

The dishonest case for war on Iraq

A response to the government dossier –
'Iraq's weapons of mass destruction'

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UK.)

There is no case for a war on Iraq. It has not threatened to attack the US or Europe. It is not connected to al-Qa'ida. There is no evidence that it has new weapons of mass destruction, or that it possesses the means of delivering them.

This pamphlet separates the evidence for what we know about Iraq from

the wild suppositions used as the pretext for a war.

1. THREAT

For there to be a threat to the wider world from Iraq's weapons of mass destruction, there need to be two distinct components: the capability (the presence of weapons of mass destruction or their precursor elements, together with a delivery system) and the intention to use weapons of mass destruction.

Most of the discussion on Iraq's weapons of mass destruction from British and American governmental sources has focused on Iraq's capabilities. However, a more fundamental question is why the Iraqi regime would ever use weapons of mass destruction. There are three aspects to this:

a. External military use.

The US administration has repeatedly stated that Iraq is a "clear and present danger" to the safety and security of ordinary Americans. Yet the Iraqi leadership have never used weapons of mass destruction against the US or Europe, nor threatened to. Plans or proposals for the use of weapons of mass destruction by Iraq against these countries have never been discovered, and in their absence can only be presumed to be non-existent.

Iraq would be faced with massive reprisals if its leadership ever ordered the use of weapons of mass destruction on the US or Europe. It is difficult to imagine circumstances in which the Iraqi regime would use these weapons directly against any western country. The only conceivable exception would be if the Iraqi leaders felt they had nothing left to lose: that is, if they were convinced of their own imminent demise as a result of an invasion. Weapons of mass destruction were not used by Iraq in the 1991 Gulf War, despite having both a much more developed capacity than it holds at present (see below) and the routing of its army. The best way to avoid prompting Iraqi leaders to use any non-conventional capacity would be to refrain from invading Iraq or attempting to assassinate or depose its rulers.

The only occasion on which the Iraqi government used weapons of mass destruction against another country was against Iran from 1981/82 to 1988. The use of mustard agents had a devastating impact on Iranian troops in the first years of the war, and the civilian death toll from the use of sarin and tabun numbers in the thousands. However, it should be noted that the use of chemical weapons was undertaken with the

compliance of the rest of the world. The US Secretary of State acknowledged that he was aware of reports of Iraqi use of chemical weapons from 1983, and a United Nations team confirmed Iraqi use in a report of 16 March 1984. Nevertheless, the US administration provided “crop-spraying” helicopters to Iraq (subsequently used in chemical attacks on the Kurds in 1988), gave Iraq access to intelligence information that allowed Iraq to “calibrate” its mustard attacks on Iranian troops (1984), seconded its air force officers to work with their Iraqi counterparts (from 1986), approved technological exports to Iraq’s missile procurement agency to extend the missiles’ range (1988), and blocked bills condemning Iraq in the House of Representatives (1985) and Senate (1988).

Most crucially, the US and UK blocked condemnation of Iraq’s known chemical weapons attacks at the UN Security Council. No resolution was passed during the war that specifically criticised Iraq’s use of chemical weapons, despite the wishes of the majority to condemn this use. The only criticism of Iraq from the Security Council came in the form of non-binding Presidential statements (over which no country has a veto). The 21 March 1986 statement recognised that “chemical weapons on many occasions have been used by Iraqi forces against Iranian forces”; this statement was opposed by the United States, the sole country to vote against it in the Security Council (the UK abstained).

In summary, Iraq has never used chemical weapons against an external enemy without the acquiescence of the most powerful states. It has done so only in the knowledge that it would be protected from condemnation and countermeasures by a superpower. There is no reason to suspect that the Iraqi leadership now places any military gains it might achieve through the use of chemical weapons above its desire to form international alliances with major powers.

Further reading: “U.S. Diplomatic and Commercial Relationships with Iraq, 1980 - 2 August 1990”, www.casi.org.uk/info/usdocs/usiraq80s90s.html

(b) Arming terrorists

One prospect raised by President Bush in his State of the Union address of 29 January was that hostile countries such as Iraq could supply non-state organisations with weapons of mass destruction, to use against the US:

“By seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them

the means to match their hatred. They could attack our allies or attempt to blackmail the United States.”

The State Department’s annual report on terrorism, released on 30 April 2001, stated that the Iraqi regime “has not attempted an anti-Western terrorist attack” since 1993. The small paramilitary groups that Iraq supports, such as the Arab Liberation Front (in Palestine) and the Mujahidin e-Khalq (for Iran), have no access to Iraq’s more advanced weaponry, let alone weapons of mass destruction. Furthermore, these groups have never carried out attacks on the US or Europe, and have little if any supporting infrastructure in those countries. The Iraqi regime has no credible links to al-Qa’ida, either in the perpetration of the 11 September attack, or in the presence in eastern Iraqi Kurdistan (controlled by the US-backed Patriotic Union of Kurdistan, not the Iraqi government, since 1991) of Ansar al-Islam. This group is an off-shoot of the US-backed Islamic Movement of Iraqi Kurdistan which has taken funds and arms from Iran and (reportedly) from al-Qa’ida.

The Iraqi regime has not been shown to have any intention of attacking the Western world, and it knows that it would be subject to massive reprisals if it did so. In summary, Iraq has shown no indication that it would be willing to use terrorists to threaten the outside world with weapons of mass destruction.

Further reading: “Did Mohamed Atta Meet an Iraqi Spy in Prague?”, at slate.msn.com/?id=2070410

(c) Internal repression by the Iraqi military

As part of the Anfal campaign against the Kurds (February to September 1988), the Iraqi regime used chemical weapons extensively against its own civilian population. Between 50,000 and 186,000 Kurds were killed in these attacks, over 1,200 Kurdish villages were destroyed, and 300,000 Kurds were displaced. The most infamous chemical assault was on the town of Halabja in March 1988, which killed 5,000 people. Human Rights Watch regards the Anfal campaign as an act of genocide.

The Anfal campaign was carried out with the acquiescence of the West.

