about whether they actually had
6 a programme and stocks working at the time.

7 Was it your view that these things could get rather
8 muddled up in the way that the issue was being
9 discussed, whether in these papers or in the wider
10 public debate?

11 DR BLIX: Well, in September 2002 I don't think anyone
12 really was talking much about the reconstitution, but it
13 was about the actual existence, and the British dossier
14 simply said that Iraq has B weapons, it has C, and it
15 has missiles. It didn't assert nuclear. I think it was
16 talking about the possibility of reconstitution and Bush
17 certainly in the autumn of 2002 pointed to various
18 buildings and said these were connected with nuclear in
19 the past and they are now rebuilding them.

20 The Iraqis shortly thereafter opened the buildings
21 to journalists and they were empty. So at that time
22 I don't think the reconstitution was a major problem.

23 On the nuclear side we were fairly sure -- we were
24 sure in 1998 there was hardly anything left. Like
25 I said, we wanted to close the dossier. This was

1 an area that I was no longer responsible for, it was
2 IAEA, but in the autumn of 2002 we began to hear about
3 the contract allegedly made with Niger about the import
4 of raw uranium, of uranium oxide, and I reacted -- that
5 was perhaps the first occasion when I became suspicious
6 about the evidence because I thought to myself, "Why
7 should Iraq now import raw uranium which is very far
8 from a weapon? They have to refine it. It has to go
9 through enrichment and all these things". So I became
10 a bit suspicious about it. That was Mohammed's
11 responsibility. As we know, in March 2003 he came to
12 the Security Council and the IAEA had eventually got
13 a copy of the document and concluded I think in less
14 time than a day that it was a forgery. He said it was
15 not authentic. It was a diplomatic way of saying it was
16 fake. Perhaps it would have been better if they had
17 said that.

18 That to me and also the nuclear business about the
19 aluminium tubes which figured very long -- I forget
20 which one was in the British dossier but they mentioned
21 one of them. They also mentioned the mobile
22 laboratories I think. The Niger document was
23 scandalous. If IAEA could conclude in a day's time that
24 this was a forgery and this document had been dancing
25 between the Italians and to British and the Americans

1 and to the French and they all relied upon it and Bush
2 alluded to it and mentioned it in the State of the Union
3 message in 2003, I think that was the most scandalous
4 part.

5 SIR JOHN CHILCOT: I would like to say something about the
6 Niger question just in the light of what you have said
7 because the Butler Committee, which you recall,
8 concluded the British Government had intelligence from
9 several different sources, that the visit to Niger was
10 for the purpose of not actually the acquisition of
11 uranium but acquiring it, the forged documents were not
12 available to the UK Government at the time it made its
13 assessment. So the fact there was forgery does not
14 actually change the British Government's assessment on
15 the Niger issue. I thought for the record I should just
16 say that.

17 DR BLIX: I am glad they didn't manage to misinterpret that
18 one.

19 SIR LAWRENCE FREEDMAN: Just then to conclude this bit here,
20 I suppose what I am interested in is the question of
21 threat. Your job really was to say this is the
22 evidence. It was not up to you to say you should be
23 really worried about this. Your job was to say, "This
24 is the evidence of the extent to which there is a breach
25 of UN resolutions", based on the evidence you had. It

1 was not to go further than that.

2 DR BLIX: Well, I think you would have to distinguish
3 between different types of revelations or evidence that
4 you find. You know we were given sites to inspect by
5 the UK and the US and we wanted these sites and felt,
6 "These people are 100 per cent convinced that there are
7 weapons of mass destruction, but they also then should
8 know something about where they are".

9 We went to these sites and in no case did we find
10 a weapon of mass destruction. We did find engines that
11 had been illegally imported, we found a stash of
12 documents that should have been declared. They did not
13 reveal anything new. So there is evidence of more or
14 less grey things. Even the missiles I think falls into
15 that category. They certainly violated their
16 obligations on the missiles, but we concluded that the
17 Al-Samoud 2 type missile was prohibited, because it had
18 a longer range than 150 kilometres and they had
19 performed a test flight I think with 180 or
20 183 kilometres. So our international experts that we
21 consulted concluded they were banned, but still it was
22 on the margin.

23 Perhaps even more serious was their plan to combine
24 several engines and make missiles of much longer range
25 than they really had tried.

1 Here in answer to what you said I think that yes,
2 you still have to retain your common sense, that there
3 are some things that are more serious violations than
4 others.

5 SIR LAWRENCE FREEDMAN: Just on that, I mean, I recall
6 an argument I think from Rolf Ekeus that it would not be
7 surprising if the Iraqis were concentrating on delivery
8 systems because it is not that difficult if you are
9 determined and have the know-how to rebuild your stocks
10 of chemical and biological weapons but there is no point
11 in doing that unless you had a delivery vehicle. Would
12 that be -- would you share that view?

13 DR BLIX: Yes. Above all, they were allowed to have this.
14 So it enabled them to continue to do research and
15 development, and to cheat a bit which they did.

16 SIR LAWRENCE FREEDMAN: Thank you very much.

17 SIR JOHN CHILCOT: Dr Blix, I have really a single question,
18 which is about the burden of proof and where it lay.

19 I know from your book you have formed a view about
20 it. So here we are. We have resolution 1284. We have
21 resolution 1441. Now we are at the end of 2002. There
22 is much international concern about Iraq's failure to
23 comply with the will of the international community and
24 some nations more troubled than that about possible
25 holdings of weapons.

1 So was it up to Iraq to prove through your
2 inspection regime that it, Saddam's regime, was
3 innocent, or was it up to the international community
4 through yourself to prove that Iraq was guilty? Which
5 way did that go, because it was both a political
6 question, I take it, and a legal question?

7 DR BLIX: I think the Iraqis tried to say that the general
8 legal rule is unless you are proved guilty, you must be
9 presumed innocent, and I tried to explain to them that
10 this was not a parallel when it comes to a state, that
11 a guy may be accused of having a weapon illegally and if
12 he is not proved guilty, then he will be innocent.
13 However, I said with regard to Iraq, you had these
14 weapons, and people would laugh at me if I said I should
15 presume you were innocent. We make no assumption at
16 all. We do not assume you have weapons and we do not
17 assume you don't have weapons. We will simply look for
18 evidence.

19 Of course, it was difficult for them. It is
20 difficult for anyone to prove the negative, to prove
21 they didn't have it. They said so, "How can we prove
22 this?" I admitted in public, "Yes, it is difficult for
23 to you do so but it is even more difficult for us. You
24 after all have the archives and people, etc. You must
25 make best use of this".

1 SIR JOHN CHILCOT: In effect then the work of your
2 inspectors could go forward without having to form
3 a final view. That would be for the Security Council in
4 your judgment.

5 DR BLIX: Yes.

6 SIR JOHN CHILCOT: Yes. Thank you. I think I will ask
7 Sir Martin Gilbert to pick up the questions.

8 SIR MARTIN GILBERT: I would like to turn now to the Iraqi
9 declaration which was received by UNMOVIC in Baghdad on
10 7 December 2002.

11 UNSCR 1441 required that Iraq make "a currently
12 accurate full and complete declaration of its WMD
13 holdings and programmes."

14 How important did you expect the declaration to be in
15 assisting you in your objectives?

16 DR BLIX: Well, my hopes were that they would declare
17 whatever they had. I did believe at that time that yes,
18 they might well have something and that this would be
19 the occasion to put the blame upon some authority or
20 some general in Iraq. So I was quite hopeful that this
21 would come.

22 Now that was also the reason why I was very
23 disappointed when it came. It was 12,000 pages. It
24 could have been slimmer if they hadn't repeated several
25 things several times over, but they had only had one

1 month and it was a lot of work. So I was very
2 disappointed.

3 It did give some news regarding the period 1998 to
4 2002, and especially on the biological it gave some
5 news, but it didn't really resolve any major point on
6 the unresolved issues.

7 SIR MARTIN GILBERT: What were the major deficiencies you
8 saw in it at the time?

9 DR BLIX: I don't think that anyone would have been
10 satisfied unless they had come up with a report that,
11 "Here are the weapons". Certainly the Americans would
12 not have been satisfied with anything less than that and
13 I was also perhaps unfairly saying this is a deficiency
14 in the document. They had the difficulty. They could
15 not declare something very much because they didn't have
16 it very much.

17 SIR MARTIN GILBERT: But in terms of the material breach did
18 these deficiencies as seen by you at the time constitute
19 a material breach? Did they go some way towards
20 resolving that?

21 DR BLIX: No, we were disappointed that they didn't come out
22 with them, but we had never maintained they had them.
23 So I didn't -- I certainly could not construe it as
24 a material breach.

25 SIR MARTIN GILBERT: I mean, looking back now with the

1 benefit of hindsight and what we know, is there more
2 that Iraq could have done with this declaration?

3 DR BLIX: Yes, maybe, because when we look forward to the
4 2003 in February and March, then they became more
5 proactive, as the term was. The resolution required
6 active, unconditional and immediate cooperation, and as
7 the US pressure mounted and they really saw the dangers,
8 then they also became more active.

9 Maybe it was also a difficulty for the Iraqi
10 leadership, I mean under Saddam, to persuade him to go
11 along with something. That is possible, but certainly
12 I have been criticised and people said that at the end
13 of January 2003, "You were very critical of the Iraqis,
14 but then 14 February and 7 March in your statements you
15 became more upbeat". They say, "Why did you change your
16 opinion?" I say, "Look here, if I am there to observe
17 and the circumstances change I damn well ought to also
18 change my report". That is what happened, the Iraqis
19 became more cooperative.

20 Let me take examples. A major matter was what had
21 they unilaterally destroyed in 1991? UNSCOM had
22 undertaken some excavations of things, places where they
23 had destroyed things, but not all. Some places they had
24 not dared to, because it was dangerous. The Iraqis then
25 in February 2003, I think it was in February, offered

1 that we will excavate some of these things again. They
2 came -- I remember we were in Baghdad, Mohammed and I.
3 They said, "Look, with modern techniques we might even
4 reconstitute and re-find the volumes that had been
5 destroyed". I was a bit sceptical, I'm not a scientist
6 but I thought if you pour 10 litres of milk in 1990 will
7 you be able ten years later to find there was 10 litres?
8 I was a bit sceptical. But nevertheless, our scientists
9 said, "Yes, we can go along and excavate and look for this".

10 That was one thing the Iraqis did in 2002 and it did
11 give results, actually, because the place we dug up,
12 they did not find the anthrax or chemical weapons but
13 they found the fragments of the bombs that had been
14 exploded. They were able to reconstitute them and come
15 up with a conclusion that the Iraqi statement had been
16 fairly correct.

17 So it was an active cooperation.

18 I take another example. That related to who
19 participated in this destruction, and we said, "Look
20 here, you must have some idea of who did it. Can we
21 talk to them? Can we interview them?" They came up
22 with quite a number of numbers actually. I think 50 or
23 60 names, maybe more. I said, "If you have a list of
24 people who participated, don't you also have lists of
25 what you actually destroyed". They had shown earlier on

1 a diary of somebody who did something but not so much.

2 That was another one.

3 Another item was interviews. I was always sceptical
4 about the interviews of Iraqis because any interview in
5 Iraq would be -- they would probably know about it.
6 They would have a tape recorder hidden somewhere if they
7 were alone or they would have a minder. Very frequently
8 the witnesses wanted to have the minder present because
9 thereafter they could have their testimony that they had
10 not revealed anything they should, but we were given
11 both on the US side, especially on the US side but also
12 from the UK, they say that: why don't you take them
13 abroad? At first I had the feeling they just wanted us
14 to kidnap these people and take them abroad. I thought
15 it was an atrocious idea.

16 Later on there was a great deal of pressure and
17 I concluded that I must ask the Iraqis to release
18 people to go abroad, but I must say I never
19 thought we would get very much from them even abroad.
20 The Americans said they can take their whole family with
21 them, ten people, but they will still have some
22 relatives, someone against whom reprisals could have
23 been taken. Now in retrospect we know they would have
24 said they did not know about anything.

25 These were areas in which the Iraqis were

1 forthcoming in the end of February and the March, under
2 US military pressure, to be sure, but nevertheless that
3 was a big change. I was cautious in reporting it to the
4 UN Security Council, saying, "I note these things but at
5 the same time we must see how much does it actually
6 produce".

