(2.00 pm)

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

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the inspection process, the context in which it took place and the stage it had reached by the time the inspectors were withdrawn from Iraq on 18 March 2003.

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

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

With those preliminaries out of the way I will ask Sir Martin to Gilbert to open the questions. Martin?

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

We have of course read your "Disarming Iraq" and all your reports. Could you start by explaining to us what the WMD-related obligations of Iraq were following the conclusion of the 1991 Gulf War and the adoption of UNSCR 871[1]?

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

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

[1] This question should have referred to UNSCR 687

altogether from their income.

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

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

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

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

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

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

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

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

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

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

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

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

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

25 something that should be left? This was the material

balance.

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

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

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

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

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

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

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

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

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

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

programme."

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

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

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

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

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

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

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

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

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

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

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

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

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

This was a leading idea for me. I came from the IAEA where we saw ourselves as international civil servants in the tradition that was started by a famous Brit, Sir Eric Drummond, the first Secretary General of the League of Nations who was very firm on this. Dag Hammarskjöld, too, although he as the Secretary General[4] also had, under the charter, political responsibility. But the secretariat was the same. They were to be international civil servants.

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

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

[4] (of the UN)

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

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

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

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

SIR RODERIC LYNE: I would like to move the story forward to the autumn of 2002, getting into the frame of reference that we are really focusing on in this Inquiry. UNMOVIC, as you say, was set up by resolution 1284 passed on 17 December 1999. March 2000 you had taken up I think your new duties.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DR BLIX: Yes.

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

DR BLIX: That's right.

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

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

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

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

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

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

again.

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

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

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

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

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

for different reasons.

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

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

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

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

favour of the resolution.

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

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

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

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

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

British were somewhere in between.

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

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

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

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

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

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

DR BLIX: No. I don't think they had lost the battle. I think they were aware of the American interpretation. They had wrangled about it. My reading is that the French and the Germans too had tried to get it clearly put into the resolution that there would be a new resolution needed, but they had not succeeded. They had to give up on that one. So they went into the resolution accepting with the open eyes that some interpret it one way and others interpret it the other way, which is not a very exceptional event in the UN, I m may say. But reading simply the words of it, I would have said that "convene and consider" does not really give an authorisation to go to war.

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

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

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

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

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

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

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

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

DR BLIX: Right.

SIR RODERIC LYNE: That we are agreed on.

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

DR BLIX: Also a decision to authorise.

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

DR BLIX: An Authorisation, yes.

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

So was it necessary to have a further decision?

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

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

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

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

DR BLIX: Yes.

SIR RODERIC LYNE: So your distinction is between pressure

and action.

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

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

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

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

SIR RODERIC LYNE: Without a Security Council Resolution.

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

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

a little later on in the story.

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

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

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

Do you think that was a reasonable concern?

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

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

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

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

SIR LAWRENCE FREEDMAN: Thank you.

What I want to ask you about is the various

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

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

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

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

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

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

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

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

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

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

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

DR BLIX: Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

was not to go further than that.

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

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

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

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

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

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

SIR LAWRENCE FREEDMAN: Thank you very much.

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

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

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

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

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

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

DR BLIX: Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

So it was an active cooperation.

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

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

That was another one.

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

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

These were areas in which the Iraqis were

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

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

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

SIR MARTIN GILBERT: Thank you very much.

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

DR BLIX: Yes.

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

we could keep it as slow as possible.

DR BLIX: I talk too fast.

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

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

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

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

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

SIR LAWRENCE FREEDMAN: The drones.

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

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

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

DR BLIX: The chemical munition was something that we found

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

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

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

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

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

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

SIR LAWRENCE FREEDMAN: Thank you.

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

BARONESS PRASHAR: Thank you, Chairman.

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

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

BARONESS PRASHAR: Uh-huh.

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

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

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

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

the military build-up, yes.

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

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

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

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

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

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

DR BLIX: Yes.

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

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

That's not really true. We performed some 30 of these[6]. Yes, there was some harassment and some demonstrations, but by and large this[7] was very useful. I certainly wanted to continue. We found material, but we didn't find material that was relevant to weapons of mass destruction.

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

Intelligence will be used to this, that there are people -- they defect or they give them intelligence and they want to get some reward for it so they will be inclined to give what they think the interrogators want to hear. We were not subjected to that danger. So the lesson from this site affair[8] would have been, I think, 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

were poor.

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

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

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

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

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

BARONESS PRASHAR: Do you want a break?

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

DR BLIX: Okay.

(3.15pm)

(A short break)

(3.25 pm)

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

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

DR BLIX: Registration?

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

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

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

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

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

DR BLIX: No.

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

DR BLIX: The U2 planes and Mirage, etc?

BARONESS PRASHAR: That's right.

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

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

BARONESS PRASHAR: Did eventually meet their obligations?

DR BLIX: Yes.

BARONESS PRASHAR: When was that?

DR BLIX: February, I think February.

BARONESS PRASHAR: February 2003?

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

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

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

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

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

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

BARONESS PRASHAR: Did you feel under pressure?

DR BLIX: Yes, I felt under pressure. It was also included you see in the resolution, 1441, that we could do that. It didn't say we have to do it, but we could do it. At first I felt the Americans felt: just kidnap these guys and take them abroad. I thought it was naive and I felt -- I talked to people in the diplomatic community in New York and they shared -- agreed with me, and I asked the Americans, "Well, you know, they have relatives at home. Do you think they will reveal something and put them in jeopardy", and the Americans said "Well, they can take their families along".

I said, "How many can we take along for them?" They said, "Well, up to a dozen people". I thought a big Iraqi family may have many more. I never thought you would get very much out of it. It would only have been trouble, but we would have been driven to it in the end. I think the push was so hard, so we would have persuaded the Iraqis and said, "This is what we need to do. If we pick up someone, you should order them to come along with us".