Rather than condemn the massacres of Kurds, the US escalated its support for Iraq. It joined in Iraq’s attacks on Iranian facilities, blowing up two Iranian oil rigs and destroying an Iranian frigate a month after the Halabja attack. Within two months, senior US officials were encouraging

corporate coordination through an Iraqi state-sponsored forum. The US administration opposed, and eventually blocked, a US Senate bill that cut off loans to Iraq. The US approved exports to Iraq of items with dual civilian and military use at double the rate in the aftermath of Halabja as it did before 1988. Iraqi written guarantees about civilian use were accepted by the US commerce department, which did not request licenses and reviews (as it did for many other countries). The Bush Administration approved \$695,000 worth of advanced data transmission devices the day before Iraq invaded Kuwait.

As for the UK, ten days after the Foreign Office verbally condemned the Halabja massacre, the Secretary of State for Trade and Industry rewarded Iraq by extending £400 million worth of credits to trade with Iraq.

The Iraqi regime has never used chemical weapons in the face of formal international opposition. The most effective way of preventing any future use against Iraqi civilians is to put this at the top of the human rights agenda between Iraq and the UN. The Iraqi regime's intentions to use chemical weapons against the Kurds will not be terminated by provoking a further conflict between the Iraqi state and its Kurdish population in which the Kurds are recruited as proxy forces. The original repression of the Kurds escalated into genocide in response to Iran's procurement of the support of the two main Kurdish parties for its military efforts from 1986. This is essentially the same role that the US sees for the Kurds in its current war preparations.

Iraq's alleged weapons of mass destruction are a false focus if the concern is with regional security. Chemical weapons were not used for Iraq's invasion of Kuwait. A peaceful Gulf region can be achieved only through building political links between Iraq and its neighbours. This is why the Arab states of the Middle East have started to reintegrate Iraq into regional networks and purposeful dialogue. Their interests are ill-served by attempts to turn the countries of the Gulf against each other once again.

Further reading: Dilip Hiro, "When US turned a blind eye to poison gas", at: www.observer.co.uk/focus/story/0,6903,784125,00.html

2. NUCLEAR

In 1998, when the US ordered UN weapons inspectors to leave Iraq, it was widely accepted the Iraq's nuclear capacity had been wholly dismantled. The International Atomic Energy Agency (IAEA), charged with monitoring

Iraq's nuclear facilities after the Gulf War, reported to the Security Council from 8 October 1997 that Iraq had compiled a "full, final and complete" account of its previous nuclear projects, and there was no indication of any prohibited activity. The IAEA's fact sheet from 25 April 2002, entitled "Iraq's Nuclear Weapons Programme", recorded that "There were no indications that there remains in Iraq any physical capability for the production of amounts of weapons-usable nuclear material of any practical significance."

In recent months, however, the UK government has put primary emphasis on Iraq's alleged nuclear programme. UK ministers have made three major claims:

a. That Iraq was within three years of developing a nuclear bomb in 1991.

This could be true. Uranium was imported from Portugal, France, Italy and other countries; uranium enrichment facilities operated at Tuwaitha, Tarmiya, and Rashidiya, and centrifuge enrichment facilities were being built at al-Furat, largely with German assistance. Theoretical studies were underway into the design of reactors to produce plutonium, and laboratory trials were carried out at Tuwaitha. The main centre for the development of nuclear weapons was al-Atheer, where experiments with high explosives were carried out. However, IAEA experts maintain that Iraq has never had the capacity to enrich uranium sufficiently for a bomb and was extremely dependent on imports to create centrifuge facilities (report of the Center for Strategic and International Studies, 28 June 2002). If this is so, Iraq may have only been close to developing a bomb if US and European assistance had continued to the same extent as before.

In the Gulf War, all Iraq's facilities capable of producing material for a nuclear programme and for enriching uranium were destroyed. The IAEA inspected and completed the destruction of these facilities, with the compliance of the Iraqi government. From 1991, the IAEA removed all known weapon usable materials from Iraq, including 22.4kg of highly enriched uranium. The IAEA left 1.8 tonnes of low-grade uranium in heavyweight sealed barrels at the Tuwaitha facilities. This uranium has remained untouched by the Iraqis, and is inspected annually by experts from the IAEA, who have confirmed that the seals had never been tampered with. The remaining facilities at Tuwaitha and buildings at al-Atheer were destroyed by the IAEA by 1992.

b. That Iraq could make a nuclear device "within three years" without foreign assistance.

This claim, repeated by a UK Foreign Office minister, derives from a statement from the head of Germany's Federal Intelligence Service (BND) in February 2001 that Iraq could enrich its own uranium and construct its own nuclear device in three to six years. This claim was backed up by a statement from the Wisconsin Project on Nuclear Arms Control that Iraq's only uranium extraction facility at al-Qaim has been rebuilt (it had been destroyed in 1991). If Iraq was again extracting uranium, then it could reasonably be presumed that it was intending to enrich and weaponise it. The allegation about Iraq's extraction of uranium, however, seems to be wrong.

Since the emergence of these claims, a number of journalists have visited al-Qaim and have found it in a state of disrepair. Paul McGeough, the much-respected Middle East correspondent of the Sydney Morning Herald, wrote on 4 September 2002 that the site appeared to be a "near-vacant lot ... as the result of a clean-up supervised by the [IAEA]". Reuters reporters have confirmed the same impression. If Iraq was hiding its nuclear extraction facilities every time a journalist visits, this would beg the question of when any extraction could actually take place.

If Iraq has no operating facilities to extract uranium, and if it continues to refrain from accessing the low-grade uranium sealed at Tuwaitha, then there is no way it could produce a nuclear device without foreign assistance.

Furthermore, enriching uranium requires substantial infrastructure and a power supply that could be easily spotted by US satellites. No such information has been provided. Over the past year, US and UK sources have made much of the fact that Iraq has attempted to import specialized steel and aluminium tubes that could be used in gas centrifuges that enrich uranium. According to the Washington Post (10 September 2002), such tubes are also used in making conventional artillery rockets, which Iraq is not prohibited from developing or possessing under UN resolutions. As David Albright, former IAEA inspector in Iraq and director of the Institute for Science and International Security, told the Washington Post, "This is actually a weak indicator for suggesting centrifuges -- it just doesn't build a case. I don't yet see evidence that says Iraq is close."

c. That Iraq could have a nuclear bomb "within months" if fissile material is acquired from abroad. ¶ Even the US Department of Defense recognises that claims about Iraq's imminent production of a nuclear bomb are not

credible: “Iraq would need five or more years and key foreign assistance to rebuild the infrastructure to enrich enough material for a nuclear weapon” (January 2001 intelligence estimate). However, the International Institute of Strategic Studies (IISS) managed to hit the headlines in September 2002 by claiming that Iraq “could assemble nuclear weapons within months if fissile material from foreign sources were obtained.” This claim is no more than a tautology.