7 So I was cautious all the way through, but this was
8 the reason why I changed my view. I talked to Prime
9 Minister Blair on 20 February 2002 and then I said
10 I still thought that there were prohibited items in Iraq
11 but at the same time our belief, faith in intelligence
12 had been weakened. I said the same thing to Condoleezza
13 Rice. Both Condoleezza Rice and Prime Minister Blair,
14 I sort of alerted to the fact that we were sceptical. I
15 made the remark that I cited many times, that: wouldn't
16 it be paradoxical for you to invade Iraq with 250,000
17 men and find very little.

18 So certainly I gave some warning that things had
19 changed and there might not be so much.

20 SIR MARTIN GILBERT: Thank you very much.

21 SIR JOHN CHILCOT: Just for the record I think you were
22 referring to a discussion between yourself and Prime
23 Minister Blair in 2003. We heard 2002.

24 DR BLIX: Yes.

25 SIR JOHN CHILCOT: By the way, it would be very helpful if

1 we could keep it as slow as possible.

2 DR BLIX: I talk too fast.

3 SIR JOHN CHILCOT: I will now turn to Sir Lawrence Freedman
4 again.

5 SIR LAWRENCE FREEDMAN: There was a lot of interest in the
6 potential of the smoking gun and you have already given
7 an indication that's certainly not what you found, but
8 you have mentioned a number of other things that you did
9 find which were small in themselves but not without
10 significance. I think you have mentioned the chemical
11 warheads didn't have chemicals in them but they could
12 take them, the missiles, nuclear documents.

13 Was there anything else you found in addition to
14 those that were prohibited items or indicated something
15 suspicious?

16 DR BLIX: Well, there were the missile engines. The
17 warheads I think was the most important, I think that
18 was in January that we found them, and I remember I was
19 in London at the time when I was told about this, and
20 I thought, "Well, maybe this is it". Maybe this is the
21 tip of the iceberg that we are now seeing and maybe we
22 will find more. As time went by and we really found
23 more fragments, I think -- I concluded that it was
24 an ice -- might well have been an ice that had been
25 broken long ago and these were the floes that remain of

1 it and that was the reality, but in January, yes,
2 I still thought that maybe you find more, but as to
3 actually findings, no. It is true that we were -- we
4 were looking for smoking guns, and rather towards the
5 end the US when they wanted to discredit us came and
6 said that, "Look, we know that you have found the pile
7 of automatic non-piloted --"

8 SIR LAWRENCE FREEDMAN: The drones.

9 DR BLIX: The drones. "You have not reported that. You
10 have also found a contraption for spreading of chemical
11 weapons". I talked to our people about it and they
12 said, "Yes, we are dealing with these things, but they
13 are not really significant" and these things
14 disappeared.

15 So there was very little we found. The missile was
16 the most important. Of course we ordered them destroyed
17 even though they did not exceed the permitted range very
18 much. We had time to destroy about 70 of these
19 missiles, which was quite a significant thing.

20 SIR LAWRENCE FREEDMAN: In terms of the things you have
21 mentioned how did the finds come about? Was it because
22 of just regular inspections, because the Iraqis had
23 declared them or because of intelligence that you had
24 received?

25 DR BLIX: The chemical munition was something that we found

1 ourselves and it was at the site that had been declared
2 by the Iraqis. So it was a well-known site, and I think
3 that the US later on tried to blow it up a bit, but this
4 was something we found.

5 We received altogether some 100 ideas, tips about
6 sites to go to and we had time to go to about 30 of them
7 during the period, and in no case did we find a weapon
8 of mass destruction, but we did find something illegally
9 imported. I think the missile engine was on the basis
10 of a tip from the UK maybe. The stash of nuclear
11 documents also came from a tip from the UK.

12 When I read some of the testimony made and given
13 here, they seem to be very proud that, "Yes, we made
14 four hits out of ten". They should ask what was the
15 hit? If the hit had been a weapon of mass destruction
16 it would have been interesting, but these were hits of
17 fragments. So they were not so important.

18 SIR LAWRENCE FREEDMAN: So, just to conclude, what do you
19 think these finds did indicate about Iraq's level of
20 compliance with past resolutions, including 1441?

21 DR BLIX: Yes. I mean, they ought to have declared the
22 documents. They should have declared the engines, etc.
23 So that was a lack of compliance. You can say that.
24 I think one can also ask whether compliance with every
25 detail of the instructions was the most important, or was

1 it the weapons of mass destruction that we wanted? There
2 is the different value and different types of evidence
3 and I didn't think the evidence we got was very
4 important.

5 SIR LAWRENCE FREEDMAN: Thank you.

6 SIR JOHN CHILCOT: I will ask Baroness Prashar to pick up
7 the questions.

8 BARONESS PRASHAR: Thank you, Chairman.

9 Dr Blix, I want now to look at the question of the
10 Iraqi cooperation with the inspection regime. Starting
11 first of all with issue of access to sites. Access to
12 sites was clearly a very key measure of Iraq's
13 willingness to cooperate. How did they measure up to
14 this particular criteria?

15 DR BLIX: From the outset their cooperation on this score
16 was good --

17 BARONESS PRASHAR: Uh-huh.

18 DR BLIX: -- and I said so. Borrowing from
19 Mohammed ElBaradei I made a distinction between
20 cooperation on procedure and cooperation on substance.
21 I said that Iraq cooperates on the whole well on
22 procedure, in particular on access. On no particular
23 occasion were we denied access. In this sense, of
24 course, it was a contrast from UNSCOM which were
25 frequently denied access, perhaps sometimes because the

1 Iraqis felt humiliated and frustrated and wanted to
2 demonstrate, but, of course, that was interpreted as
3 a will to hide something. We never had a denial of
4 access. We had some difficulties of access when we came
5 to Saddam's palaces. I think there was a short delay of
6 a quarter of an hour or something like that, but there
7 was never a denial of access. So I think they had made
8 up their mind, and that was in marked contrast to UNSCOM
9 and should have been noticed.

10 On substance on the other hand we felt that, no, we
11 did not get that proactive cooperation in the
12 declaration or in January, and I said in my
13 statement on 7 January -- that was seen as very critical
14 of Iraq -- that they don't seem even to have come to
15 terms with the idea of disarmament. It was a very harsh
16 statement. Perhaps partly out of disappointment, but
17 also in part because I wanted to warn them that, "Look
18 here, if you are not more cooperative, this is the kind
19 of reports you will get". I remember Reuters reported
20 from London that we had said that we would like to have
21 the cooperation and if we don't get that, they will get a
22 critical report.

23 So in January we came out with these very critical
24 comments and then they changed, whether as a result of
25 my comments or probably more as a result of a build-up,

1 the military build-up, yes.

2 BARONESS PRASHAR: You have already mentioned the question
3 of minders. In your book you note that on one occasion
4 you complained to the Iraqis that the ratio of minders
5 was about 10:1. How did you view this heavy presence of
6 minders? Did it signify lack of cooperation or were
7 they a source of obstruction to you?

8 DR BLIX: That case had regard to the helicopters I think.
9 They wanted to have -- we said, "Okay. You can send
10 minders along with our helicopters". They sent 10:1.
11 We complained and they changed it immediately to 1:1.
12 Otherwise the minders, of course, were necessary, but
13 they were not there to guide us. We could go anywhere
14 we liked.

15 The procedure was that in the evening before
16 an inspection the Chief Inspector would tell the Iraqis,
17 "We will start at 10 o'clock from this place and you
18 should have a minder to go along with us". He was not
19 told where they were going. We never discovered or saw
20 they had known in advance where we were going.
21 They were there to be a liaison, if you like. When you
22 come to the site, if there is any problem, then they had
23 authority and they could contact their authority. So
24 minders were necessary, but 10:1 was an absurdity and
25 they went away from that.

1 BARONESS PRASHAR: Did you find that obstructive, there were
2 so many of them?

3 DR BLIX: I think they were a necessity. They were
4 sometimes helpful. We had an accident in which
5 unfortunately a Chinese inspector died on the road.
6 The Iraqi minders were there and they helped us for
7 a hospital and all that. So they were necessary. They
8 cooperated on procedure.

9 BARONESS PRASHAR: But when you briefed the Security Council
10 on 27 January 2003 you noted some recent disturbing
11 incidents and harassment?

12 DR BLIX: Yes.

13 BARONESS PRASHAR: Now that was a question of demonstrations
14 and so on. How serious were these incidents and what
15 did they signify?

16 DR BLIX: Well, it is hard to believe that they could have
17 occurred without the consent or perhaps even
18 authorisation from the dictatorial state. So we took
19 them rather seriously and I
20 reported them to the Security Council, because that's
21 the means of pressure I could have on them. I can't
22 imagine they were spontaneous. I saw one testimony here
23 -- I forget who it was testified -- that the
24 UK had given us a lot of sites and all we met were
25 demonstrations and stones.

1 That's not really true. We performed some 30 of
2 these⁶. Yes, there was some harassment and some
3 demonstrations, but by and large this⁷ was very useful.
4 I certainly wanted to continue. We found material, but
5 we didn't find material that was relevant to weapons of
6 mass destruction.

7 I think what was really important about this
8 business of sites given was that when we reported that,
9 no, we did not find any weapons of mass destruction,
10 they should have realised I think, both in London and in
11 Washington, that their sources were poor. Their sources
12 were looking for weapons, not necessarily for weapons of
13 mass destruction. They should have been more critical
14 about that. We on the other hand had very rarely
15 contact with any sources. We based our conclusions upon
16 the overhead imagery or upon interviews, etc, and that
17 did not hold these errors.

18 Intelligence will be used to this, that there are
19 people -- they defect or they give them intelligence and
20 they want to get some reward for it so they will be
21 inclined to give what they think the interrogators want
22 to hear. We were not subjected to that danger. So the
23 lesson from this site affair⁸ would have been, I think,
24 they should have drawn the conclusion that their sources

⁶ i.e. UNMOVIC carried out around 30 inspections on the basis of these tips

⁷ i.e. these inspections

⁸ of sites provided by intelligence agencies and visited by the inspectors

25 were poor.

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1 BARONESS PRASHAR: Can I come on to the question of
2 concealment, because throughout this period there were
3 repeated allegations by the United States and the UK in
4 particular that the Iraqi regime was involved in
5 concealment activity. How did you view these
6 allegations and was there substance in them?

7 DR BLIX: Well, we had learned from the whole 1990s that
8 they might have been concealing things, and we -- to
9 take the case of anthrax again, that was the prime case.
10 Where was it? 10,000 litres, where? Did they keep it
11 somewhere? So we assumed that they might be concealing
12 something and we had lots of sites to inspect, inherited
13 from UNSCOM and also from the IAEA. So there were lots
14 of places we wanted to go. So we certainly did not
15 exclude. No, no, we really thought if there is
16 something, it will be concealed.

17 BARONESS PRASHAR: I mean, in cases of small items, such as
18 test tubes and technical documentation and so forth,
19 what chances would there have been of you actually
20 uncovering them?

21 DR BLIX: No. On very small items it will be difficult to
22 do so and computer programmes, etc, or prototypes of
23 weapons, but stores, stocks of chemical weapons or
24 biological weapons is another matter. We went to
25 military sites. We went to the biological laboratories.

1 We went to industries, to places where it could be
2 plausible these things would be kept.

3 BARONESS PRASHAR: Do you want a break?

4 SIR JOHN CHILCOT: Yes. I think we have been going for
5 an hour and a quarter. Let's break for ten minutes and
6 then come back. Thank you.

7 DR BLIX: Okay.

8 (3.15pm)

9 (A short break)

10 (3.25 pm)

11 SIR JOHN CHILCOT: We were in the midst of some questions
12 from Baroness Prashar. She is going to continue
13 I think.

14 BARONESS PRASHAR: I want to continue on the question of
15 cooperation of the Iraqi regime. Can I look at the
16 question of legislation?

17 DR BLIX: Registration?

18 BARONESS PRASHAR: Legislation. You note in your book that
19 the Iraqi regime could perhaps have been much more
20 forthcoming in some of its actions on the subject of
21 enacting legislation, which you said could have been
22 a requirement in Iraqi law, the acquisition of WMD.