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

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

DR BLIX: No.

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

DR BLIX: Right.

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

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

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

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

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

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

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

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

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

BARONESS PRASHAR: Thank you.

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

universally or did you accept locally-based interpreters?

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

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

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

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

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

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

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

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

[10] While travelling to the Security Council meeting

[11] US Secretary of State Colin Powell

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

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

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

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

[12] December 2002

much better".

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

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

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"

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[14] the US and the UK

[15] the US

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

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

DR BLIX: Yes. I listed precisely what they[16] had done. It was very fair, balanced reporting on the cooperation we had received and the hitches and the humps that we had met, and the Council was perfectly capable of judging that themselves.

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

DR BLIX: Yes.

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

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

[16] Iraq

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

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

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

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

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

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

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

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

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

[19] for chemical weapons

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

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

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

Is that an accurate encapsulation of your views?

DR BLIX: No, no.

SIR RODERIC LYNE: It is not?

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

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

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

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

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

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

I think what would have happened is rather that

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

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

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

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

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

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

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

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

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

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

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

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

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

DR BLIX: Yes, he had sight of it by an inadvertency in a way because we were to vet the documents through the College of Commissioners. So we gave it to the College of Commissioners and he[20] got it, and also Powell in Washington got it a little earlier than all the other members of the Security Council. It occurred to me, as I already said, that this may well be of interest in a benchmark approach. Therefore I took care to feel my way in the Council, did anyone object to us presenting this working document? It was a working document, not more. I found no objection to it. So I said, "Yes". We circulated it.

SIR MARTIN GILBERT: Circulated it after this particular meeting?

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

SIR MARTIN GILBERT: Thank you.

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

[20] Mr Straw

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

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

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

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

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

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

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

DR BLIX: Yes.

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

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

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

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

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

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

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

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

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

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

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

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

SIR JOHN CHILCOT: Of course all that leads into the attempt to get a second United Nations resolution, which would have been necessary for more time with a deadline. I will ask Sir Roderic Lyne to pick up on that one.

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

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

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

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

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

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

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

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

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

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

DR BLIX: About the benchmark approach? Yes.

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

DR BLIX: That was rather late, yes.

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

DR BLIX: No, no, no.

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

DR BLIX: Yes, except for selection of benchmarks.

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

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

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

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

"Nevertheless I thought here on March 7 there was

something new, a theoretical possibility to avoid war."

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

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

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

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

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

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

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

DR BLIX: No, no.

SIR RODERIC LYNE: Yet you say you favoured it?

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

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

DR BLIX: Well, I saw the risk, but I thought we would get into a new territory. There was a chance in it. I saw the chance, the Germans[21] saw the risk.

SIR JOHN CHILCOT: Lawrence, over to you.

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

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

[21] Witness amended this to “French and Germans” when reviewing his transcript

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

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

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

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

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

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

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

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

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

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

Then came Duelfer, and both[22] were very professional.

[22] Witness clarified when reviewing the transcript that he meant “both Duelfer and Kay”

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

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

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

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

nevertheless it would not be [inconceivable][23] -- how long will a disarmament last? Iraq has no weapons of mass destruction today, but what about ten years from now. This[24] was too ambitious an approach. I think in reality they tried to excuse why they went in. I am not surprised, the politicians usually don't get any reward for admitting any errors.

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

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

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

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

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

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

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

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

1441.

DR BLIX: That I think was another one. I think the French at one point suggested we should double the number of inspectors. I thought that was not very sensible either. The problem was not the number of inspectors. We carried out about six inspections per day over a long period of time. We carried out all in all about 700 inspections at 500 different sites and in no case did we find any weapons of mass destruction. Doubling the number of inspectors would not have helped. Better tips, yes. Those who were 100 per cent convinced there were weapons of mass destruction, if they had more[25] than zero per cent knowledge where they were, that would have been helpful.

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

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

[25] Witness corrected this from “less”, which is present in the original audio

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

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

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

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

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

DR BLIX: Yes. We would have been able to clear up some things, but I think Mr Blair is entirely right. We would never have got the whole truth, nor do I think it was necessary to get the whole truth. The interesting thing: was Iraq a danger in 2003? They were not a danger. They were practically prostrate and could not -- it would have taken a lot of time and selling oil to reconstitute [programmes].[26] What they got instead[27] was a long period of anarchy. One conclusion I am inclined to draw is that anarchy can be worse than tyranny. It was [in Iraq][28] for a time.

SIR LAWRENCE FREEDMAN: Thank you.

SIR JOHN CHILCOT: I too would like to take both a retrospective and perhaps a counterfactual look at what -- it goes back to something you said very early in 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

following the passage of resolution 1441 to comply fully.

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

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

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

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

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

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

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

DR BLIX: Uh-huh.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

reasonably well equipped.

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

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

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

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

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

We have had quite a bit of discussion with a variety

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The overhead imagery has also advanced very much.

Another element I think is the cooperation between intelligence and inspection. When we were working on the additional protocol in the IAEA, Mohammed ElBarabei and I, we concluded, as I said, that it must be a one-way traffic. We are there and we need their cooperation. If they[30] see us as a prolonged arm of foreign intelligence, you will not get the cooperation that you need. I think the British accepted that. We never heard any complaints about it from the UK side.

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

[30] the host country

[31] Word added by witness during transcript review

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

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

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

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

SIR LAWRENCE FREEDMAN: That is very interesting.

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

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

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

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

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

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

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

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

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

not a cure-all.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

People say, "What is the Security Council? The 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

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

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

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

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

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

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

With that I will close this session. Thank you.

(4.55 pm)

(The hearing concluded)

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