If Iraq could import the core material for a bomb, then it would have a bomb. Obtaining the fissile material is the most difficult part of constructing any nuclear device, and there are no signs that Iraq has attempted to obtain any such material from abroad. According to the Nuclear Control Institute (nci.org/heu.htm), “With bomb-grade, high-enriched uranium (HEU), a student could make a bomb powerful enough to destroy a city”. Unless we are to stop any students of physics from entering Iraq, the best control on the circulation of fissile material would be to invest resources into safeguarding Russia’s nuclear material. We would then need to complete a fissile-material cut-off treaty as agreed by the UN General Assembly in 1993.

On 7 September 2002, Tony Blair and George Bush proclaimed that commercial satellite photographs showing new buildings near a facility that had been part of Iraq’s nuclear programme before 1991 were “proof” of Iraqi intentions. By contrast, a spokesperson from the IAEA - which had provided the pictures months earlier - said: “We have no idea whether it means anything. Construction of a building is one thing. Restarting a nuclear program is another.”

Further reading:

IAEA’s fact sheet from 25 April 2002, entitled “Iraq’s Nuclear Weapons Programme” www.iaea.org/worldatom/Programmes/ActionTeam/nwp2.html

Garry Dillon (IAEA Action Team in Iraq; Director of Operations from January 1994, head from June 1997), “The IAEA Iraq Action Team Record: Activities and Findings “, in *Iraq: A New Approach* (Carnegie Endowment for International Peace, August 2002), at www.ceip.org/files/pdf/Iraq.Report.pdf

3. CHEMICAL and BIOLOGICAL

Allegations about Iraq’s chemical and biological weapons fall into three

categories:

- * that Iraq has retained weapons that were produced before 1991.
- * that Iraq has kept or rebuilt facilities since 1998, which are allegedly producing or able to produce new chemical or biological agents that can subsequently be weaponised; and
- * that Iraq could threaten other countries by delivering these agents, by missile or through other means.

(a) Retained stocks?

Up to 1998, a substantial part of the work of the weapons inspectors in Iraq was to track down chemical and biological agents that Iraq produced before their entry in 1991, and to check the documentation that showed how much of each agent Iraq had manufactured. However, the amount Iraq is thought to have produced in the 1980s was found to be greater than the quantity that Iraq or the inspectors verified as having destroyed. The discrepancy between the two levels is the amount that remains - in the inspectors' language - "unaccounted for".

The levels of agents that are unaccounted for in this way is large: 600 metric tonnes of chemical agents, such as mustard gas, VX and sarin; and extensive amounts of biological agents, including thousands of litres of anthrax as well as quantities of botulinum toxin, aflatoxin, and gas gangrene, all of which had been weaponised before 1991. But the fact that these quantities are unaccounted for does not mean that they still exist. Iraq has never provided a full declaration of its use of chemical and biological weapons against Iran in the 1980-88 war, and destroyed large quantities of its own stocks of these weapons in 1991 without keeping sufficient proof of its actions.

In some cases, it is quite clear that the stocks no longer exist in usable form. Most chemical and biological agents are subject to processes of deterioration. A working paper by the United Nations Special Commission on Iraq (Unsc) from January 1998 noted that: "Taking into consideration the conditions and the quality of CW-agents and munitions produced by Iraq at that time, there is no possibility of weapons remaining from the mid-1980's" (quoted in Ritter, Arms Control Today, June 2000). Many other chemical or biological warfare agents have a shorter shelf life. The sarin produced by Iraq in the 1980s was found to have up to 40% impurities, entailing that it would deteriorate within two years. With regard to biological weapons, the assessment by Professor Anthony H. Cordesman of the Center for Strategic and International

Studies should be taken seriously: “The shelf-life and lethality of Iraq’s weapons is unknown, but it seems likely that the shelf-life was limited. In balance, it seems probable that any agents Iraq retained after the Gulf War now have very limited lethality, if any” (Iraq’s Past and Future Biological Weapons Capabilities, 1998, p.13).

There are two potential exceptions for materials that would not be expected to have deteriorated if produced before 1991. Mustard gas has been found to persist over time, as shown when Unscm discovered four intact mustard-filled artillery shells that would still have constituted a viable weapon. Unscm oversaw the destruction of 12,747 of Iraq’s 13,500 mustard shells. The Iraqi regime claimed that the remaining shells had been destroyed by US/UK bombardment. This claim has not been verified or disproved. However, as former UN weapons inspector Scott Ritter notes, “A few hundred 155 mm mustard shells have little military value on the modern battlefield. A meaningful CW attack using artillery requires thousands of rounds. Retention of such a limited number of shells makes no sense and cannot be viewed as a serious threat.”

The other potential exception is VX nerve agent. It became clear to Unscm during the 1990s that Iraq had succeeded before 1991 in producing stabilised VX in its laboratories - that is, VX agents that would not deteriorate over time. However, to produce significant stocks of VX requires advanced technology that Iraq did not have. Iraq did have some elements of the production equipment for developing VX on a large scale. Unscm tested this equipment before destroying it in 1996, and found that it had never been used. This would indicate that Iraq, despite its attempts before 1991, had never succeeded in producing VX on a significant scale.

(b) Re-built facilities?

If the stocks that Iraq had produced before 1991 are no longer a credible threat, then what of the facilities that Iraq may still have to produce more weapons of mass destruction? The major facilities that Iraq had prior to 1991 have all been destroyed. The Muthanna State Establishment, Iraq’s main plant for the production of chemical warfare agents, was destroyed partially through aerial bombardment and partly under Unscm supervision. Al-Hakam, Iraq’s main biological weapons facility that was designed to make up to 50,000 litres of anthrax, botulinum toxin and other agents a year, was destroyed in May-June 1996.