23 Where did this proposal first come from? Where did
24 it come?

25 DR BLIX: It might have come from resolution 687. I forget

1 actually. I remember that Mohammed ElBaradei was the
2 one who pushed it very hard when we saw the Vice
3 President Ramadan and I always thought this is
4 a dictatorship passing a piece of legislation, it should
5 be easy for them, and I thought it was a bit of
6 sloppiness that they didn't go along with it. They did
7 enact something at the end, but I remember that we
8 considered it inadequate and demanded more, but I never
9 thought the issue was big. It was something they should
10 do very easily.

11 BARONESS PRASHAR: So you did not view this as a strong
12 indicator of non-cooperation?

13 DR BLIX: No.

14 BARONESS PRASHAR: The second question is really again you
15 indicated in your reports to the United Nations Security
16 Council that the subject of over-flights was also a bone
17 of contention between you and the Iraqi regime. Can you
18 tell us what obligations was the Iraqi regime under with
19 respect to granting of over-flights?

20 DR BLIX: The U2 planes and Mirage, etc?

21 BARONESS PRASHAR: That's right.

22 DR BLIX: That was spelled out in resolution 1441. UNSCOM
23 had had difficulties with that. They had had U2 planes
24 and the Iraqis could not reach the planes with their
25 anti-aircraft guns. We also had difficulties with U2.

1 It took some persuasion in talks with them to get this.
2 I pointed of course to the resolution. Interestingly
3 enough the solution came after we had suggested that we
4 should not only have American U2 planes at the top, we
5 should have French Mirage next and thereafter we should
6 have Russian [aeroplanes].⁹ At the bottom of it we would
7 have drones. I didn't want to have American drones.
8 I wanted to have German drones. Somehow this diluted
9 their objections to -- that they made to the use of U2
10 planes. That's how I perceived it. Again this was the
11 humiliation, that they felt the US was humiliating them,
12 but if they felt it was an international operation, it
13 was somewhat less difficult for them. That was how I
14 interpreted it. And it solved it but it took some time.

15 BARONESS PRASHAR: Did eventually meet their obligations?

16 DR BLIX: Yes.

17 BARONESS PRASHAR: When was that?

18 DR BLIX: February, I think February.

19 BARONESS PRASHAR: February 2003?

20 DR BLIX: Yes. At any rate the Americans did not shy away.
21 The Iraqis say, "Look, we cannot guarantee their
22 security", but the Americans I think would not have
23 shied away from the over-flight. They were sure
24 the Iraqis could not reach them. But there was a bit of
25 resistance from the Iraqi side, and I have a suspicion

⁹ The word "aeroplanes" has been added during the review of the transcript to aid comprehension

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1 it had to do with pride and the feeling of being
2 humiliated.

3 BARONESS PRASHAR: My final question on cooperation is to do
4 with interviews. How much importance did you give to
5 interviews? Particularly there was absence of
6 documentary evidence in support of ...

7 DR BLIX: Interviews were important throughout, also in the
8 1990s. That was our experience from the IAEA, that if
9 you had direct talk with a scientist or someone in the
10 nuclear sphere, a cautious conversation was helpful.
11 Of course, many of these things happened on
12 the sites by our inspectors both for us and for UNSCOM,
13 but we also set up separate interviews. Those we wanted
14 to interview did not want to come to our Headquarters
15 there and, as I mentioned a while ago, they often wanted
16 to have a minder present presumably to be able to show
17 to their authorities that they had not said anything
18 that was wrong and we said we insist upon having
19 interviews with neither a tape recorder nor a minder
20 present.

21 Of course, we never thought that this could occur.
22 It always took place in a hotel if I remember rightly
23 and we always assumed they would hide a tape recorder in
24 the room somewhere. That was when the idea came up: "take
25 them abroad". A great insistence on that, I remember

1 Mr Wolfowitz, for instance, felt this was perfectly
2 normal and believed you would get the truth out of them
3 if you took them abroad. I was pushed very hard and
4 eventually I talked to Amir Al-Sa'adi about it.

5 BARONESS PRASHAR: Did you feel under pressure?

6 DR BLIX: Yes, I felt under pressure. It was also included
7 you see in the resolution, 1441, that we could do
8 that. It didn't say we have to do it, but we could do
9 it. At first I felt the Americans felt: just kidnap
10 these guys and take them abroad. I thought it was naive
11 and I felt -- I talked to people in the diplomatic
12 community in New York and they shared -- agreed with me,
13 and I asked the Americans, "Well, you know, they have
14 relatives at home. Do you think they will reveal
15 something and put them in jeopardy", and the Americans
16 said "Well, they can take their families along".
17 I said, "How many can we take along for them?" They
18 said, "Well, up to a dozen people". I thought a big
19 Iraqi family may have many more. I never thought you
20 would get very much out of it. It would only have been
21 trouble, but we would have been driven to it in the end.
22 I think the push was so hard, so we would have persuaded
23 the Iraqis and said, "This is what we need to do.
24 If we pick up someone, you should order them to come
25 along with us".

1 I also suspected the Americans hoped they would get
2 some defectors that way, they would get some people who
3 would use the occasion to get out of Iraq and thereby
4 defect.

5 BARONESS PRASHAR: Just to be clear, you didn't think this
6 was realistic?

7 DR BLIX: No.

8 BARONESS PRASHAR: But you say you would have eventually
9 done so --

10 DR BLIX: Right.

11 BARONESS PRASHAR: -- if you had been given more time?

12 DR BLIX: Yes, yes. In March 2003, yes, we would probably
13 have been moving in that direction. The pressure from
14 the British was also strong. Blair felt very strongly
15 about it.

16 BARONESS PRASHAR: But how many interviews did you manage to
17 complete by the time you left on 18 March 2002?

18 DR BLIX: Well, it depends what you mean by interviews. You
19 know, we had many, many interviews.

20 BARONESS PRASHAR: In satisfactory conditions. Let me put
21 it that way.

22 DR BLIX: Well, there were not so many, but there were
23 a number -- perhaps less than ten which had taken place
24 on our conditions, that there would be no minder present
25 and no tape recorder.

1 The IAEA caved in and they accepted I think the
2 presence of a minder. We never did that. We said, "No.
3 If we don't get it on our conditions, we don't do it at
4 all".

5 BARONESS PRASHAR: What assessment would you make of Iraqis'
6 willingness to cooperate with you on the basis you
7 conducted the interviews? Was it a strong indicator of
8 non-cooperation?

9 DR BLIX: Well, there was a reluctance certainly but it
10 might also have had to do with the people whom we would
11 call for the interviews. They must also -- they had
12 nothing to hide after all. So that could not have been
13 the reason. If the people said, "Well, there are
14 chemical weapons", then they would not have been telling
15 the truth, so they couldn't really have been afraid of
16 that, but they might also have felt, "Yes, you are
17 putting these guys in a difficult spot", and try to
18 protect them. I don't I think asked the question -- we
19 suspected, of course that, there were people who knew
20 something, that could reveal something, but the Iraqis
21 were in a different situation. They knew there were no
22 weapons.

23 BARONESS PRASHAR: Thank you.

24 SIR JOHN CHILCOT: On a side point, Dr Blix, how did you
25 manage for interpreters? Did you bring in your own

1 universally or did you accept locally-based
2 interpreters?

3 DR BLIX: I am not sure I really remember how that was. We
4 had some, but very few who spoke Arabic. We had an
5 American woman of Lebanese extraction and she was the
6 one who was -- one of those who was active when we
7 found the stash of nuclear documents. This was quite
8 important, because there were women in the house, and to
9 be searched by male foreign inspectors in the house
10 would have been objectionable to them. She was quite
11 helpful, but I don't -- I can't really tell you whether
12 they were local or not.

13 SIR JOHN CHILCOT: Thank you. I will ask Sir Roderic to
14 pick up the questions.

15 SIR RODERIC LYNE: We have had the argument made to us that
16 three and a half months was plenty of time for the
17 Iraqis to demonstrate whether or not they were genuinely
18 willing to cooperate with the inspections process.

19 By the time you left, by the time perhaps you
20 finally reported to the Security Council, had Iraq
21 handled the inspections in a way that allowed you to
22 think at any point that they were genuinely cooperating,
23 that they really had nothing to hide?

24 DR BLIX: Well, as I reported in February 2003, I was
25 beginning to feel hopes. This was on

1 24 February I think -- but very cautiously.
2 Then on 7 March I was a bit more upbeat, shall we say.
3 Both then and in retrospect, I thought it was a bit
4 curious that precisely at the time when we were going
5 upward in evidencing cooperation, at that very time the
6 conclusion from the UK side and also from the US side
7 was that no, inspections are useless. They don't lead
8 us anywhere. They don't cooperate. That was the moment
9 when we presented the cluster document. Mr Straw
10 had read this document on the plane.¹⁰ I don't know
11 whether he should have had it. He got it through
12 the British Member of the College of Commissioners and
13 the American -- Powell¹¹ -- had also got it through an
14 American member of the College. Other members of
15 the Security Council were not in that situation.

16 Anyway, Straw had read it on the plane and he was --
17 to him this was an enormous revelation, that here the
18 Iraqis had obstructed and they had concealed all the
19 way.

20 Now that referred mainly to the 1990s. That was
21 a description of UNSCOM. Our starting point was the
22 UNSCOM document 1999/94, which described all these cases.
23 There were also descriptions in the Amorim report. We
24 had refined it and taken a lot of time and lot of work
25 over this document. It was prepared because the

¹⁰ While travelling to the Security Council meeting

¹¹ US Secretary of State Colin Powell

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1 resolution 1284 required of us to present a work
2 programme. That work programme should zero in on key
3 remaining disarmament issues.

4 Now in order to identify which were the key
5 remaining disarmament issues, we had to look at all the
6 unresolved disarmament issues and then cull and select
7 from those which ones did we think were key. We had to
8 vet that with the college of Commissioners.

9 This is what we did. It took longer time than
10 I would have liked but there was not so much new in it.
11 The unresolved issues from the 1990s remained. They
12 were listed by UNSCOM. There was additional
13 information, yes, from the declaration of the autumn.¹²
14 There was additional information from the inspections
15 already carried out, but not so much. It was not in my
16 view a very revealing document. It was to be the basis
17 for our selection of key issues, but when Mr Straw read
18 it on the plane, he felt, "Well, this is it. This is
19 how they behaved all the way through the 90s and this is
20 the way they are behaving now".

21 The only trouble was that at that very moment I was
22 reporting to the Security Council, "This is not quite
23 the way they are behaving now. They are behaving much
24 better. They are changing, maybe under American
25 military pressure, but certainly to me they are behaving

¹² December 2002

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1 much better".

2 So to me there was something very ironic about the
3 cluster document. We had made it available to the
4 Security Council because the British were working on the
5 benchmark resolution. They had concluded, as UNMOVIC
6 did,¹³ that maybe you cannot solve everything. UNMOVIC
7 said, "We will go for key issues". The benchmark
8 approach was to find six -- six they settled for --
9 issues, solve these in a limited time and then we can
10 come back and solve another six and that will show
11 cooperation.

12 Now which issues were they to select for solution?
13 It then occurred to me, "Look here, we are working on
14 a document here which will spell out the issues in the
15 most update form and we will ourselves use it to select
16 issues". So should we make it available? We
17 hesitated a bit to make it available, because here was
18 the UK and others working on a resolution and it was not
19 our task to side with anybody in the Security Council,
20 or help one resolution or another. But I sounded out the
21 Americans and the others. There was no objection to our
22 making this document available a bit in advance of the
23 moment when it was to be an appendix to our work
24 document.

25 So we circulated it. So the intention was to help

¹³ Witness added a comment during transcript checking: "as the UNMOVIC mandate under Res. 1284 did"

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1 the UK delegation in selecting, in culling a number of
2 cases which would allow more inspection and possible
3 solution.

4 Instead then when it was on the table Mr Straw was
5 amazed and puzzled. Why hadn't Blix presented this
6 earlier? He didn't say we had withheld it but he was
7 amazed it had not been done earlier. This was
8 sensational. I don't think anyone else took it as
9 sensational. It was reporting of the concealment and
10 obstructions in the 1990s but not much more than that.

11 So the document actually came to be used to show the
12 meaninglessness of inspections rather than as a means
13 which would have helped to continue inspections.

14 SIR RODERIC LYNE: I think Sir Martin may want to come back
15 on the benchmarks document in a minute.

16 In terms of your broad judgments about cooperation
17 resolution 1441 had demanded immediate, unconditional
18 and active cooperation. Had Iraqi behaviour at any
19 point corresponded to that?

