



Submission by W.B.PRITCHETT to the Parliamentary Joint Committee
on ASIO, ASIS and DSD.

Inquiry into Intelligence on Iraq's Weapons of Mass Destruction

By way of background to my submission, I served with the Departments of External/Foreign Affairs (1947-1972) and Defence (1972-84), latterly as Secretary. This involved a good deal of work with intelligence. At no time did my responsibilities involve the Middle East. In Defence I dealt at senior level with the US State Department and intelligence community. I have now been retired nearly twenty years.

The Case for Enforcement.

The legal case for enforcement of Security Council resolutions, while essential, was not the immediate justification for military action against Iraq. This was the political case from the US asserting threat to regional and world peace from Iraq's continued failure to implement Council resolutions. The US pushed hard for Security Council support, but the Council denied it. The US and Britain, and Australia, then moved to enforcement action, and the overthrow of Hussein.

This defiance of the Council is a serious blow to arrangements for handling international disputes in the spirit of a rule of law, allowing settlement 'out of court' but not by beating one's adversary into submission. All three Powers had worked urgently to establish these arrangements after two calamitous world wars. Australia saw them as particularly important for the standing and role of smaller powers and restraint on the great. Australian Ministers with justification complain of the inadequacies of the UN, but do little to remodel and revive it. Cooperative action outside the UN, as the present venture in the Solomons and earlier action in Malaysia and Singapore regarding Indonesia, can be more effective than through the UN. But if some are to come together in outlaw "coalitions of the willing" to enforce demands, replace governments and so on, it will be likely that the nations will resort to the old ways for protection, heightening their differences rather than commonalities.

The British Prime Minister claims that history will justify the war by overthrow of the tyrant Hussein. But Britain, the US and others maintain cooperative relations with other tyrannies whose conduct breaches, often grossly, standards of conduct established in the UN. Military aggression, unauthorised by the UN, strikes at national sovereignty. This is still today basic to international affairs and of critical importance to lesser and essentially vulnerable, nations like Australia. Was this recognised in assessments to the Government?

Independent Intelligence.

Given the general lack of international support for the US and British accounts of threat from Iraqi WMD compared with the large numbers that had accepted the case for action against Iraq in 1991, what was done to test our position with the UN Arms Inspectors and to probe assessments with countries such as Germany, France, Russia and Japan all of whom have excellent intelligence capability? They had their own fish to fry, but they would certainly have reacted had they seen a threat as we argued it. Discussion could have been tricky given the restrictions on use of our own intelligence. But it is a high price if our intelligence is significantly to limit our inquiry.

Without doubting the integrity of our intelligence staff, I suggest that the Committee be sensitive to any unconscious bias in Australian intelligence advice supportive of US and British plans to destroy Hussein. Such bias can arise in close cooperation with larger friends, in times of stress and when policy runs strong, even ahead of the intelligence.

To what extent was Australian policy about an Iraqi WMD threat and stopping the UN Inspectors' work drawn from own independent intelligence and assessment? Even Condoleezza Rice is apparently not sure now whether Iraq had weaponised WMD. To what extent and in what respects did we query US intelligence and advice? Policy, particularly involving commitment of the ADF to a combat theatre, must be surely have a basis in our own intelligence work. This does not mean that we do not use others' intelligence. We need it, particularly when involved beyond our own national interest and experience.

These questions are worth asking. They will bring out the unreality of any expectation of independence in the Australian position. We have long-established cooperation with US (and British) intelligence. They have resources vastly exceeding anything we can aspire to, yielding product far beyond our ability to handle. The great bulk of what we receive will already be processed, analysed, collated and presented: our ability to check it out is very limited.

What does this mean? It means that our understanding, and to that extent our policy, can be, or is, already largely shaped. This poses a serious question about our involvement, particularly military involvement, beyond the region of our own national interest, where we develop our own intelligence and can make our own judgements.

Support from Australian Intelligence.