However, US and UK officials have claimed that new plants have been

built since 1998. Among the allegations are that two chemical plants that were used to produce weapons before 1991 have been rebuilt at Fallujah; further chemical and biological weapons sites have been partially constructed at Daura and Taji; and that “mobile biological production laboratories” have been deployed that would be able to circumvent any inspectors who are re-admitted into Iraq. It has also been claimed that other existing civilian facilities have been partially converted so as to be able to produce agents for weapons of mass destruction.

These allegations are difficult to assess. Even the IISS study of September 2002 - edited by Gary Samore who had been a senior member of President Clinton’s staff and thus involved two years before in the making of the allegations - concluded that the claims about mobile laboratories were “hard to confirm”. Much of the information comes from individuals who claim to have been scientists employed by the Iraqi government but who have now “defected” to Europe or the US. The US has offered financial rewards to scientists who defect, as well as guarantees of asylum. As a result, many of the claims may be exaggerated, highly speculative or simply concocted. US State Department officials have often mentioned that they do not take verbal information obtained from defectors seriously; it may be more plausible to assume that their information is publicised more as part of attempts to win support for a war than to make a realistic assessment of Iraqi weapons development.

The Iraqi government has invited journalists to visit some of the sites that the UK and US have mentioned. For example, journalists who visited the Taji warehouse in mid-August - which the US claimed days before was a major biological weapons facility - found only “boxes of powdered milk from Yemen, Vietnam, Tunisia and Indonesia and sacks of sugar imported from Egypt and India”, according to the Reuters correspondent. The visiting journalists are not weapons inspectors, and do not have the resources to monitor facilities for chemical agents or radiation; but they are able to ascertain if major new production facilities have been constructed. Now that the Iraqi Foreign Minister has made an unconditional offer to the UN to readmit weapons inspectors (on 16 September), allegations about the production of new facilities can be checked. However, the British Foreign Secretary and the White House have both disparaged the Iraqi offer, even though it could lead to the verified disarmament of Iraq’s weapons of mass destruction.

(c) Delivering an attack?

Possession of chemical or biological agents is not enough to threaten

another country, even if the Iraqi regime desired to. British and American claims about possession have therefore been linked to allegations that Iraq could fire these agents on missiles, which could even reach Europe.

The first problem with this claim is the very low number of longer range missiles that Iraq might have. According to Unscm, by 1997, 817 out of Iraq's known 819 ballistic missiles had been certifiably destroyed. On the worst-case assumption that Iraq has salvaged some of the parts for these missiles and has reconstructed them since 1998, even Charles Duelfer - former US Deputy Assistant Secretary of State, deputy head of Unscm and strong proponent of an invasion of Iraq - has provided an estimate of only 12 to 14 missiles held by Iraq. Even under this scenario, it is difficult to see Iraq posing a threat to the rest of the world through its missiles. Furthermore, biological weapons cannot be effectively disbursed through ballistic missiles. According to the IISS, much of the biological agent would be destroyed on impact and the area of dispersal would be small. For example, if anthrax is filled into missile warheads, up to 95% of the content is not dispersed (according to the Director of Intelligence of the US Joint Chiefs of Staff: www.bt.usf.edu/reports/Anthraxthreat.pdf).

British ministers have made much of the claim that Iraq has experimented with using small Czech-built L-29 training jets as remote-controlled drones, which could deliver chemical and biological weapons. Such drones were apparently spotted at Iraq's Talil airbase in 1998. A British defence official invoked the possibility that if these drones were flown at low altitudes under the right conditions, a single drone could unleash a toxic cloud engulfing several city blocks. He labelled them "drones of death". The hyperbole is misleading: even if Iraq has designed such planes, they would not serve their purpose, as drones are easy to shoot down. A simple air defence system would be enough to prevent the drones from causing damage to neighbouring countries. The L-29 has a total range of less than 400 miles: it would be all but impossible to use it in an attack on Israel. The only possibility for their use against western targets would be their potential deployment against invading troops.

Further reading: Scott Ritter (former head of Unscm's Concealment Unit), "The Case for Iraq's Qualitative Disarmament", from Arms Control Today (June 2000), at www.armscontrol.org/act/2000_06/iraqjun.asp

5. CONCLUSION

Many of the assessments of Iraq's development of biological, chemical and nuclear weapons are based largely on a hypothetical analysis of what

could be done by the Iraqi regime if it was determined to produce these weapons. Using worst-case scenarios, they present Iraq's potential activities - such as importing fissile material or producing anthrax spores - as an immediate threat. Whilst such assessments may be valuable in order to understand the range of possibilities, they do not provide any evidence of Iraq's weapons of mass destruction or the Iraqi regime's intention to use them. As Hans Blix, executive chairman of Unmovic - the new UN weapons inspection body - said on 10 September, there is much that is unknown about Iraq's programmes, "but this is not the same as saying there are weapons of mass destruction. If I had solid evidence that Iraq retained weapons of mass destruction or were constructing such weapons I would take it to the Security Council."

You cannot launch a war on the basis of unconfirmed suspicions of both weapons and intentions. It would be better to take up Iraq's unconditional offer of 16 September to allow inspectors to return, and to reject the plans for an invasion to achieve "regime change".

The US and UK policy has been to provide disincentives to Iraqi compliance rather than incentives. The UK has refused to rule out its support for "regime change" even if a full weapons inspections system is in place: Foreign Secretary Jack Straw has only said that the possibility of an invasion "recedes" in such circumstances. Senior members of the present US administration have been more forthright: Vice-President Cheney labelled the return of weapons inspectors to Iraq as counterproductive in his Nashville speech of 26 August. Inspections would be counterproductive to US war plans, but would also serve to discover - and if necessary, constrain - Iraq's weapons programmes.

If the Iraqi regime is led to believe that the US has made an invasion inevitable, it will have no reason to cooperate with weapons inspectors. As Hans Blix said on 18 August, "If the Iraqis conclude that an invasion by someone is inevitable then they might conclude that it's not very meaningful to have inspections."

