



THE COMMONWEALTH PARLIAMENT
PARLIAMENTARY JOINT COMMITTEE ON
ASIO, ASIS AND DSD

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The Accuracy of Intelligence on Iraq's Weapons of Mass destruction

Tabling Statement

1 March 2004

Mr Speaker/Mr President:

In the three months since the Committee adopted this report, a number of factors have intervened which have confirmed the more tentative of the Committee's findings. In particular, the final report of Dr David Kay to the President of the United States and the United States Congress consolidates the Committee conclusion that there was unlikely to be large stocks of weapons of mass destruction, certainly none readily deployable. At one level, the accuracy of the pre war intelligence on Iraq must be judged against this reality.

The Committee's terms of reference asked it to examine the nature, accuracy and independence of pre-war intelligence and the accuracy and completeness of the Government's presentation of that information to Parliament and the Australian people.

In the course of its inquiry, the Committee held one public hearing and a number of private hearings with the intelligence agencies. Twenty-four submissions were received. The submissions from the intelligence agencies outlined, by way of extracts, the assessments that were made on Iraq prior to the war. The Director General of ONA assured the Committee that these extracts were representative, 'a reasonable reflection of what was said to government'. In chapter 2, the report quotes the assessments at length so that readers can get

a clear sense of what was being said in the agencies' own words because assessments are very specifically worded and cannot be easily summarised.

On the question of independence, the Committee was unable to make definitive pronouncements. Most of the intelligence relating to Iraq came from overseas sources, particularly our major intelligence sharing partners, the US and the UK. The Australian agencies said that they saw all the intelligence, both raw and assessed intelligence, and were therefore able to make their own judgements. They also assured the Committee that the intelligence sharing arrangements were good. However, they claimed not to know until very late about dissenting views within the US agencies on issues such as the claims about uranium from Africa, because the classified US National Intelligence Estimate was not supplied to them for four months after its US 'release' in October 2002. Moreover, agencies did not appear to be completely clear what was happening inside the British Joint Intelligence Committee as the September dossier was being developed. This may not be surprising.

The volume of material on Iraq coming to the agencies from all sources was increasing – a tenfold increase in reports just prior to the war – although it is notable that the actual number of reports underpinning this percentage was small. Only two in 10 reports came from tested sources and it was not clear how many actual sources were involved in this increased reporting. The Committee was unable to examine the quality and clarity of this information received from overseas.

Nevertheless, it was clear from the assessments received, that the Australian agencies, particularly the DIO, remained more cautious than their larger overseas counterparts.

Both Australian agencies reported directly to Ministers and the Prime Minister. As far as **independence from internal political pressure** is concerned, the Australian agencies denied any political pressure. The Committee noted this and accepted it. However, the Committee was aware of a sudden and as yet unexplained change in the assessments provided by ONA between 12 and 13 September 2002. The assessment of 13 September was made at the request of the Department of Foreign Affairs and was the basis of Government speeches. The change marks a divergence in assessments between ONA and DIO and DIO commented in their submission that 'the final product was not formally cleared by the contributing agencies'. This was the only hint the Committee received of any dispute between the agencies.

With respect to **accuracy**, hindsight is, of course, a wonderful thing. Assessing the accuracy of the intelligence was complicated by the moving feast of revelations that has been occurring during the past 12 months. The Committee looked at as much information as it could. It considered the evidence and reports of the British Intelligence and Security Committee and the British parliamentary Foreign Affairs Committee. It examined all the evidence made public by the Hutton inquiry, although that report was not issued until well after the Committee had finalised and adopted its own report. It followed the wealth of public commentary by news organisations from around the world.

Our conclusion was that the assessments of the Australian Intelligence Community were more moderate and cautious than those of the partner agencies in the US and the UK. However, despite their caution, insofar as they thought there were any weapons of mass destruction left in Iraq, it is possible they overstated their case.

It should be noted that, up to 13 September 2002, both Australian analytical agencies had similar views. They both spoke of small stocks of WMD, degraded and declining capacity, inconclusive and patchy evidence, and disputes overseas regarding aluminium tubes. As the war approached, the Defence Intelligence Organisation continued to be sceptical and in hindsight provided the most accurate assessments. These are summarised in Chapter Four of the report. DIO argued that Iraqi possession of WMD was 'possible' and the rebuilding of capacity was 'likely'; however, right up to the war, they assessed that there were no nuclear weapons, no evidence of production of chemical or biological weapons, no intelligence on the location of WMD and no reliable intelligence that Saddam had delegated authority to use chemical or biological weapons in the event of war.

It appeared that ONA, particularly after 13 September, was more ready to extrapolate a threatening scenario from historical experience, more ready to accept the new and mostly untested intelligence, and to see the rebuilding of dual-use infrastructure and mobile facilities as indicating the concealment of new production and the consequent possession by Iraq of WMD.

It seemed to the Committee that the judgements made about the strategic circumstances in Iraq - factors underpinning many of the assessments - did not take full account of Iraq's recent history; namely the 1991 Gulf War and its extensive bombing, the sanctions, the

inspections and the further bombing in 1998. I am reminded of a previous so called intelligence failure, the failure of western intelligence to recognise the potential for collapse in the Soviet Union. To paraphrase some famous lines, Iraq in 2002, like the Soviet Union then, was like 'the broken spring in the factory yard, rust clinging to a form that strength had left, hard and curled and ready to snap'. Much credence was given to the prevailing view that UNSCOM inspections, despite their being determined, meticulous and intrusive, had not been effective. While these matters might underpin assessments, they are, of course, also matter for advice to Government from the broader policy departments. The Committee did not pursue this issue as it fell outside its terms of reference.

The Committee also concluded that assessments that suggested there was continuing interest in WMD (and this was the view of both Australian agencies) were valid.

On the **accuracy and completeness of the Government's presentation**, the Committee found that the presentation by the Australian Government was more moderate and more measured than that of its alliance partners.

The Government did not rely entirely on the intelligence from the Australian intelligence agencies for the speeches it made prior to the war. Information came from a number of sources – directly from the US National Intelligence Estimate and the UK dossiers and from UNSCOM or UNMOVIC reports. The Office of National Assessment checked speeches for accuracy, but where the speeches relied on direct overseas sources, they were checked for the accuracy of the transcription, not the content itself. It was not clear to the Committee whether the Government had questioned the obvious change in ONA assessments in late 2002.

Clearly problems with intelligence sharing arrangements and intelligence handling have become apparent as a result of this experience. Correcting those problems will be an important challenge for the future. Good intelligence is too important.

The Committee would like to reiterate the view that there are limits to which intelligence can or should be used. Intelligence is not an exact science and never provides a complete picture. It is fragmentary, indicative and speculative, suggestive rather than definitive. When ONA was established in 1977, it was envisaged that there had to be a protective barrier between the assessments of agencies and the political process. This needs to be reaffirmed.

Broader issues of Australia's intelligence sharing arrangements with partner agencies also need to be re-examined in the light of the apparent failures of, or the potential for possible interference with, intelligence in these domains. In the light of its findings and noting the inherent limitations on any parliamentary inquiry, the Committee has recommended that:

there should be an independent assessment of the performance of the intelligence agencies, conducted by an experienced former intelligence expert with full access to all the material, which will report to the National Security Committee of Cabinet and which, in the light of the matters raised by the consideration of the pre-war intelligence on Iraq, will recommend any changes that need to take place for the better functioning of the agencies.

This has been a difficult inquiry – unlike most ever conducted by a committee of the Parliament. Therefore I would like to thank all Committee Members for their efforts and especially thank the staff attached to the Committee.

I commend the report to the House(Senate)