20 DR BLIX: Well, the interpretation of what is immediate,
21 what is active and what is unconditional is, of course,
22 up to Security Council and was also up to us.

23 I concluded in the Security Council that they had not
24 been immediate, no. I had discussed it with Condoleezza
25 Rice and she said, "At least you must concede that

1 point". I said, "Yes, that's true. It was not
2 immediate".

3 Unconditional? Well, one can discuss that. I said
4 to the council -- I asked the question, "Have they done
5 that?" I said, "I have described what they have done.
6 You judge for yourself. We can have a preliminary view,
7 our modest, humble view on it, but on immediacy, no,
8 I don't think I would claim it has been immediate".

9 SIR RODERIC LYNE: Even under what was obviously growing,
10 very serious military pressure, threat of military
11 action, after three and a half months they had not
12 opened the doors widely enough to convince you that they
13 really had nothing to hide. They had had time to do so.
14 They had given you some hopes, as you say, that the
15 cooperation was improving after a long time under this
16 pressure, but could they not have done an awful lot
17 more. Unconditional means unconditional, but clearly
18 you had been hemmed in by obstructions of one kind or
19 another which are de facto conditions.

20 DR BLIX: Somewhat obstructed. They had opened the doors.
21 I had said on some occasions it is not enough to open
22 doors. You also have to be proactive. I think that's
23 what they became when they came up with the idea of
24 further excavations, for instance. That was a secondary
25 response to our demands that they give us names of those

1 who took part in the unilateral destruction. So I think
2 they were coming to be proactive, but it was rather late
3 It was after three and a half months.

4 SIR RODERIC LYNE: You can see even more clearly I am sure
5 than Saddam Hussein the build-up, and I am sure you
6 could sense the shortening of the American
7 timelines towards taking action.

8 Now if you felt that the Americans had
9 misinterpreted Iraqi behaviour and that Iraq was
10 genuinely cooperating, could you not have said very
11 starkly to the Security Council that you really believed
12 that Iraq was now cooperating in a way that did not
13 allow -- or did not make action appropriate? Could you
14 have been clearer in what you said to the Council about
15 this?

16 DR BLIX: Well, Mohammed ElBaradei was a little more
17 forthcoming. He said he thought there should be more
18 inspection and it would be an investment in peace,
19 I think that's the expression he used. I would not go
20 that far. I would have felt a little presumptuous
21 telling the Council exactly what to do. I rather
22 phrased the other way. I said, "People are asking me
23 how much more time will be needed. I said it will not
24 be weeks, it will not be years, but months".

25 I mean, it would have been hard to give a general

1 answer what is immediate, unconditional or active.
2 Proactive it was not until February. I think
3 they certainly were scared, but would we would not have
4 been able to come to that point even without 250,000 men
5 next door? You see, that was the question: when was the
6 invasion to take place? There are several people,
7 including some of your witnesses, who said that it could
8 have been in the autumn of 2003.

9 The decisive time for responsibility for going to the
10 war is what they¹⁴ knew in March 2003, but to avoid the
11 war I think it was more the diplomacy in the autumn of
12 2002 that was decisive. If they¹⁵ had kept the pressure
13 that was so important to get the Iraqis moving, if they
14 had kept the pressure at 100,000 men or whatever it was
15 and kept it up and sounded threatening, maybe we would
16 have had the same cooperation, but once they went up to
17 250,000 men, and the time March was approaching, I think
18 it was an unstoppable -- or almost unstoppable. The
19 President could have stopped it, but almost unstoppable.
20 After March the heat would go up in Iraq and it would be
21 difficult to carry out warfare. Condoleezza Rice
22 denied the temperature played any role but I think
23 reading other testimony I think it did play a role.

24 The whole military timetable, as was rightly said,
25 was not in sync with the diplomatic timetable. The

¹⁴ the US and the UK

¹⁵ the US

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1 diplomatic timetable would have allowed more
2 inspections. UK wanted more inspections, but the
3 military timetable did not permit that. As I have said,
4 sometimes perhaps a little roughly, the UK remained
5 a prisoner on that train.

6 SIR RODERIC LYNE: You yourself, as you said, thought it
7 would be presumptuous for you to state your own opinion
8 on this more clearly than you did in the Council.

9 DR BLIX: Yes. I listed precisely what they¹⁶ had done. It
10 was very fair, balanced reporting on the cooperation we
11 had received and the hitches and the humps that we had
12 met, and the Council was perfectly capable of judging
13 that themselves.

14 SIR RODERIC LYNE: You said a few moments ago that you
15 sensed that the attitude of the British changed at
16 a certain point. Did you feel at the beginning of this
17 period that the British were genuinely cooperating,
18 genuinely keen for the inspection process to work so
19 that military action could be avoided?

20 DR BLIX: Yes.

21 SIR RODERIC LYNE: But at the end of the process did you
22 still have that feeling or not?

23 DR BLIX: No. I thought that Straw was giving up around
24 10th March. They tried the benchmark approach, which I
25 approved. I mean, I saw it as something hopeful, but

¹⁶ Iraq

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1 said to your Prime Minister, "Look, the benchmark must
2 be doable. If they put something in [which I realised
3 Iraq could not do] then the conclusion after going
4 through the benchmark will simply be no, they are
5 obstructing and hence there will be an authorisation to
6 go to war."

7 So I said they must be doable and I discussed the
8 issue with the Prime Minister and we handed over this
9 cluster document. But then my suspicion, and this is
10 more speculation, is that the US at the time were not so
11 keen on the benchmark approach. I think Straw reports
12 they were in favour of it but I think when you read what
13 Greenstock says he was not so sure about it. I think
14 the Americans probably saw the risk maybe they¹⁷ will
15 comply here and succeed and then it¹⁸ is prolonged.
16 Whereas others like myself saw a chance that this would
17 be accepted and we would go on to the next benchmark and
18 we would be in April and it would have been too late for
19 an invasion.

20 So when it was seen then that the US will not go
21 along with any prolongation of inspections and there
22 would be an invasion, I think that was the moment when
23 it was discovered that the cluster document indicated
24 that inspections were meaningless.

25 SIR RODERIC LYNE: You also referred just now to pressure

¹⁷ Iraq

¹⁸ Witness proposed "the whole thing" rather than "it" when reviewing the transcript

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1 from Tony Blair, among others, on you to interview
2 scientists outside Iraq.

3 More generally did you feel -- did you experience
4 pressure from the British Government while you were
5 acting as an inspector?

6 DR BLIX: No. I must say we had excellent relations with
7 the British Government and I have an extremely high
8 regard for Jeremy Greenstock and I think we had very
9 good cooperation with London. Our discussions with
10 Straw and with the Prime Minister were also very good
11 all the way through. I had never any complaint.

12 The Americans also did not exert that much pressure
13 I would say. At the beginning they came to us and said
14 they thought we should carry out inspections in such and
15 such a way. We should begin from the top and we should
16 look for documents rather than anything else, and go in
17 in big swarms.

18 We didn't take their advice and they didn't
19 complain. We knew what we wanted to do and they didn't
20 complain. The only real pressure I felt was at the end
21 when an Assistant Secretary of State came to me and
22 talked about the pilotless, automatic planes and this
23 contraption.¹⁹ This was the only moment. Then he thrust
24 some photographs on my table and I asked where did they
25 come from. He said, "We are not going to tell you".

¹⁹ for chemical weapons

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1 I assumed then that they had some mole in Iraq, there
2 was leakage at least to the US, I never thought there
3 was a leakage to the Iraqis. I am not so surprised.
4 Some people thought we were bugged in New York. My only
5 complaint about that is they could have listened more
6 carefully to what we had to say.

7 SIR RODERIC LYNE: In an interview you gave in December of
8 last year to the Daily Mail, the Daily Mail claimed, but
9 it is not in direct quotes from you -- it is from the
10 Mail -- it claimed:

11 "In an interview with the Mail Hans Blix revealed
12 that Mr Blair tried to force him to change his mind
13 about the absence of weapons of mass destruction in Iraq
14 to placate the Americans."

15 Is that an accurate encapsulation of your views?

16 DR BLIX: No, no.

17 SIR RODERIC LYNE: It is not?

18 DR BLIX: I re-read the interview the other day and it's
19 a lengthy one. It was made in my presence, and it was
20 not given to me and I didn't request to have it
21 submitted to me, but there are a number of things in it
22 which I would not have chosen to subscribe to.

23 I take responsibility for things that I have written
24 myself and are on record, but, as you know, in
25 interviews which are not checked, they can well slip in

1 things that you do not feel that you are saying. This
2 is one. I don't think that Blair tried to persuade me.

3 SIR RODERIC LYNE: Finally at this stage from me, when we
4 got to the end of the inspection process clearly there
5 was a range of views among members of the Security
6 Council about the degree of threat posed by weapons of
7 mass destruction in Iraq. There was still a pretty
8 widespread perception that Iraq probably had some such
9 weapons, particularly chemical or biological. This had
10 not been dispersed or dispelled, but different countries
11 saw the threat from that in different ways.

12 Did you feel these views were sincerely held, or did
13 you feel some people were in one direction or another
14 exaggerating their position for a particular reason, for
15 an ulterior motive?

16 DR BLIX: Well, I certainly think that Mr Straw exaggerated
17 what he was reading in the cluster document, because
18 that covered largely things that had been open all
19 through the 1990s, but I don't question the sincerity in
20 the belief that Iraq might still remain a threat, and
21 after the war of course, when I saw what Prime Minister
22 Blair said, that even if Blix had continued with his
23 inspections, he would never have got the full truth
24 about the Iraqi programmes.

25 I think what would have happened is rather that

1 as we went on, more of the allegations that had
2 been made in the dossiers in the UK and US and others,
3 would have fallen apart. The evidence they had
4 presented would have been undermined by our continued
5 activity.

6 We would never have been able to clear up all the
7 unresolved issues. As I said a while ago, the approach
8 of 1284 was for key issues. The approach of the British
9 benchmark was also to select some, not everything, nor
10 was it reasonable to find -- this meticulous approach was
11 not a reasonable one.

12 So while there certainly could be a feeling that,
13 no, we will not get to the truth, it would
14 have been difficult for them to base or justify
15 an invasion on the basis of what the situation would
16 have been, say, in April or May 2003.

17 SIR RODERIC LYNE: But they were not making it up, certainly
18 as far as British decision-makers were concerned. Even
19 if it later turned out that what they believed wasn't
20 substantiated on the ground, it was a sincerely held
21 belief in their heads that these weapons were there?

22 DR BLIX: I have never questioned the good faith of Mr Blair
23 or Bush or anyone else. I think to question the good
24 faith you need to have very substantial
25 evidence and I do not have that. On some occasions when

1 I talked to Blair on the telephone, 20 February,
2 I certainly felt that he was absolutely sincere in his
3 belief.

4 What I questioned was the good judgment,
5 particularly with Bush, but also in Blair's judgment.

6 SIR MARTIN GILBERT: I would like to come back, if I could,
7 briefly to the March assessment of the outstanding
8 issues, which, of course, was entitled, "Unresolved
9 Disarmament Issues: Iraq's Proscribed Weapons
10 Programmes".

11 You have told us about Jack Straw's reaction and
12 your comment on it. In his evidence to us he voiced his
13 surprise that the document had not been available to the
14 Ministerial Security Council meeting in its discussions
15 on 7 March 2003, and obviously given his view of the
16 importance of the document, he felt it would have had
17 a similar effect on other members of the Security
18 Council as it had on him.

19 Was there any reason why it could not be made
20 available in time for the meeting?

21 DR BLIX: No, except that it wasn't ready. We had worked on
22 it for a very long time. It took a longer time than
23 I wanted. We were not obliged to submit it until just
24 before the invasion actually. What is it? 19 March or
25 20 March. That was the occasion. It was to be the

1 basis for the work programme we were to submit. That
2 was the purpose of it, but I found it could be of
3 use in the benchmark approach.

4 SIR MARTIN GILBERT: But as he had had sight of it and you
5 had had sight of it --

6 DR BLIX: Yes, he had sight of it by an inadvertency in a way
7 because we were to vet the documents through the College
8 of Commissioners. So we gave it to the College of
9 Commissioners and he²⁰ got it, and also Powell in
10 Washington got it a little earlier than all the other
11 members of the Security Council. It occurred to me, as
12 I already said, that this may well be of interest in
13 a benchmark approach. Therefore I took care to feel
14 my way in the Council, did anyone object to us
15 presenting this working document? It was a working
16 document, not more. I found no objection to it. So
17 I said, "Yes". We circulated it.