The Iraqi regime also has a clear disincentive if it believes that the weapons inspectors will - like their predecessors in Unscm - collect information that the US government would use to plot its overthrow. That Unscm was engaged in such actions is now beyond doubt. Its executive director from 1991 to 1997, Rolf Ekéus, said on 28 July that the US tried to gather information about Iraq's security services, its conventional military capacity and even the location of Saddam Hussein through the supposedly impartial weapons inspections programme. It is

not hard to guess why the US wanted such information.

Iraq has repeatedly asked for a clear timetable for the lifting of economic sanctions to be coupled with the weapons inspections system. This is not an unreasonable demand: in fact, it was the agreement made in the ceasefire that ended the Gulf War, and which the US in particular has done so much since 1991 to obscure. The ceasefire agreement - Security Council Resolution 687 - lays out the elements of a political solution: an independent weapons inspectorate, an end to the threat of war, a clear timetable to lifting economic sanctions, and the creation of a weapons of mass destruction free zone in the Middle East (entailing the need for the end of Israel's nuclear arsenal).

On each of these four points, the US in particular stands in clear violation of the terms of the agreement.

The consequences of that violation have been apparent in the deterioration of the weapons inspections system. Garry B. Dillon, the Director of Operations of the IAEA Action Team in Iraq from January 1994, and its head from June 1997, characterised Iraq's compliance with the nuclear inspectorate from late 1991 to mid-1998 as "essentially adequate" (in the paper cited above). Dillon concludes that "Iraq's motivation to cooperate was shattered by the statement [by the then-US Secretary of State Madeleine Albright] that, regardless of Iraq's compliance, the embargo and the sanctions would not be lifted as long as President Saddam Hussein remained in power". Backing a "carrot and stick" approach to Iraq, Dillon argues that "the carrot should represent a tangible benefit, not merely the withholding of the stick. Indeed, during 1998, Iraq repeatedly claimed that 'the light at the end of the tunnel had gone out.'"

If the US and UK re-engage with the political process that was laid out in the ceasefire resolution, Iraq will once again be provided with reasons to cooperate with the weapons inspectorate. That possibility, which will remove the need for instigating a humanitarian crisis inside Iraq and instability in the region, should not be dismissed lightly.

Notes further to the counter-dossier
by Glen Rangwala

On 17 September, a week in advance of the release of the Prime Minister's

“dossier” on Iraq’s non-conventional weapons, a pamphlet (a “counter-dossier”) that I co-authored with Alan Simpson (MP for Nottingham South) was released under the name ‘The Dishonest Case for War on Iraq’. The intention of this pamphlet was to pre-empt some of the claims in the Prime Minister’s dossier, and to raise the issues that the dossier would need to address in detail for it to be credible.

What follows are some further remarks on the themes of the counter-dossier. These are in part a response to points in the Prime Minister’s dossier. They may also serve as reference notes, to be used in order to examine from a critical perspective subsequent claims that are made about Iraq’s non-conventional weapons.

I should flag up that I am not a biochemist, a pharmacologist or a nuclear physicist. None of the claims below about Iraq’s nuclear, chemical or biological facilities are made as a result of my own scientific investigations. Instead, they are collected from two sources. Firstly, the majority of points below are taken from published accounts of reputable institutions, governmental bodies and international organisations who have access to expertise that I do not have. Secondly, a smaller number of claims are taken from my own consultation with independent experts in the fields of relevance. Unlike the UK Government’s own dossier on Iraq’s non-conventional weapons, these notes indicate the sources for all the claims that it makes.

If any of the technical claims made below are incorrect or incomplete, such mistakes have not been made in a deliberate attempt to mislead the reader: corrections and clarifications would be greatly appreciated.

These comments are divided between issues of the threat of Iraq’s weapons and those of the possibility of a viable inspections regime.

A. THE THREAT OF IRAQ’S WEAPONS.

1. Stockpile

This Prime Minister’s dossier claims that information already in the public domain “points clearly to Iraq’s continued possession, after 1991, of chemical and biological agents and weapons produced before the Gulf War.” (Executive Summary, para.2). There are also references to surviving stocks of weapons in Chapter 2, para.13 and Chapter 3, paras.3 and 5-7 of the dossier.

If Iraq had a stockpile of chemical and biological weapons in 1998, it must consist of items produced prior to 1991. Not even the British government claims that Iraq was engaged in the active production of chemical or biological weapons in the period of weapons inspections (1991 to 1998); the ongoing monitoring and verification undertaken by UNSCOM would have detected any such attempts.

The Iraqi government never provided UNSCOM with information assessed to be sufficiently complete to verify that Iraq had destroyed all the chemical and biological agents it had produced prior to 1991. These are items that are considered as “unaccounted for”. It may also be the case that Iraq had in fact produced more of these agents than they had declared to UNSCOM or that UNSCOM itself had uncovered.

Whilst it would undoubtedly be useful to have a clear understanding of what happened to all of Iraq’s chemical and biological weapons material that it had produced, a more pressing question here is whether any chemical or biological agents produced by Iraq prior to 1991 would have remained useable after at least 11 years. As the analysis below attempts to demonstrate, the overwhelming majority of the chemical and biological warfare agents produced by Iraq prior to 1991 would be expected to have deteriorated to the point where they are no longer lethal.

If the Prime Minister’s past allegations that Iraq possessed a stockpile of illicit weapons were to be true, then the dossier would need to present credible evidence that Iraq had managed to stabilise its chemical and biological agents to a greater extent than it is previously thought to have done. The dossier does not make this claim: it only makes an unsubstantiated assertion (in Chapter 3, para.6) that Iraq had “the knowledge and capability to add stabiliser to nerve agent and other chemical warfare agents which would prevent such decomposition.” The fact that this assertion falls short of the claim that Iraq actually achieved the stabilisation of its chemical agents can be taken as an acknowledgement that no evidence has been discovered - after over 7 years of intrusive inspections and 11 years of intelligence gathering - to demonstrate Iraq’s retention of stabilised chemical or biological agents.

(a) Biological warfare agents.

Before 1990, Iraq manufactured four major biological agents.

(i) *Clostridium botulinum* (botulinum toxin). According to the “strategic dossier” of the International Institute for Strategic Studies (IISS) of 9

September 2002:

“Any botulinum toxin produced in 1989-90 would no longer be useful” (p.40).

