



SUBMISSION TO THE PARLIAMENTARY JOINT COMMITTEE ON ASIO, ASIS AND DSD.

**Inquiry into Intelligence on Iraq's Weapons of Mass Destruction**

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**Background**

1. This submission focuses mainly on the technical aspects of the terms of reference. The comments here are based on my experience of 30 years working in the Defence Science and Technology Organisation (DSTO) on the protection of Australian service personnel against chemical, biological and nuclear weaponry. My personal expertise was principally in defence against toxic chemicals and toxins. At my retirement in 1997 I was in charge of the research and development on this topic.
2. I have represented Australia at many meetings of The Technical Cooperation Program on protection against chemical weapons, and heard many intelligence briefs on the subject; principally on the former USSR and China. I have provided many briefs to JIO and ONA.
3. My practical experience has included the laboratory handling and analysis of suspect chemical weaponry; old WWII munitions and items from SE Asia (see para 8). In addition, I have observed the controlled destruction of live US chemical weapons on Johnston Island in 1991. This included rockets containing nerve agents and land mines of mustard agent.
4. Academically, I have a reputation as a writer of technical material for the public. "Chemicals and Society", Cambridge University Press 1986, won the Phi Beta Kappa Science Book Award in the USA in 1987; the only other Australian to win this award, as far as I know, was Sir Gustav Nossal.
5. The core of my argument here is that the statements on the status of the Iraqi WMD put out by the Coalition partners, including the Commonwealth Government, were not credible to anyone with a technical background in the subject. DSTO has competent scientists capable of making sound judgements on this matter. The inescapable conclusion is that pressure was put upon Public Servants to alter the assessments during the passage from laboratory to intelligence organisations and onward to the government. Term of Reference c) refers.
6. I am aware that I am still bound by the Official Secrets Act, and accordingly will confine this submission to facts already in the public domain.

**Intelligence as a diplomatic tool**

7. Intelligence can be used as a tool to influence the policies of countries not having primary access to the information. It is absolutely vital that Australia maintains a good intelligence sharing arrangement with the USA and UK. It is equally vital that Australia is able to distinguish true intelligence from material intended to influence its policy decisions. For this reason, the filtering functions of JIO and ONA must be independent of political influence.
8. The USA has in the past tried to influence Australian policy by distorted intelligence assessments. Two successive Secretaries of State, Haig and Shultz,

signed off on documents (Special Reports Nos 98 and 104) to the effect that the Soviet Union and its allies were employing mycotoxins as chemical weapons (the so-called Yellow Rain) in SE Asia. in the early 1980s. Laboratory analysis by DSTO and assessments by JIO and ONA established that these statements were groundless. Eventually the US Army laboratories had to admit they had found no mycotoxins on samples from Laos or Kampuchea (Cambodia). Despite strong US pressure, the Australian Government maintained its independent stance, later fully justified by US and UK final judgements.

9. A robust and independent Australian position on intelligence will in the long run win grudging acknowledgment from the intelligence services of its allies.
10. Intelligence information should be welcomed from all sources. Its analysis must be a national activity.

### **Iraq before March 2003**

11. Saddam Hussein's Iraq developed an effective chemical warfare capability by the early 1980s and employed it with some success against Iran and its own Kurdish population. The chemicals were mustard and the nerve gas Sarin, used with terrible effect at Halabja in 1988.
12. The raw materials for this chemical arsenal came from chemical companies in Europe and America.
13. After the 1990-91 War, the UN Special Commission destroyed the stocks of chemical munitions and the factories for their manufacture. It is certain that the great mass of available munitions were destroyed, resulting in the removal of a war fighting capability.
14. International controls instituted by the Organisation for the Prohibition of Chemical Weapons, the Australia Group and UNSCOM ensured that the previous chemical supply companies were not willing to risk the bad publicity that would follow resumption of their previous activities, and in fact in many cases faced prosecution by their home nations.
15. Iraq was left with no militarily significant chemical warfare capabilities. However, it was clear that Saddam Hussein wished to retain the core technology that would enable Iraq to resume the development of a military capability if the vigilance of the UN slackened. Thus it played cat-and-mouse with the inspectors of UNSCOM and UNMOVIC. "Full and final" declarations followed one another freely.
16. Biological Warfare was actively researched. In my opinion, subject to informed comment from intelligence sources, Iraq had reached the stage of experimenting with the dispersal of BW agents, but had not developed the technology to a useful degree.
17. Thus in my opinion, by March 2003 Iraq did not have a militarily significant chemical or biological warfare capability, but the technologies at various stages of development did exist. Documentation, equipment for trials, prototype weapons and small samples of the toxic materials were probably concealed.
18. There was a developed base for the use of small quantities of chemical and biological agents for terrorist use; a matter of concern.
19. I do not have the expertise to assess the nuclear situation.