18 SIR MARTIN GILBERT: Circulated it after this particular
19 meeting?

20 DR BLIX: On 7 March in the Security Council. Powell
21 and Straw had it a day or two days in advance.

22 SIR MARTIN GILBERT: Thank you.

23 SIR JOHN CHILCOT: I would like to ask another question or
24 two about the more time issue in February/March. You
25 said in your book that you had a discussion with

²⁰ Mr Straw

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1 Condoleezza Rice where she tried to pin you down,
2 I think, and you said it wouldn't be years and it
3 wouldn't be weeks, but it would be months.

4 There is another dimension I suppose to this. Is
5 months more time to bring about the conclusive and
6 verified disarmament, or is it enough time to reach
7 a conclusion on whether the inspections process is
8 moving forward in a substantive way?

9 DR BLIX: Well, both actually. You look at the disarmament.
10 I think the investigations we did into the unilateral
11 destruction would have helped to clear up important
12 issues. How much did they do away with? There would
13 have been evidence of that, but the Iraqi participation
14 in this in producing witnesses, people that had taken
15 part in the unilateral destruction, that would pertain
16 more to their cooperation.

17 It could well be that Amir Al-Sa'adi and others
18 could only act with the authorisation of Saddam
19 Hussein and Saddam Hussein was a tougher nut to crack.
20 They might have been wanting to go further.

21 In any case if we had continued -- with
22 the American pressure remaining -- I think it would have
23 been likely we would have got more results.

24 SIR JOHN CHILCOT: Was there a dialogue or indeed a set of
25 discussions between yourself and members of the Security

1 Council on the timing question, because there were
2 clearly different views at the Security Council. At one
3 end you have the Americans.

4 DR BLIX: Yes.

5 SIR JOHN CHILCOT: Enough time, no more. The British would
6 have liked a bit more time, some of the British. Then
7 the whole array of nations who would have liked
8 an infinite amount.

9 DR BLIX: Yes, there was such a discussion. 1284 did not
10 specify any end, as I said. It could have gone on, but
11 we sensed, we knew that the Americans had a different
12 timetable, and I asked Prime Minister Blair to help to
13 extend inspections and he did. I also talked to
14 Secretary Powell about it. In my conversation with him,
15 if I remember rightly, and I have written about it in my
16 book, I suggested that we should go on until, what is
17 it, middle of April or something like that. The
18 Canadians had another view. Powell responded to me
19 saying "that's too late". I think Blair tried and also
20 failed. He felt it was by the middle or end of March.
21 The military machine had moved up to its goal by that
22 time. So there was discussions about this.

23 SIR JOHN CHILCOT: One separable aspect of that,
24 irrespective perhaps of how much more time, had more
25 time been available or been made available, Jack Straw's

1 view in his statement to us was that you would have to
2 have -- if you had a deadline, ie more time but with
3 a fixed end point, you would have to have an ultimatum;
4 in other words, if there is not sufficient compliance by
5 that deadline, then something else has to happen,
6 almost, what the French among others feared,
7 automaticity of military action. Was that a problem
8 with the concept of more time?

9 DR BLIX: Well I think he was right in saying that, yes, if
10 there is an ultimatum it will sort of clarify their
11 thoughts, but there could be difficulties in
12 interpretation. Had they actually fulfilled these
13 targets? Jack Straw describes the six cases that he had
14 put in. I had simply said they must be doable. I think
15 the French and German objection to the benchmark
16 approach -- they did object -- was based upon the
17 suspicion that this is a gimmick in order to get
18 an authorisation. The Americans wanted the
19 authorisation but they feared that maybe the Iraqis will
20 fulfil this. So they were I think luke warm at best on
21 the resolution.

22 Now when you look at the six cases they selected,
23 one was a declaration, a strategic decision
24 by Saddam. That should have been possible. The
25 Iraqis would have been able to formulate something even

1 though they might not have liked to, and the second one
2 was about the anthrax.

3 Now they didn't have the anthrax. As I think we
4 have learned now in the Duelfer Inquiry, the Iraqis
5 apparently had destroyed anthrax and buried the remnants
6 in a place near Saddam's palaces. This needs to be
7 checked but I read it somewhere. They didn't dare to
8 admit to us that this had been so close. So I doubt
9 very much they would have dared to go along and fulfil
10 that condition.

11 SIR JOHN CHILCOT: Because they would not have dared to
12 admit it to Saddam himself?

13 DR BLIX: Precisely, because of fear he would say, "What
14 have you been doing?" That would have been hard.

15 The other one was the mobile biology laboratories.
16 They didn't exist. So what they could have done there,
17 and we discussed it with them, can we set up some road
18 controls, we will have helicopters watching, you will
19 have check points at roads, etc. They were quite
20 cooperative in discussing this and I remember Amir
21 Al-Sa'adi saying, "Look here, the very idea of having
22 mobile laboratories on our roads scares me". They had
23 discussed it earlier and had rejected the idea. They
24 didn't have them, so how could they have complied with
25 that? In any case there could have been different

1 interpretations as to whether they lived up to these
2 benchmark cases, but I think what decided it was that
3 the Americans were not willing to give enough time for
4 the benchmark approach, and once that was clear, it was
5 dead. I think they are putting the blame now on Chirac,
6 and saying that Chirac said he would veto this and that
7 killed it, but I have a feeling it might just as well
8 have been that the US would not have been willing to go
9 along with more time.

10 SIR JOHN CHILCOT: Of course all that leads into the attempt
11 to get a second United Nations resolution, which would
12 have been necessary for more time with a deadline.

13 I will ask Sir Roderic Lyne to pick up on that one.

14 SIR RODERIC LYNE: Yes. I think briefly on the end-game in
15 the UN, first of all, obviously an awful lot hung
16 throughout the first three months of 2003 on the exact
17 words that you used in the Security Council, on the tone
18 that you conveyed.

19 Did you feel that you yourself were bearing some of
20 the responsibility in your reports for a decision on
21 whether or not to go to war in Iraq and did this
22 affect the way in which you presented your evidence to
23 the Security Council?

24 DR BLIX: No. I mean, evidently I wanted inspections to
25 continue, and if there was anything today I would have

1 liked to change, perhaps some formulations in the
2 statement on 26 and 27 January 2002, when I said that
3 the Iraqis seem not even today to have come to terms
4 with the idea of disarmament. That was fairly harsh.
5 The only ulterior motive I had was to pressure the
6 Iraqis and to warn them that, "Look, as UN inspectors we
7 are not satisfied. Don't expect of us to be helpful".

8 So it was rather the contrary, that we were very
9 harsh and we said that later on, that, "Time is ticking.
10 We are close to midnight. You had better shape up and
11 better be cooperative".

12 So the statement in January perhaps was a tiny bit
13 too harsh on a couple of points, but on the whole there
14 are not many words I would have changed. I thought we
15 took enormous care to be nuanced and very factual about
16 it, but that particular phrase I think perhaps was a bit
17 too harsh.

18 SIR RODERIC LYNE: Did you try to rebalance that a bit when
19 you next spoke to the Security Council in March?

20 DR BLIX: No, I don't think there was anything too mild
21 there or too upbeat about it. On the contrary, I was
22 rather restrained. I said, "Here are things they have
23 done and they are positive. However we have to judge
24 them in the light of what results do they give, what the
25 actual result is". So I think that was very balanced.

1 I don't think I would have changed a word in that today.

2 SIR RODERIC LYNE: When the British started putting forward
3 the idea of having a second resolution, did they consult
4 you about that?

5 DR BLIX: About the benchmark approach? Yes.

6 SIR RODERIC LYNE: But that was at the end of it?

7 DR BLIX: That was rather late, yes.

8 SIR RODERIC LYNE: At the beginning did they come to you and
9 discuss it at all?

10 DR BLIX: No, no, no.

11 SIR RODERIC LYNE: So the way it was drafted was completely
12 independently of your views?

13 DR BLIX: Yes, except for selection of benchmarks.

14 I also had a hand -- everybody was active at the
15 time. The Chileans and the Mexicans were together.

16 I also had a draft and also saw an ultimatum --
17 this must be done -- as a good idea.

18 I shared my paper with the UK, I think, and the US. I
19 did not play secretly with them, but every good hand
20 tried something and I too.

21 SIR RODERIC LYNE: In your book I think you say that you
22 thought -- this is referring to the text that was on the
23 table on 7 March -- that here was something new. This
24 didn't have benchmarks in it, but you said:

25 "Nevertheless I thought here on March 7 there was

1 something new, a theoretical possibility to avoid war."

2 So did you see that as a last effort for peace
3 rather than a resolution that actually, as some have
4 argued, was designed to provide legitimisation for war?

5 DR BLIX: Yes. I favoured the resolution in the awareness
6 even that the French and Germans were against it. They
7 interpreted it the other way. I thought, well, it's
8 a chance. I saw that, look, you put up these
9 benchmarks. There can be a discussion later on, did
10 they fulfil about anthrax or did they fulfil about
11 biological labs, etc, but I thought, yes, we will start
12 something and once we go on with inspections here, you
13 may be getting into something new.

14 Basically I thought it was sound to select
15 something. That's what we were do in UNMOVIC anyway.
16 I thought it was sound. The French and Germans did not
17 criticise me for it. We had fairly direct discussions,
18 fairly open with each other. It was rather friendly.
19 They didn't mind I took this view.

20 SIR RODERIC LYNE: So your position was very different from
21 that of President Chirac or indeed the leaders of Chile
22 and Mexico who declined to support the resolution. You
23 wanted it to pass?

24 DR BLIX: The Chileans and Mexicans wanted to prolong
25 inspections but much longer. It was not only a question

1 of a few weeks but a couple of months, which I would
2 have welcomed. No, no. I think they wanted more. They
3 certainly wanted more inspections.

4 SIR RODERIC LYNE: But they were not prepared to vote for
5 the resolution?

6 DR BLIX: No, no.

7 SIR RODERIC LYNE: Yet you say you favoured it?

8 DR BLIX: They might have shared the scepticism of the
9 French that here was an ultimatum.

10 SIR RODERIC LYNE: But that's not how you saw it?

11 DR BLIX: Well, I saw the risk, but I thought we would get
12 into a new territory. There was a chance in it. I saw
13 the chance, the Germans²¹ saw the risk.

14 SIR JOHN CHILCOT: Lawrence, over to you.

15 SIR LAWRENCE FREEDMAN: You mentioned a moment ago that you
16 were concerned that the report you gave on 27 January
17 was a bit harsh on the Iraqis. Do you think one of the
18 consequences of that might have been to encourage the
19 British Government and others possibly to believe that
20 you might indeed report serious non-cooperation, in
21 effect a material breach, and therefore move the second,
22 sort of the pressure, to bring this issue to a head,
23 make that more intense?

24 DR BLIX: Yes. I think certainly the Americans felt, "This
25 is dandy, he is really critical". They had been even

²¹ Witness amended this to "French and Germans" when reviewing his transcript

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1 more critical, but they thought, "Fine, we will get
2 support. This is what the inspectors will say", but of
3 course I promised nothing but further inspections. So
4 they were mistaken about that. We had a mandate from
5 the whole Security Council, not from the US or from the
6 UK.

7 SIR LAWRENCE FREEDMAN: But it may well have created
8 expectations?

9 DR BLIX: I think so, yes, and later on you can see from
10 media in the USA that when I was more positive they say:
11 the US is no longer looking for help from the
12 inspectorate.

13 SIR LAWRENCE FREEDMAN: Let's suppose that you have been
14 able to report, as was done with the IAEA, that
15 effectively Iraq did not have weapons of mass
16 destruction, that things had been destroyed. There
17 would still have been a concern after the crisis was
18 over that there might be a resumption of activity at
19 some point. There was a suggestion that what was needed
20 was a "reinforced system of ongoing monitoring and
21 verification".

22 Could you just explain what that would have entailed
23 and how it would have been implemented?

24 DR BLIX: Well, the 1284 did not envisage the end of
25 supervision of Iraq even with the suspension of

1 sanctions. It envisaged and expected a continuation of
2 ban on import on weapons. So those parts of the
3 sanctions would remain. In addition, as you mentioned,
4 there would remain the reinforced system of monitoring
5 and inspection.