According to a CIA briefing of 1990 on the threat from Iraq’s biological weapons facilities:

“Botulinum toxin is nonpersistent, degrading rapidly in the environment. .. [It is] fairly stable for a year when stored at temperatures below 27c.” (“Iraq’s Biological Warfare Program: Saddam’s Ace In The Hole”, August[?] 1990, at: http://www.fas.org/irp/gulf/cia/960702/73924_01.htm)

(ii) Anthrax. Much of the discussion of the threat of Iraq’s biological weapons has focused on Iraq’s past development of anthrax. By contrast, a report from 1998 by the Center for Strategic and International Studies (CSIS) seems to discount the possibility that the anthrax produced in bulk prior to 1991 can still be effectively weaponised:

“Anthrax spores are extremely hardy and can achieve 65% to 80% lethality against untreated patients for years. Fortunately, Iraq does not seem to have produced dry, storable agents and only seems to have deployed wet Anthrax agents, which have a relatively limited life.” (Anthony H. Cordesman, “Iraq’s Past and Future Biological Weapons Capabilities”, CSIS Middle East Dynamic Net Assessment, February 1998; at: http://www.csis.org/stratassessment/reports/iraq_bios.pdf)

It should be noted that this assessment of the degradability of wet anthrax is not accepted by the entire expert community. The IISS report of 9 September 2002 states that “wet anthrax from [the 1989-90 period - if stored properly - would still be infectious.” (p.40).

(iii) Aflatoxin. The Prime Minister stated in the House of Commons on 24 September 2002 that Aflatoxin is a lethal agent. It is not. Prolonged exposure may be carcinogenic, but as a weapon its relevant characteristic is in inducing headaches, vomiting and liver disease.

Source: CSIS paper of February 1998, as above; p.13.

(iv) Clostridium Perfringens (causing gas gangrene). Persistence unknown. However, as an anaerobic bacillus, it has the same causes for a short-shelf life as other anaerobic bacteria such as clostridium botulinum.

(b) Chemical warfare agents.

Before 1990, Iraq had produced and weaponised four lethal chemical agents:

(i) and (ii) Sarin and cyclosarin. These “G-series” nerve agents, used in the latter stages of the Iran-Iraq war, deteriorate rapidly, especially if impurities are present in their manufacture. This seems to have been the case with Iraq’s nerve agents. The Persian Gulf War Illnesses Task Force of the US Department of Defense gave the following assessment in March 2001:

“Impure or improperly stored sarin is unstable and degrades over time. US experts consider chemical warfare agents less than 50 percent pure to be militarily ineffective. Western sources estimate the sarin Iraq produced never exceeded 60 percent purity, and Iraq reported that poor operating practices at Al Muthanna limited the purity of sarin to between 20 and 50 percent. Since it contained at least 40 percent impurities when manufactured, sarin produced at Al Muthanna had a short shelf life. The CIA estimates the chemical warfare agent in the rockets stored at Al Muthanna had deteriorated to approximately 18 percent purity by the time that Bunker 2 was destroyed, leaving about 1600 kilograms (1.6 metric tons) of viable sarin.”

(“The Gulf War Air Campaign - Possible Chemical Warfare Agent Release at Al Muthanna, February 8, 1991”, 19 March 2001; at: http://www.gulflink.osd.mil/al_muth/al_muth_s02.htm)

The taskforce of the Department of Defense attributed the high level of Iraqi cooperation in revealing the scale of its earlier chemical programme to the fact that the Iraqi government realised that the nerve agents it had produced were no longer viable:

“We believe Iraq was largely cooperative on its latest declarations because many of its residual munitions were of little use - other than bolstering the credibility of Iraq’s declaration - because of chemical agent degradation and leakage problems.”

(“Chemical Warfare Agent Issues During the Persian Gulf War”, Persian Gulf War Illnesses Task Force, April 2002; at: <http://www.cia.gov/cia/publications/gulfwar/cwagents/cwpaper1.htm>)

A similar assessment was made by the CIA in a memorandum from January 1991:

“Iraq is not able to make good-quality chemical agents. Technical failures have reduced their purity and caused problems in storage and handling.

This is a particular problem for the sarin- type nerve agents (GB and GF). These both contain hydrofluoric acid (HF), an impurity that attacks metal surfaces and catalyzes nerve agent decomposition. This leads to metal failure and leaks in the ammunition, increasing handling hazards. ... Lower purity significantly limits shelf life and reduces toxic effects when the munition is employed. ... The nerve agent should have already begun to deteriorate, and decomposition should make most of the nerve agent weapons unserviceable by the end of March 1991.”

(“Iraq: Potential for Chemical Weapon Use”, 25 January 1991; at: http://www.fas.org/irp/gulf/cia/970825/970613_dim37_91d_txt_0001.html)

This assessment is repeated in the IISS strategic dossier of 9 September 2002:

“As a practical matter, any nerve agent from this period [pre-1991] would have deteriorated by now..” (p.51)

(iii) Mustard. A “blister agent”, mustard has a longer shelf-life than G-series nerve agents. As the final assessment report from UNSCOM recorded:

“a dozen mustard-filled shells were recovered at a former CW storage facility in the period 1997 - 1998 .. After seven years, the purity of mustard ranged between 94 and 97%.”

(Enclosure 1 to the Annex of the Letter to the President of the Security Council, 29 January 1999, S/1999/94, para.33; at: <http://www.un.org/Depts/unscom/s99-94.htm>)

However, mustard has a low volume-to-effectiveness ratio. As the IISS record in the strategic dossier:

“large amounts of mustard are necessary for effective military operations. Roughly, one tonne of agent is needed to effectively contaminate 2.6 square kilometres of territory, if properly disseminated.”

Iraq declared that it filled approximately 13,000 artillery shells with mustard prior to 1991. UNSCOM accounted for 12,792 of these shells, and destroyed them in the period of 1992-94. However, Iraq also declared that 550 mustard-filled artillery shells had been lost in the aftermath of the Gulf War. The extent to which these - if they still existed - could constitute an ongoing danger should be assessed in light of the need to deploy large amounts of mustard for effective use.