The Government's case for enforcement of Iraq depended on judgements regarding the

matters set out in a) of the Committee's Terms of Reference. Immediately it is in difficulties. Respecting (i), no WMD have so far been found. Even if some are found, answers to item ii), "capacity" and "willingness" to use, and item iii), immediacy of threat, are already clear. Hussein used no WMD to defend his country. The IAEA has reported that he had no nuclear weapons. By the time of their recall, the UN Inspectors had still found no chemical or biological weapons. If Hussein had them, how far they were developed is unclear. They were not deployed, nor were the Iraqi military prepared to use them. There was no "immediate" threat, if threat at all.

This finding validates the international opposition to immediate action and supports continued investigation by the UN Inspectors. Did Australian assessment support immediate action and how was it sourced? Already questions shape, as are being pressed elsewhere, about the scope and integrity of the intelligence put to Government, and the balance of assurance and doubt.

Threat cannot be assessed only by possession of weapons and "capacity". That would mean that the US or China would be threats to world peace, as indeed they are often labelled but the reference is to their policy. Motive, intent, willingness are the drivers. Reference to them in the Government's presentation is limited and shallow -a statement about "Iraq's ..possession and *pursuit* " of WMD (my emphasis), which conveys the notion of intent; reference to Iraq's past aggression against Kuwait (1991) and (though unspecified) against Iran (1980); description of Iraq's arsenal as "offensive"; the assertion that Iraq's WMD threatened "its region and world peace"; and an intelligence assessment that Hussein believed WMD "essential for both internal repression and to fulfil his personal ambitions", which might be authenticated in report or no more than a projection from past behaviour.

Statements about intent cannot rest on such references. It is the product of complex circumstances. It cannot be expected that the Government argue these to us in any depth, but it will be important for the Committee to satisfy itself that they were comprehensively assessed in Australia and put to the Government.

Strategic Circumstances.

As a possible guide to questioning, the Committee might consider the following brief reference to some circumstances possibly shaping Iraqi interest in WMD .

Hussein's thoughts of regional pre-eminence would have reacted with anxieties for Iraq's own security. Hostile and aggressively Shi' ite Iran was developing nuclear capacity.

There were Kurdish tensions with Turkey, and Ba'athist animosities conditioned relations with Syria. Israel, financed and armed by the US and certainly believed by Hussein to have WMD, was deeply hostile, and had attacked Iraq in 1981. Hussein's tough rule, support for the Palestinians and attacks on US support of Israel and "feudal" governments won him some popularity among the regional masses, but their governments were not comfortable with him. Boost to Iraq's status with WMD and regional deterrence would have had its attractions for Hussein.

Beyond this, Hussein must have had a bitter animosity to the US, which had supported him against Iran but driven him from Kuwait and harnessed him with a tough sanctions regime. But it is hard to believe that he would not have been deterred from attacking them with WMD (such as he might have had), or aiding such attack, by the overwhelming US reaction to his attack on Kuwait and continuing hostility. That attack was apparently to enable him to recover costs of the war with Iran, but unchallenged occupation of Kuwait would have opened the way to Saudi Arabia. He must have realised that that was no longer open.

What were the circumstances that Australian intelligence identified as pulling or driving Hussein to regional aggression and threat to world peace?

US Policy.

US policy to Iraq, while coloured by the September 11 attack, appears to have been a matter primarily of the difficulties and frustration for their regional interests embedded in Hussein's hostility, independence, particularly if armed with WMD, and strong support for the Palestinians. The US interests are principally oil and Israel, but the US has also been talking of ambitious plans for political and social change in the Middle East -plans we cannot view with confidence given US lack of the sagacity of imperial Britain or France and regional suspicion of US hegemony.

Rather than military action, seen internationally as unnecessary and wrong, a move was needed to urge the US to policy other than military (and to attack "terrorism" at its roots) - first of all, an even-handed and sustained intervention in the Palestinian-Israeli conflict, reduction of the US presence in Saudi Arabia and promotion there of liberalising change. There was an opportunity for Australia, but no suggestion of any Australian policy beyond full support of US policy for military action. Now the US has itself launched such initiatives, but the conquest of Iraq, so painfully reminiscent of the region's history, will have denied them much of the regional support they would earlier have won -and that would have greatly strengthened their hand against Hussein, and the hard line Moslems in Iran.