6 So UN monitors would remain in Iraq and we had
7 an extensive system for monitoring them, but I think
8 both Blair -- especially Blair has made the assumption
9 that if they had dropped the military pressure and not
10 gone to war, sanctions would have gone and nothing would
11 have stopped Iraq. He said, you know, with Saddam being
12 who he was and with the sons being there, there was
13 every risk that they would reconstitute, and he was
14 helped -- Bush was helped by the ISG, the Iraq Survey
15 Group.

16 First Kay went in and Kay had been a strong
17 protagonist of the war. He came out and said, "No,
18 there are no weapons of mass destruction, but there are
19 laboratories and there are programmes, weapons
20 programmes".

21 So that was seized on. Prime Minister Blair was
22 delighted when he heard about the mobile trucks that had
23 been seized. Well, that was a short happiness that
24 occurred to him, but he thought that was evidence.

25 Then came Duelfer, and both²² were very professional.

²² Witness clarified when reviewing the transcript that he meant "both Duelfer and Kay"

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1 Duelfer was also appointed by the CIA to this job.
2 I think both of them tried to give a straw to their
3 governments to help them. Duelfer said "No, sorry,
4 there are no programmes, but there are intentions", and
5 the intentions he had gleaned from interviews with some
6 of Saddam's lieutenants. The FBI had also had
7 an interview with Saddam.

8 I think it has to be looked at very carefully what
9 was said in the ISG report. I have not been able to
10 check it lately, but the lieutenants had the impression
11 that Saddam would have done this. I think this is
12 a very slim straw -- what he would have done.

13 The first reflection that occurs to me is that if
14 the British Prime Minister or Bush had come to their
15 parliaments and said, "Well, we are not sure that there
16 are weapons of mass destruction but we fear they could
17 reconstitute", I can't imagine they would have got
18 an authorisation to go to war for that purpose.

19 Secondly, I think it was wrong in substance. The
20 monitoring would not have ended. It would have
21 continued. Hence there would have been an alarm
22 installed. Inspectors are not police dogs that stop.
23 Inspectors are watchdogs and they would have been there
24 and there would have been an alarm. It might have been
25 difficult to mount an offensive again, but

1 nevertheless it would not be [inconceivable]²³ -- how
2 long will a disarmament last? Iraq has no weapons of
3 mass destruction today, but what about ten years from
4 now. This²⁴ was too ambitious an approach. I think in
5 reality they tried to excuse why they went in. I am not
6 surprised, the politicians usually don't get any reward
7 for admitting any errors.

8 SIR LAWRENCE FREEDMAN: But just in terms of the
9 practicalities of what was being suggested, this
10 reinforced system of ongoing monitoring and
11 verification, the point of that would have been that it
12 would have been installed. It would have been in place.
13 Do you think it would have been difficult to sustain in
14 place say without the prospect of a revival of military
15 pressure? Do you think it would have been possible for
16 it to be there even if Saddam thought this was
17 a violation of his sovereignty and should be removed?

18 DR BLIX: Yes. There could have been difficulties in
19 sustaining it. Saddam would have certainly tried to
20 wriggle out of it and said, "There is no point. Why
21 should we even be subjected to this? They have now
22 stopped the sanctions, etc", but still. If he threw out
23 the inspectors, that would have been a sign, a warning
24 sign.

25 SIR LAWRENCE FREEDMAN: Can I ask you about another proposal

²³ This word was added by the witness while reviewing the transcript; it is not fully audible on the recording

²⁴ i.e. excluding the risk of reconstitution

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1 that was made at the time, this time by the French in
2 early 2003, which was supporting inspections with
3 a military capability so it would be possible, if
4 necessary, to force entry into sites. This doesn't seem
5 to have got very far. What was your view of that idea?

6 DR BLIX: With respect I think this was an idea that came up
7 in discussions with the Carnegie endowment, that they
8 would have sort of armed inspections, the inspections
9 would be accompanied by a platoon of soldiers and they
10 would also have representatives of the P5 present there.
11 I was aghast at the idea, because I thought that if you
12 have some resistance -- first of all, to appear like
13 an occupying force was very far removed from my idea of
14 conversations with the Iraqis and trying to ease out any
15 confessions from them.

16 Secondly, if you would have some little clash
17 between the military protecting inspectors and others,
18 then -- and I said it to Wolfowitz, "You will be stuck
19 with this. It is out of your hands". It is not a very
20 wise thing. They withdrew it.

21 This came up. Yes, it was also part I think of the
22 preparation for 1441, but it dropped out of it, and
23 I never thought -- you refer to the French.

24 SIR LAWRENCE FREEDMAN: I think it was a French proposal in
25 early 2003. There was a proposal, you are right, in

1 1441.

2 DR BLIX: That I think was another one. I think the French
3 at one point suggested we should double the number of
4 inspectors. I thought that was not very sensible
5 either. The problem was not the number of inspectors.
6 We carried out about six inspections per day over a long
7 period of time. We carried out all in all about 700
8 inspections at 500 different sites and in no case did we
9 find any weapons of mass destruction. Doubling the
10 number of inspectors would not have helped. Better
11 tips, yes. Those who were 100 per cent convinced there
12 were weapons of mass destruction, if they had more²⁵ than
13 zero per cent knowledge where they were, that would have
14 been helpful.

15 SIR LAWRENCE FREEDMAN: I am going to do something which as
16 a historian I suspect is rather dangerous, which is to
17 look at the counterfactual and to ask what would have
18 happened if there had not been armed force starting in
19 the middle of March.

20 There are a number of possible scenarios and you
21 have just given us one, which is you would have
22 completed your work, put in monitoring and verification
23 that would have given continual assurance. Perhaps that
24 would have been the most benign outcome, but there are
25 another two possibilities, one of which is the Iraqis

²⁵ Witness corrected this from "less", which is present in the original audio

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1 would never have been able to convince the Security
2 Council as a whole, having been given more time, that
3 they had fully disarmed, and that could have led to
4 perhaps a second resolution, or alternatively that
5 things would have just carried on as they were but the
6 start of the military action would have been delayed.

7 Do you have any views yourself about the alternative
8 possibilities at this time?

9 DR BLIX: Well, I think it would have been desirable to keep
10 a strong -- keep up a strong military pressure, but
11 250,000 men was impossible to stop it, and I think that
12 the decisive moments were in the autumn of 2002. They
13 should have said, "Yes, we have a military pressure and
14 we have the diplomacy that needs to be backed
15 up by force, but not necessarily by a force of 250
16 thousand".

17 That should have been kept up even if they had gone
18 for the British benchmark approach and decided that
19 yes, we are making progress. I don't see why they
20 should have withdrawn altogether. They could have kept
21 a good deal of forces in the area for -- I don't know.
22 They would decide themselves how long the time.
23 Eventually they would have lifted or suspended the
24 sanctions and monitoring would have remained. I think
25 it could have been viable.

1 SIR LAWRENCE FREEDMAN: From what you were saying before
2 your overall sense was that the combination of the
3 growing activity of the inspectors, the sustained
4 pressure, was opening up new lines of enquiry for you so
5 that you would have been able to move things forward to
6 be able to give the sort of conclusion that
7 Dr ElBaradei was able to give?

8 DR BLIX: Yes. We would have been able to clear up some
9 things, but I think Mr Blair is entirely right. We would
10 never have got the whole truth, nor do I think it was
11 necessary to get the whole truth. The interesting
12 thing: was Iraq a danger in 2003? They were not
13 a danger. They were practically prostrate and could
14 not -- it would have taken a lot of time and selling oil
15 to reconstitute [programmes].²⁶ What they got instead²⁷
16 was a long period of anarchy. One conclusion I am
17 inclined to draw is that anarchy can be worse than
18 tyranny. It was [in Iraq]²⁸ for a time.

19 SIR LAWRENCE FREEDMAN: Thank you.

20 SIR JOHN CHILCOT: I too would like to take both
21 a retrospective and perhaps a counterfactual look at
22 what -- it goes back to something you said very early in
23 this session, about what Iraq might have been able to do

²⁶ This sentence has been re-ordered following the review of the transcript by the witness to aid clarity. The word "programmes" was not present on the original audio.

²⁷ After the war

²⁸ Added by witness when reviewing transcript

24 following the passage of resolution 1441 to comply
25 fully.

FINAL

1 You had believed I think you said Iraq had a highly
2 developed bureaucratic set of structures, certainly in
3 the 1980s and perhaps into the 1990s, but you had come to
4 the view perhaps during your inspections that really the
5 whole thing had crumbled as a governing structure and
6 was perhaps no longer capable, perhaps even since the
7 Gulf War, of responding with detailed accounts, data,
8 statistics, whatever.

9 If that were so, how much convincing evidence could
10 Iraq have provided after 1441?

11 DR BLIX: Well, I think they could have done more than they
12 did in their declaration. That's what they eventually
13 did in February and March. I mean, they were not
14 proactive. They were more holding the doors open.

15 SIR JOHN CHILCOT: But the stuff was there. They could have
16 produced and did eventually produce a mass of
17 documentary material.

18 DR BLIX: Some, not an enormous amount. When I say that
19 they were not as accomplished a bureaucracy as we tended
20 to believe, nevertheless it was not an incompetent
21 bureaucracy. They had a lot of documents and I think
22 they produced a good deal more for the ISG.

23 SIR JOHN CHILCOT: Turning to an interesting set of
24 observations you make in your book about disarmament
25 cases internationally, and you report an argument made

1 from the US side in the context of Iraq that you
2 recognise disarmament when you see it. That's the US
3 being quoted. Then they draw the contrast with South
4 Africa, eliminating nuclear arms under your leadership.

5 DR BLIX: Uh-huh.

6 SIR JOHN CHILCOT: Ukraine, Kazakhstan when they gave up
7 nuclear capability. There is also the later example of
8 Libya I suppose.

9 Basically were all these countries in a completely
10 different place from Iraq in 2003 or could Iraq have
11 been part of that if they had wanted to?

12 DR BLIX: You are right. I did refer and had some sympathy
13 and understanding for the demand for a strategic
14 decision, and I think I alluded to it in January and
15 said that, "Look, South Africa took a strategic
16 decision, they said, 'Come, this is what we will show
17 you if you want to go somewhere else, just tell us.
18 Here are the documents. If you want something more.
19 Just tell us.'" So that was a strategic decision.

20 The Ukraine and the others also came to the same
21 conclusion. "We want to give confidence". Iraq came to
22 this in a different way. They extracted a commitment
23 from Iraq to declare what they had and to disarm. They
24 did it unwillingly, and then perhaps I should not be so
25 surprised that they are trying to go slowly or even to

1 obstruct, to do as little as they can. So it was
2 a fundamentally different situation, and perhaps only
3 strong foreign pressure would achieve.

4 SIR JOHN CHILCOT: They could have made -- Saddam's regime
5 could have made that strategic decision. I am still not
6 entirely clear whether in your judgment by, say,
7 February 2003 they had actually begun to make it. Can
8 you half make it?

9 DR BLIX: No, I am not convinced that Saddam had come to
10 that decision that they would do their utmost to
11 cooperate. He took the strategic decision in 1991 to do
12 away with the weapons of mass destruction, the
13 biological, chemical and the nuclear. So there was
14 a strategic decision but he wouldn't admit it publicly.
15 One reason, again, the guess is he didn't mind looking
16 dangerous to the Iranians.

17 SIR JOHN CHILCOT: That was exactly the question I was
18 coming to and you have I think begun to answer it.

19 Can you with the benefit of hindsight make sense of
20 Saddam's behaviour in terms of his own motivation, his
21 own perception of his regime, his country within the
22 region and in the wider world? Was there a rationality
23 about it or not?

24 DR BLIX: I never met him. Mohammed ElBaradei was very
25 eager we should meet him. I was sceptical about it.

1 I thought we will come away with some half promises and
2 then the world will say, "The inspectors have been
3 fooled again". Mohammed I think with some justification
4 felt that this guy gets truth so rarely. Amr Moussa
5 had been there and had a conversation with him.
6 Mohammed was very outspoken with Vice President Ramadan
7 and I think he would have been very outspoken, courteous
8 but outspoken with Saddam.

9 Making out his psychology, no, I see him more as
10 someone who wanted to be like Nebuchadnezzar, an emperor
11 of Mesopotamia, and he had started invading Iran. He
12 went for Kuwait, etc, an utterly ruthless, brutal man
13 who sat with a revolver in his pocket and could shoot
14 you across the table if you were there. He also had
15 an experience of managing to get away and get through
16 very critical situations. I think he misjudged it at
17 the end. I suppose that many of his collaborators tried
18 to warn him and they succeeded to some extent, but not
19 completely. I think he was very, very tough.