(iv) VX. In 1998, UNSCOM found VX degradation products on missile

warheads, indicating that Iraq had stabilised VX sufficiently and had managed to weaponise it (in contrast to the Government of Iraq's own claims). The IISS strategic dossier records the status of VX produced before the Gulf War:

“Any VX produced by Iraq before 1991 is likely to have decomposed over the past decade ... Any G-agent or V-agent stocks that Iraq concealed from UNSCOM inspections are likely to have deteriorated by now.” (pp. 52 and 53).

In summary, the overwhelming majority of the chemical and biological weapons agents that Iraq has retained from prior to 1991 would no longer be useable in the present day - if the assessments presented above are correct. The major exception is mustard. However, there is no evidence to suggest that Iraq has retained sufficient stocks of mustard to deploy in a militarily effective way.

2. Ongoing development

The majority of the claims in the Prime Minister's dossier, from pp.17-32, relate not to the retention of prior stocks - the focus of UNSCOM's work - but to the development of new nuclear, chemical and biological facilities. Any new facilities could either manufacture new weaponisable material, or - more simply - they could constitute chemical agents out of precursor stocks that were undeclared by Iraq to UNSCOM and would not have deteriorated as the agents themselves would have done. For example, if stable precursors for VX, sarin or cyclosarin were retained by Iraq after 1991, they could be used to produce fresh supplies of these agents.

However, the Prime Minister's dossier - like the strategic dossier of the IISS - provides no evidence that this is actually taking place. The assertions that facilities are being reconstituted or built is phrased in noticeably ambiguous language: this indicates that there is considerable uncertainty within the UK intelligence institutions about whether Iraq is actually engaged in the development of nuclear, chemical and biological weapons.

(a) Nuclear development

The main evidence presented in the dossier for the continuation of Iraq's nuclear programme is that Iraq has been “making concerted covert efforts to acquire dual-use technology and materials with nuclear applications” since 1998. However, it should be noted that the claim in the dossier is

not that the materials that Iraq has sought to import can only be used as part of a nuclear weapons programme, but that these materials could be used in such a programme. Conversely, it is quite conceivable that these materials are not being used in a nuclear programme at all.

For example, the dossier notes that Iraq has attempted to purchase Anhydrous Hydrogen Fluoride (AHF) since 1998, and that AHF could be used in gas centrifuges for the enrichment of uranium (Chapter 3, para.21). However, AHF is also used as an alkylating agent in the petrochemical industry. For a country that has been made solely dependent upon its petrochemical exports for its foreign exchange, the import of AHF can hardly be a surprise or a cause for suspicion.

More significantly, the attempts by Iraq to import aluminium tubes has been highlighted both in President George W. Bush's paper "A Decade of Deception and Defiance" (12 September 2002), p.9, and in the Prime Minister's dossier on p.26, para.22, and presented as evidence that Iraq was seeking to construct gas centrifuges. David Albright, former IAEA inspector and director of the Institute for Science and International Security (ISIS), has argued that the aluminium tubes are more likely to be used in the making of conventional artillery rockets. Although this was mentioned in the original counter-dossier, an ISIS paper has subsequently made the following clarifications:

- * Iraq has imported the same form of aluminium tubes from the 1980s onwards, for non-nuclear purposes.

- * That steel or carbon fibre tubes would have been more suitable if Iraq had been planning to use them in the construction of gas centrifuges. Iraq had previously invested in developing steel and carbon fibre parts for its nuclear programme before 1990.

- * These tubes are not critical centrifuge components; the most advanced components (rotors, end caps, bearings) would still need to be imported if Iraq was intent on building gas centrifuges.

(ISIS report, "Aluminum Tubing..", 23 September 2002, updated on 27 September; at: www.isis-online.org/publications/iraq/aluminumtubes.html).

It is noteworthy that none of the imports listed in the Prime Minister's dossier are identified as being for the exclusive purpose of nuclear development, and it is not claimed that these items are in fact being put to use in a nuclear programme.

The sole claim that could indicate an active nuclear programme is one of

the most ambiguous in the entire dossier: it is claimed that “Iraq has sought the supply of significant quantities of uranium from Africa” (Chapter 3, para.20). The absence of any detail - such as the year (or even the decade) in which this purported attempt to obtain uranium; the country in which Iraq’s alleged activities are thought to have taken place; and the quality of the uranium sought - coupled with the lack of emphasis given to this claim in the dossier may indicate that a serious risk is not attributed to this possibility. Iraq has indeed sought to import significant quantities of uranium (yellowcake) from Niger; this was in 1981-82. Could it be this episode to which the dossier refers, and the reason why the claim is left in such an ambiguous form?

(b) Chemical and biological weapons development

One of the most detailed set of claims in the Prime Minister’s dossier concerns the rebuilding of facilities that were formerly associated with chemical and biological weapons. It is noticeable that the dossier does not claim that any specific facility is currently being used for the production of chemical or biological warfare agents. Instead, the facilities are identified as being capable of producing such agents as well as civilian products, or that the material that is being produced could be used in the development of illicit weapons.

Unless there is a reliable assessment that the production undertaken at these facilities is part of a chemical and biological warfare programme, the information presented in Chapter 3, paras. 8-13, cannot be taken as indicating that Iraq has recently produced illicit chemical and biological agents. This is an overview of the sites mentioned in the Prime Minister’s dossier:

* Fallujah 2, near Habbaniyah: this site, which used to produce chemical weapons precursors, was bombed in the Gulf War, and its remaining stocks were removed and destroyed by UNSCOM. It was inactive in 1998. The Prime Minister’s dossier claims that it now produces chlorine and phenol (ie carbolic acid), which could serve as precursor chemicals. They could also be used as disinfectants. There are no assertions in the dossier that they are currently being used otherwise.

* Ibn Sina Company at Tarmiyah: the dossier identifies this as a chemical research centre (and provides a satellite photograph) – the Research Centre for Industrial Chemistry which was established in March 1992. According to IAEA reports from 1993 and 1994, the Centre was engaged in small scale chemical recovery work, such as the purification of phosphoric

acid and the recovery of vanadium from coal ash.

* al-Qa'qa' chemical complex: according to the dossier, this plant produces phosgene. Iraqi officials claimed to journalists visiting the site after the release of the dossier that phosgene is produced as a by-product of the manufacture of gun-powder.