Transfer of WMD.

In his April address to the National Press Club the Prime Minister spoke of transfer of Iraqi WMD to terrorists. Apart from Hussein's support to the Palestinians, his politics favoured some help to radical groups such as safe haven, transit, perhaps supplies. He might have gone further, but there appears to have been no published substantiated reports that over the years he participated in planning or operations or gave these groups access to his WMD programs. There were long-standing tensions between Hussein's secularism and the Islamic element in the terrorist movement that would have made him cautious about letting them get too close and helping them to weaponry that they might turn against him or that might find its way to his enemies, notably Iran. The drastic international consequences of any transfer of WMD to Al Qaeda and others should also have given Hussein pause. How did our intelligence rate his willingness to transfer?

We might, incidentally, expect there to be greater risk of WMD transfer now than under Hussein's tight control. There will be those with expertise in Iraqi WMD development who know where material, if not developed weaponry, is hidden, who are sympathetic to extremist Islam and seeking to score against the US conquerors and occupiers.

Nuclear Proliferation.

"Rogue" states is a propaganda term carrying damning imputation against states in defiance of the US and seeking nuclear weapons. The objection cannot be simply to the weapon. India, Pakistan and Israel are not so marked down. Iraq and Iran, whatever expansionist thoughts, have their own defensive concerns about Israel and each other and in Iran's case also Pakistan. They must also have noticed how North Korea handles its relations with the US. Such factors are relevant to Iraq's nuclear "willingness" and motivation.

Oil.

Throughout the long focus on WMD and the final announcement of the decision to go to war the Government did not speak about oil. Iraq's major significance for oil supplies would certainly have been a prime factor in the US decision to get rid of Hussein. The Americans have themselves said that WMD was only the most convenient factor for presentation of their intentions. What attention did Australian assessments give to oil in advice to the Government?

The Australian Interest.

As far as Australia itself was concerned, the remote Iraqis and their tyranny were alien to

us. Apart from a valuable trade, our limited bilateral and regional interests have not required close involvement. Our token contribution to the 1991 defence of Kuwait and later support for UN resolutions against Iraqi WMD seem to have earned us little Iraqi attention and ill will. There was nothing in the relationship or the Iraqi WMD, even if developed, to support fear of attack on Australia. This was barely acknowledged by the Government, if at all.

When we finally did become involved, the circumstances were quite different from our involvement alongside Britain and the US in the two world wars and even in Korea and Vietnam. What was at stake then was a world order supporting our security, liberty and prosperity. How did Australia get caught up in the plans against Iraq, plans that broke away so far from our own national interests and the urgent tasks of dealing with the terrorist movements, plans the reception of which among the nations strongly indicated US motivation other than declared, plans which we could not scrutinise as responsible government required?

Reflection on such questions as I have tried to bring before the Committee suggests that the issue for the Government was not the distant Hussein and his WMD. With Afghanistan the issue was fired by the flames of September 9 and it could be argued that our expedition was in line with the commitments of earlier times because of the global operation of terrorist groups. But the overriding motivation was unquestioning support for the US. This returns us back to earlier the last century when what the historian calls our "race patriotism" shaped unquestioning support for Great Britain and belief in the rightness of her cause and the certainty of her support. This reverses Australia's development since the second world war of independent nationhood.

Our friendship and cooperation with the US is very important. But the US has more and more varied interests that it will not always be possible for us adequately to scrutinise and be confident are in our interest or capability or resources to support. And in the context of terrorism we have to recognise that identification with the US, as with the attack on Iraq, exposes us to enmity and attack from the terrorist movement. We need to be more discriminating in our support and then not merely lend our flag for US display. We can look harder for policy initiatives that enable us to contribute in our own way.