20 SIR JOHN CHILCOT: I would like to ask just one more
21 question. It may not need a lengthy answer perhaps, but
22 this is picking up a point that Tony Blair made in his
23 evidence to us. He suggested that the Iraq Survey Group
24 report, Charles Duelfer's report, is effectively the
25 report you would have been able to produce had Saddam

1 cooperated, which he didn't. I am quoting Prime
2 Minister Blair:

3 "What that report [the ISG report] shows is actually
4 the extent to which Saddam retained his nuclear and
5 indeed chemical warfare intent and intellectual
6 know-how. It is absolutely clear from the Iraq Survey
7 Group [there is a word missing] that he was concealing
8 material he should have delivered up to the United
9 Nations, that he retained the intent not merely in
10 theory but was taking action on, for example, dual use
11 facilities that were specifically in breach of the
12 United Nations' resolutions."

13 Now that's Tony Blair suggesting what you might have
14 said in different circumstances. Do you want to comment
15 on that?

16 DR BLIX: Well, as I said a while ago, I think both Kay and
17 Duelfer tried to help the Government. They were
18 appointed by the CIA in the first place. They wanted to
19 hand them straws. Kay said they were programmes and
20 they had to go away from that. Duelfer was
21 concentrating more on finding what was the intent in the
22 future, but I think one needs to see how strong was the
23 evidence, first of all, about the intentions. This had
24 come from his lieutenants I think, less from any direct
25 questioning of Saddam, and what Saddam might have been

1 dreaming of when he sat there as a prisoner is not
2 terribly relevant.

3 SIR JOHN CHILCOT: It is I think drawing heavily on the
4 interrogation record, isn't it, of Saddam in captivity?

5 DR BLIX: Yes, probably, but what was the real danger even
6 if he had intentions? Would he have had a chance
7 to reconstitute his weapons?

8 If we had continued with inspections and they had
9 lifted the sanctions, as I said, you still have the
10 monitoring that went on and they would not have lifted
11 the ban on import of weapons.

12 So I think this is really a straw that both in
13 Washington and London they tried to grab in order to get
14 an absolution from law.

15 SIR JOHN CHILCOT: Thank you. I will ask Sir Roderic to ask
16 what he has, coming to the end of our questions. Rod.

17 SIR RODERIC LYNE: Just really a couple of points of detail
18 from earlier evidence we heard.

19 One witness told us that it had taken UNMOVIC quite
20 some time to build up their capabilities and
21 particularly with regard to the use of
22 ground-penetrating radar.

23 Was that an important tool that you had or should
24 have had, and were there occasions when UNMOVIC
25 inspectors arrived at sites where, if they had had

1 ground-penetrating radar, they might have been able to
2 prove the accuracy or inaccuracy of the intelligence
3 that had sent you there in the first place?

4 DR BLIX: I don't really know whether there were any
5 occasions where we would have needed. I remember and
6 I have read that we got ground-penetrating radar from
7 the UK, and it was used on occasions as well, and
8 I think even with some success. We found something that
9 was hidden, but it was not weapons of mass destruction.

10 So it was a useful thing. Iraq had buried various
11 things. They had buried an aeroplane at some time. So
12 it was not anything implausible, but it was not -- it
13 was a useful tool, but not a vital part of it.

14 SIR RODERIC LYNE: We also had a criticism that there were
15 occasions when the British had provided information to
16 help guide an inspection and then the inspectors had
17 botched the event.

18 One occasion was quoted to us where British
19 information had pointed to what we thought was a buried
20 missile, and an Iraqi crowd had turned up and chased the
21 inspectors away so that they couldn't then go ahead with
22 the investigation.

23 This was cited to us as one of a number of growing
24 frustrations with the way the inspection process was
25 working.

1 Were you aware that there was this sort of criticism
2 building up in expert parts of the British system? Was
3 it fed back to you and do you feel there was any grounds
4 for that criticism of the performance of the inspectors
5 in the theatre?

6 DR BLIX: No. I read the statement, the allegation that we
7 had botched an inspection. Could be true. I don't
8 know, but I was never told about it at the time.

9 I was aware that there were demonstrations and there
10 was some obstruction at a hospital I think where we were
11 trying to dig up something, but this was not a major
12 part. After all we carried out some thirty inspections,
13 as I said, on the basis of site information, and in no
14 case did we find any weapons of mass destruction.

15 I think that the testimony that you had in an earlier
16 phase that -- what did we meet? We only met with
17 resistance, and "mobs" I think was the word used. Well,
18 maybe on one occasion or so, but it certainly was not
19 a major thing.

20 I did complain. If there had been significant
21 things, I would have complained more in the Security
22 Council, because this was our weapon, to report to the
23 Security Council, "This is what they are doing". There
24 were some such complaints, but they were not over a very
25 large number of cases.

1 SIR RODERIC LYNE: Did you essentially feel that you had all
2 that you needed for UNMOVIC to operate as a credible and
3 authoritative body or is there more that ideally you
4 would like to have had to have really done the job? You
5 have already said you didn't want a doubling of the
6 numbers, for example.

7 DR BLIX: I think we had the tools. One headache
8 that we did not have that UNSCOM had and that was
9 finance. We had 0.8% of the revenues from the oil for
10 food programme. That gave us all the possibilities. We
11 did not squander money. We were very careful. We were
12 subjected to the UN accountancy system, but that was not
13 a problem. We could hire helicopters. We could hire
14 aeroplanes, etc. This was a major reason for the
15 independence.

16 One reason why UNSCOM was not independent was that
17 they had to turn to Government to get the inspectors and
18 to get equipment and with the inspectors came also
19 intelligence.

20 So it helped us to remain independent. We did get
21 help from Government like the UK. We got medical
22 people, communications people from New Zealand. We got
23 the Russians for the aeroplane, the French, etc. So
24 there was some help, but it was nothing that impinged
25 upon our independence, and no, I think we were

1 reasonably well equipped.

2 Some people have said that our staff was not as high
3 quality as UNSCOM. Well, UNSCOM had very qualified
4 staff, including David Kelly, who tragically committed
5 suicide here and whom I knew rather well, but, of
6 course, they had links to the intelligence, which
7 eventually discredited the whole operation.

8 So I think we got fairly well good people. We
9 trained them. We had selected them. We had interviewed
10 them. All of them had more than one month of training,
11 while UNSCOM came in and got on-the-job training. Some
12 of them had never carried out an inspection. They had
13 flown into Iraq to carry out an inspection. They
14 learned a lot. They did an excellent job. I am not
15 saying anything about that.

16 But I think we had the tools, sir, yes.

17 SIR JOHN CHILCOT: I think we are coming pretty much to the
18 end, but Sir Lawrence has a question or two before we
19 do.

20 SIR LAWRENCE FREEDMAN: Just with lessons learned, you have
21 had enormous experience on both the nuclear and
22 non-nuclear side of weapons of mass destruction.
23 I would just like to ask a few questions looking forward
24 to what lessons we might learn from this experience.

25 We have had quite a bit of discussion with a variety

1 of witnesses about this term "weapons of mass
2 destruction". It includes a wide variety of
3 capabilities.

4 I wonder just to start with if you would like to say
5 something about the distinction about the different
6 types of capabilities that come under this heading.

7 DR BLIX: Well, it's been a convenient term, WMD, weapons of
8 mass destruction. Of course, after the Iraq war we
9 talked about weapons of mass disappearance or other
10 things, but it is not a very good term, because the core
11 of it are three: nuclear, biological and chemical, and
12 missiles to deliver them. There is a vast difference
13 between nuclear, on the one hand, and the biological and
14 the chemical.

15 So for Iraq I think this has importance. There was
16 no doubt in the UK I think, not even at the end, that
17 the nuclear was not a problem. That dossier was closed,
18 whereas the US kept it open. That was the most
19 important thing. If one says that Iraq remained
20 a tremendous danger, we have to remember nuclear was not
21 one of them. It was biological, chemical and missiles.
22 They were certainly unpleasant and risky, but not of
23 that category.

24 I think the expression perhaps originally came also
25 from a wish to play up weapons of mass destruction. You

1 can say that twenty or thirty states have weapons of
2 mass destruction, but you can only say that ten have
3 nuclear weapons. So it is not a term that I think is
4 very likeable, but it is a convenient one.

5 SIR LAWRENCE FREEDMAN: I mean, one of the differences also
6 is if you are going to have a nuclear capability, you
7 need pretty extensive infrastructure. There are quite
8 -- known forms of inspection. You know these very well,
9 but with chemical and biological it is harder.

10 Are there particular lessons that you might draw for
11 the problems of inspecting chemical and biological
12 restrictions to see whether or not they are being
13 upheld?

14 DR BLIX: Well, we have an organisation that is
15 administering the inspection on the Chemical Weapons
16 Convention. I think they are even more advanced than
17 the IAEA, because they drafted their inspection system
18 after the IAEA and they learned some from it.

19 For instance, inspectors for the chemicals, they
20 don't need any visa to go to the country. IAEA
21 inspectors still need visa with the possibility for
22 obstruction there. So that is settled.

23 Biological is even harder. I was the Chairman of a
24 Weapons of Mass Destruction Commission, an international
25 commission. We examined the question of the biological

1 weapons, and the Americans sank the inspection and
2 verification scheme that had been worked up to for
3 a long time. I think it was 2002 that John Bolton came
4 and said, "No, no, we won't have any of that".

5 There are real difficulties in doing it. There is
6 a very big industry. There is big research going on.
7 So maybe a different approach is needed to the
8 biological.

9 I did attend a seminar in the UK and there was some
10 UK expert who said that he still thought the most
11 dangerous biological [threats]²⁹, they were the most
12 natural ones that would come. Synthetic weapons were
13 perhaps dangerous, but not quite as dangerous.

14 The inspection techniques in general
15 improved very much with Iraq and the US should be
16 given a lot of credit for this. Above all, the
17 environmental sampling, which means you take samples of
18 biota, or water, or air and you analyse it and very,
19 very tiny amounts will tell you if they are dealing
20 with enrichment or reprocessing.

21 The US discovered that early in the Iraqi affair
22 when American hostages who had been placed at Tuwaitha
23 in Baghdad. They came out and their clothes were
24 analysed and they found tiny particles that indicated
25 there had been enrichment. So that advanced very much.

²⁹ Word added during review of transcript, not present in the audio

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1 The overhead imagery has also advanced very much.

2 Another element I think is the cooperation between
3 intelligence and inspection. When we were working on
4 the additional protocol in the IAEA, Mohammed
5 ElBarabei and I, we concluded, as I said, that it must
6 be a one-way traffic. We are there and
7 we need their cooperation. If they³⁰ see us as
8 a prolonged arm of foreign intelligence, you will not
9 get the cooperation that you need. I think the British
10 accepted that. We never heard any complaints about it
11 from the UK side.

12 I still think that the cooperation is desirable.
13 Already early in the 1990s we hired a guy, a Brit
14 actually, who worked us for in the secretariat to be a
15 link to intelligence and to get tips from intelligence.
16 We didn't get very much. In 2002 or 3, yes, we did get
17 intelligence. It was desirable to have, and I think it
18 was desirable for us, because we got tips of where to go
19 and what to look for, even though the dossiers were not
20 very helpful, they were just assertions. [Inspection]³¹
21 should also have been of use to the Governments. After
22 all they are paying -- well, the Iraqis paid for the
23 inspections here, but normally it is the Governments who
24 pay for the inspection -- and here are people who are on
25 the ground. They are there. They can go in and see

³⁰ the host country

³¹ Word added by witness during transcript review

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1 anything. If they are given tips, they can go to sites
2 legally. They have a right to go there.

3 So inspectors can give something that the
4 intelligence cannot, and intelligence can also give to
5 the inspector something. It is a quality control for
6 those who have intelligence to say, "What do the
7 inspectors say? Does this tally?" If it doesn't tally,
8 I think they should be alerted and they say, "Hey, there
9 may be something wrong". Vice versa they may also be
10 quality control for the inspectors. "Have you missed
11 this?"