* al-Sharqat: this facility is identified in the dossier as producing nitric acid. Indeed, according to the IAEA report of January 1994, it is the principle supplier of sulphuric and nitric acid to Iraqi industries. The dossier does not claim that the nitric acid produced at al-Sharqat is used in the production of illicit weapons, merely that nitric acid "can be used" in missile fuel and in purifying uranium.

* Fallujah: this is identified in the dossier as producing castor oil. The official purpose of the production of castor oil is for brake fluids.

* al-Dawrah Foot and Mouth Disease Vaccine Institute (also known as al-Manal). Prior to 1991, it was engaged in research on viral warfare agents. In March 2001, the Government of Iraq wrote to the UN Secretary-General to notify him of the reactivation of this facility for the production of foot and mouth vaccine. A number of journalists have visited al-Dawrah since then. On 12 August 2002, a reporter from Russian news agency RIA-Novosti recounted that: "Journalists were shown empty shops at the plant, and dark, dusty premises with no light. Electric cables and various pipes along the walls had been cut through. Remnants of structures and equipment were piled on the floor."

* Amariyah Sera and Vaccine Plant at Abu Ghraib: according to the dossier, this site has expanded storage capacity. Journalists were allowed into the new buildings at this plant within two hours of the dossier's release, and reported that they found only empty fridges.

3. Delivery means

Unless the chemical and biological agents could be delivered by Iraqi forces, they cannot be considered to be a danger. Four possibilities are mentioned in the Prime Minister's dossier (Chapter 3, para.14): free-fall bombs, artillery shells and rockets, helicopter and aircraft borne sprayers (such as the L-29), and ballistic missile.

With regard to Iraq's biological weapons, the IISS strategic dossier claims:

“On balance, Iraq’s ability to deliver BW efficiently with conventional munitions (missiles, planes, rockets, etc.) against opposing forces on the battlefield or against civilian targets beyond Iraq’s borders appears to be limited, unless Iraq has made substantial advances in delivery technology.” (p.29)

There are no claims in the Prime Minister’s dossier about such substantial advances. Out of the four delivery means listed above, helicopter and aircraft borne sprayers have been discussed in the counter-dossier, and shown not to be a viable delivery means beyond Iraq’s borders. Artillery shells and Iraq’s rockets have a very limited range, and could only be considered a threat to Iraq’s own citizenry and those within a few kilometres of Iraq’s borders.

Ballistic missiles are also not a credible delivery means. The IISS strategic dossier reviews the evidence on the design of Iraq’s missile warhead for al-Hussein missile:

“dissemination would be extremely inefficient if Iraq has not advanced beyond its 1990-era design. Most agents would be destroyed on impact, and the immediate area of dispersal would be fairly small (a few hundred metres in diameter).” (p.40; for biological agents).

“Unless Iraq has advanced beyond the impact fusing and warhead design of its 1990-era special warheads, however, its ability to effectively disseminate CW agent with such missile warheads is questionable. Most of the CW agent is likely to be destroyed on impact, and the remainder would be dispersed over a limited area.” (pp.53-54).

Delivery of free-fall bombs would require strong air force capabilities. According to the IISS, however, these are “very weak ... Poor maintenance, lack of spare parts, and low flight training time has likely degraded operational performance.” (p.54)

4. Threat

There is no presentation in the Prime Minister’s dossier of Iraq having a strategic doctrine - or even a military plan - to use chemical, biological or nuclear weapons in an offensive capacity. There is no indication of why Iraqi leaders would have an intention to use such weapons, other than to deter current US attempts to unseat the current regime by force.

B. THE NEED FOR ONGOING INSPECTIONS IN IRAQ

One of the most problematic parts of the Prime Minister's dossier is the discussion of the "Presidential sites" (Part 2, para.5). The dossier states that inspectors were "barred" from these sites in December 1997, and by virtue of omission implies that these sites remained unaccessed by inspectors.

Instead, an agreement was reached in February 1998 between the UN Secretary-General and the Government of Iraq (the Memorandum of Understanding of 23 February 1998) which allowed weapons inspectors access to all sites in Iraq, as long as they were accompanied by senior diplomats appointed by the UN Secretary-General at eight listed Presidential sites. The Memorandum of Understanding was endorsed by the UN Security Council in Resolution 1154 (2 March 1998); it was agreed to by the British government of the time, also headed by Prime Minister Blair. The Iraqi government fulfilled the terms of the Memorandum of Understanding, and no further delays and obstacles were reported by weapons inspectors over these sites in the remaining period of inspections. Satisfactory compliance from the Government of Iraq with regard to Presidential sites was noted in the reports to the Security Council of 15 April 1998 (S/1998/326) and 6 May 1998 (S/1998/377), and was welcomed in a statement of the President of the Security Council of 14 May 1998 (S/PRST/1998/11).

In the dossier and in the Prime Minister's accompanying speech to the House of Commons, repeated reference was made to the large area of the Presidential sites. The UN technical mission to Iraq that surveyed these sites issued a report on 20 February, prior to the conclusion of the Memorandum of Understanding. The total area of the eight Presidential sites amounts to 31.5 square kilometres, of which approximately 10.2 square kilometres is made up of lakes. One site, the Radwaniyah in Baghdad, totalled around 17.8 square kilometres, and is by far the largest (para.14). The mission conducted detailed surveys of each site, and found no military installations (other than sentry towers, guard rooms, and - in one case - headquarters for the Presidential Battalion) on any of them (para.12).

The draft resolution placed by the US before the Security Council on 28

September seeks to do away with this category of Presidential sites, and thus nullify the Memorandum of Understanding that the US and UK had previously agreed to. As expected, the Government of Iraq has rejected this new provision. It is likely that if the resolution is passed, Iraq will not permit inspectors into Presidential sites without the diplomatic accompaniment agreed in 1998; it is possible that the whole inspections regime will be blocked by the US if there is no agreement on this issue. Alternatively, a confrontation will be provoked in which the Government of Iraq withdraws its offer to allow unrestricted access to weapons inspectors. The US will thus have succeeded in preventing the resumption of inspections, and in preserving the pretext for war that the Iraqi offer threatened to discredit.

GLEN RANGWALA, 27 September 2002.