12 In a way that was the message of Colin Powell when
13 he came before the Security Council and said -- he was
14 very courteous about us, but said, "Listen, this is what
15 we have found now". Implicitly he said thereby, "These
16 guys, the inspectors, they never found this". So their
17 intelligence was superior. Well, it was not. We were
18 more critical.

19 We also had the fortune of not being taken in by
20 defectors and people who came with their stories. So
21 that is the important -- yes, there is important lessons
22 in this.

23 SIR LAWRENCE FREEDMAN: That is very interesting.

24 This is the last question. One of the arguments,
25 perhaps very relevant to the idea of interviews and why

1 the interviews were seen to be so important, is in the
2 end the key capability is know-how. It is the knowledge
3 that the scientists have developed, engineers have
4 developed, and until you have got a sense of what is
5 there, how much they know, how much they understand,
6 there is always the possibility of the reconstitution in
7 some sort of way, particularly I guess with chemical and
8 biological.

9 Is there any way of getting at that other than by
10 actually sitting down with these people and talking to
11 them?

12 DR BLIX: No. I think that was a good method of doing it,
13 but although it is a crucial element, as you say, they
14 cannot have the weapons of mass destruction unless they
15 have the know-how, there are other ways of stopping it.

16 If you ask me, "What is the value of inspection?",
17 I would not say that this is the most important means of
18 combating weapons of mass destruction. I think foreign
19 policy is the most fundamental. That is what the
20 European Union foreign ministers also came to. You
21 create detente so that there is not a need, not
22 a perceived security need to acquire these weapons. In
23 most cases -- but I don't see it in the case of Saddam.
24 Saddam's weapons of mass destruction were not for
25 perceived security reasons. Even though he could talk

1 about the Israelis, I think they were more for
2 conquering reasons for Iran and Kuwait in that
3 particular case. But in most other cases I think it has
4 to do with perceived security, and the best way of
5 combating weapons of mass destruction is detente,
6 globally and regionally.

7 That's where I feel a little more optimistic today
8 than I did a couple of years ago when the Bush
9 administration was still working hard to create a new
10 Cold War (in my view).

11 Then after that I would perhaps put export controls.
12 If you have some customers who would like to develop
13 weapons of mass destruction, try to make it as difficult
14 as possible and export controls is part of that. It is
15 not waterproof, but it is part of it.

16 Thereafter maybe you get down to inspection, which
17 essentially is creating confidence, useful confidence,
18 but it is also meant to be a deterrence from violations
19 by risk of detection. So it has some value. States
20 don't like to be caught violating. So it has some value
21 there. It is also a basis, of course, for action for
22 Government. That's the greater problem. Get the
23 action. The IAEA has signalled smoke coming up of North
24 Korea or Iran. Then what action do you get? So the
25 inspections certainly have a vital function, but it is

1 not a cure-all.

2 SIR LAWRENCE FREEDMAN: Thank you. That's very helpful.

3 SIR JOHN CHILCOT: I should like to ask you, Dr Blix, in
4 a moment if you have further reflections on lessons out
5 of the Iraq experience and your inspections, but just to
6 touch on one point, you said much earlier this
7 afternoon, talking about a telephone conversation you
8 had with former Prime Minister Blair, where you said,
9 "At that time I still thought there were prohibited
10 items in Iraq".

11 Was that because of the material balance analysis
12 derived from the UNSCOM era essentially?

13 DR BLIX: Well, anthrax played a big role to me all the way
14 through. Of course, we could not exclude -- sometimes
15 we get too much credit and say, "You were right. You
16 said there were no weapons of mass destruction". We did
17 not say so. We said, "We have not found any". After
18 700 inspections and going to sites given to us, we did
19 not find any, which is not the same thing. We did not
20 exclude, but we didn't -- I mean, Mr Blair said that we
21 didn't find the truth, but we found the untruth of some
22 of the allegations, and that was important enough. We
23 would have uncovered some of the truth, but not the
24 whole truth. As I said, it was not necessary. You
25 could have ended this affair without the whole truth.

1 You asked me for a reflection. I think I have spent
2 much time on my reflections. I gave one a moment ago.
3 That was the value of the inspections.

4 Now here is a multi-lateral system set up by
5 Governments and enabling inspectors to go on to the
6 sites. It is a very valuable institution. It must be
7 independent. It must not be prolonged arms of
8 intelligence. This is one experience that is useful for
9 the future.

10 The other reflection I have is a broader one about
11 the going to war. I am delighted that I think your
12 intention is to draw lessons from the Iraq war rather
13 than anything else, and I think that "when can states go
14 to war" still remains a vitally important issue. The
15 UN Charter in 1945 took a giant leap forward in this and
16 said, "No, it is prohibited to do except in the case of
17 self defence and armed attack or authorisation by the
18 Security Council".

19 Well, here in the case of Iraq you can see how the
20 UK in the summer 2002 or the spring 2002 said, "Yes, we
21 might, but it has to be through the UN power".
22 Self-defence against an armed attack was out. Regime
23 change was out. Straw was adamantly opposed to a
24 regime change. Authorisation by the UN, yes, that's the
25 path.

1 So they insist upon 1441 and they get it, but it is
2 a gamble. 1441 is if they had shown or if the Iraqis
3 had continued to obstruct, as it was expected, then they
4 could have asked the Security Council for a second
5 resolution and said, "Look, they are obstructing and we
6 now ask for authorisation".

7 They never knew whether they would get that.
8 Eventually they had to come with I think very
9 constrained legal explanations. We see how
10 Mr Goldsmith, Lord Goldsmith now, wriggled about and how
11 he himself very much doubted that it was adequate, but
12 eventually said, "Well, if you accumulate all these
13 things, then that gives a plausible ..." -- he was not
14 quite sure that it would have stood up in
15 an international tribunal. Most of your legal advisers
16 did not think so either. Nevertheless he gave the green
17 light to it.

18 I think it shows the UK was wedded to the UN rules
19 and tried to go by them, eventually failed and was
20 a prisoner on the American train, but it is true at the
21 same time that this rule against going to war is under
22 strain.

23 When you have missiles and you have discussions
24 about pre-emptive action, it is under strain.
25 If you see a missile coming, that's one thing,

1 but if you simply suspect that a missile site is
2 activated, do you then have an all-out war against them?

3 This is a difficult -- we have had also a practice
4 in the UN, as I touched on earlier, in which you have
5 some trespassing of this rule, some erosion of it in
6 Tanzania or in Kosovo or in Sierra Leone.

7 SIR JOHN CHILCOT: Could I just intervene a moment on Sierra
8 Leone? Is this in the same category? Our understanding
9 had been this was a legitimate sovereign government
10 inviting help rather than an intrusion.

11 DR BLIX: Yes. No, I am not critical of Sierra Leone. I
12 myself am critical of Kosovo. I am more sceptical about
13 that.

14 Still to me the Security Council is there, and even
15 if you go back to Blair's speech in Chicago, he talked
16 about the duty to protect. That was something novel in
17 the [interpretation of the]³² UN Charter. He outlines a
18 number of things that would be necessary to go to war.
19 It should be doable and should be the right case and so
20 forth. I don't think he mentioned the approval of the
21 Security Council, but I think that's actually what came
22 out, that, yes, you must have in all these cases also the
23 approval of the Security Council and authorisation.

24 People say, "What is the Security Council? The
25 Russians and Chinese will obstruct". Not after 1990

³² These words are not present in the audio recording, but were proposed by the witness while reviewing the transcript to aid clarity

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1 necessarily. They are there. If they had not been
2 willing to go along with the use of force against Iraq
3 and they were not willing to go along with it in the
4 case of Iraq, I think that was probably their wisdom,
5 and therefore it is legitimate to look at it.

6 If we discover a terrorist movement -- someone
7 preparing -- I would not be surprised if the Russians
8 and Chinese would go along with some pre-emptive action.
9 In the case of Iraq some people maintain the war was
10 legal. I am of the firm view that it was an illegal war.
11 I think the vast majority of international lawyers feel
12 that way.

13 This can be discussed, but I don't think -- There
14 can be cases where it is doubtful, where maybe it was
15 permissible to go to war. Iraq in my view was not one
16 of those.

17 SIR JOHN CHILCOT: Dr Blix, thank you very much for your
18 evidence this afternoon. We appreciate it.

19 This marks the end of today's hearings. We shall
20 open at 10 o'clock tomorrow morning when our witnesses
21 are General Sir Mike Jackson and General Sir Richard
22 Dannatt, who were successive Chiefs of the General Staff
23 for the two heads of the British Army whilst
24 United Kingdom forces were in Iraq between 2002 and
25 2009.

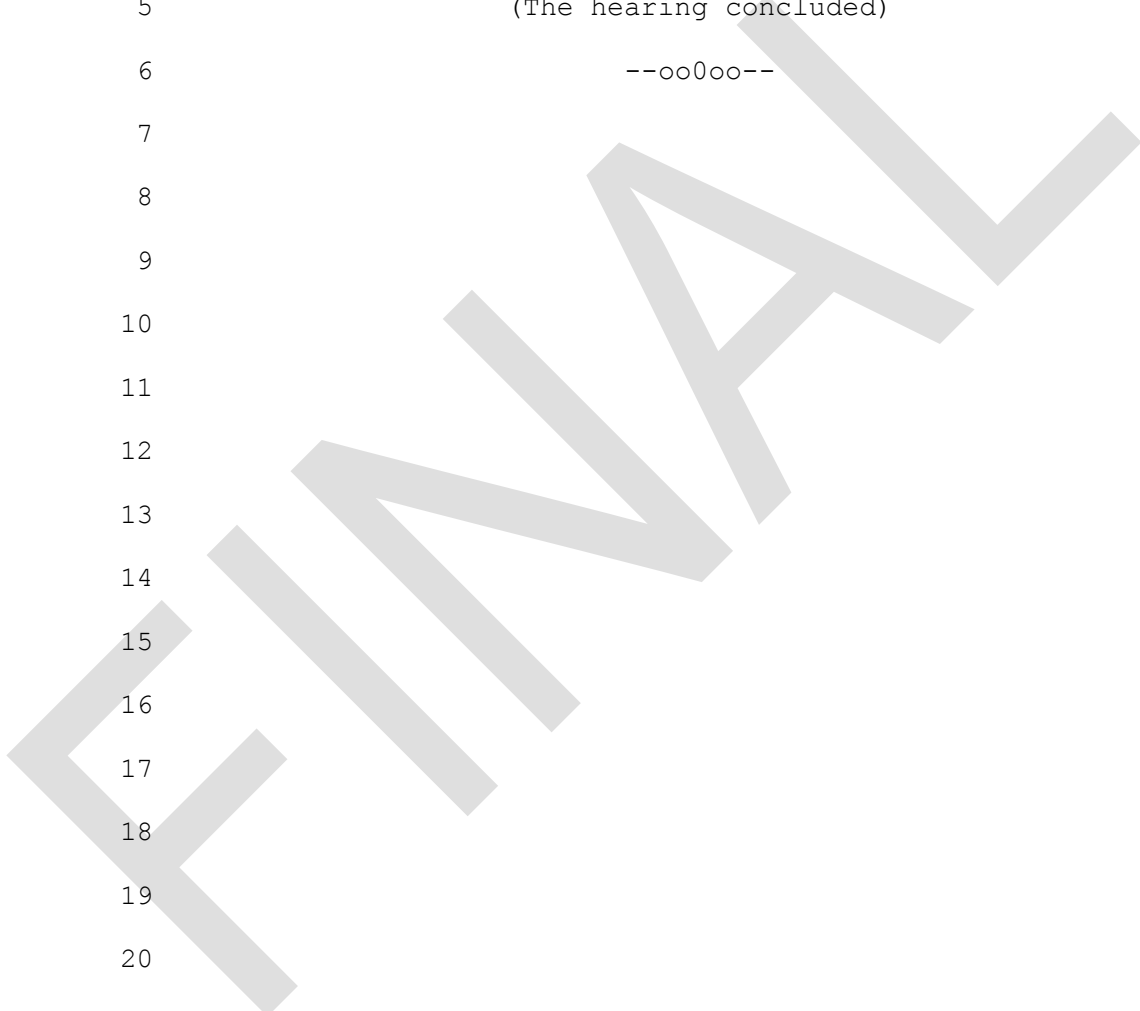
1 General Dannatt will be the first witness at 10.00
2 in the morning.

3 With that I will close this session. Thank you.

4 (4.55 pm)

5 (The hearing concluded)

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