## The threat as presented before the war

20. This discussion is largely based on Chapter 3 of the UK document "Iraq's Weapons of Mass Destruction – The Assessment of the British Government." The paper is in accord with US statements, and has been endorsed more or less as is by the Australian Government. To understand the effects of these weapons, it is necessary to state that the terminology is quite inappropriate. Nuclear weapons are massively destructive. Chemical weapons destroy no physical structures; they kill most animal life. Biological weapons selectively kill humans and closely related animals. Chemical weapons are thus weapons of mass lethality and biological weapons are of highly selective mass lethality.
21. It is also necessary to distinguish between the chemical or biological payload and the dispersal system used (rocket, bomb, spray). The weapon is the payload united with the dispersal system. Diplomatic language associated with UN Conventions has regarded the payload as the weapon, but it is important in a military context to speak of the weapon as the complete item.
22. It is stated that in mid-2001 Iraq was able to produce significant quantities of mustard within weeks and of nerve agent within months. What is a "significant quantity" is not defined. Chemical agents are area coverage weapons, they are not precisely targeted in the sense of a sniper's bullet. Thus a militarily significant quantity has to be in the order of tens of tonnes. We then have to believe that the precursors for these agents were brought into Iraq through the surveillance systems of the UN and nation states, that the manufacture of the toxic chemicals escaped the surveillance of satellite photography and the UN inspectors when present, and also that the final weapons were assembled and stored without being observed.
23. The claim, in the absence of hard proof, that the Iraqi military could deploy chemical or biological weapons within 45 minutes of the order to do so at once casts doubt on the Assessment. A chemical weapon, for example, consists of three hazardous components:
- the propellant to carry the payload to the target (not necessary for aerial bombs).
  - the burster charge which ensures dispersal of the payload.
  - the toxic chemical load itself.
- Thus once the weapon is assembled (for deployment in 45 mins) it is a dangerous and embarrassing store to have around. The necessary special safety and storage requirements when deployed in forward areas should be obvious to aerial surveillance and human intelligence. A fully assembled chemical rocket is very difficult to get rid of. Hurried disposal would leave many traces. The statement by President Bush that perhaps the Iraqis burnt them before the war is not credible. There would be much contaminated land, many dead Iraqis (without bullet holes in their skulls) and the operation would be obvious to aerial surveillance.
24. The Assessment makes much use of the concept of dual-use chemicals and facilities. Certainly these exist. However, it is worth pointing out that every country you could choose would have stocks of chlorine, phenol and phosgene for everyday chemical production. This is not a criterion for the production of chemical weapons.
25. Biological weapons have several practical disadvantages despite the great hazard of the toxin or germ itself. These are solids which need to enter the

body to have effect. The practical mode of entry is by the respiratory system; being inhaled to the lungs. To disperse inhalable particles on a battlefield is not an easy matter. For example, anthrax spores exist in several areas of Australia without posing a hazard to humans, but it is inadvisable to graze cattle there. But when the spores are specially treated to cause them not to clump together, they are extremely dangerous. We know that the technology to do this existed in the former Soviet Union, and of course exists in the USA, as the anthrax incidents of late 2001 showed. We do not know how well Iraq had advanced this technology. The mere statement that "Iraq has..a biological agent production capability and can produce at least anthrax,.." is meaningless. The latter part of the statement is equally true of Australia and many other countries.

26. The Assessment is strangely silent upon other indicators of an active military CB program. Such a program requires large stores of protective equipment; gas masks, chemical suits and decontaminants. If an army is to advance through the lines of an enemy it has attacked with CB weapons, it must have this equipment in quantity, individual issue to each soldier. Such a large program should be obvious to intelligence, if it exists.
27. Similarly, an early indicator of the use of mustard weapons by the Iraqis in the Iran-Iraq war was the report that Iraqi aircraftmen were suffering strange burns and skin lesions when arming aircraft with bombs. Such accidental injury would be expected in a large, not well organised, offensive program with CB weapons. Intelligence seems not to have reported any.
28. The British Government Assessment mixes past and present tenses in a manner that confuses the comments and tends to imply past conditions still apply. Thus Chapter 3, para 14 begins: "Iraq has a variety of delivery means available for both chemical and biological agents. These include: ..." But then the text changes to the past tense: "Iraq acknowledged to UNSCOM the deployment to two sites of free fall bombs filled with biological agent during 1990-91." The reader is left to speculate on the relevance of this statement 12 years later.
29. There are other objections to the Assessment that are more technical, but which I would be glad to discuss with the Committee if necessary.

#### **Other matters raised in association with the perceived threat**

30. There is the question that Saddam Hussein's regime might have links with Al Qaeda and other fundamentalist Islamic organisations, and that it might pass WMD to them. This seems to be contrary to the nature of a dictatorial regime. A dictator strives for absolute control of his domain. No other organisation that has different controllers can be tolerated. This particularly applies to transnational clandestine groups that could regroup outside the borders of the regime and then enter again. It is not credible that Saddam would allow such organisations to operate inside Iraq. Providing aid at arms length to bodies outside Iraq is different, but not aid in the shape of WMD that could be used against himself.
31. Al Qaeda and similar Islamic groups would get no real sympathy from the secular, Baathist Iraq. They would be supported by Iran and the disaffected minorities of other Arab states. Iran is the traditional enemy of Iraq, reflecting an enmity of three millennia between the Indo-European Iranians and the Semitic Arabs. Also, of course, the two countries recently fought a damaging

and bitter war. Iraq has some common ethnic and religious background with Syria, but the regional ambitions of each means that it is a guarded relationship with suspicions on both sides. Saddam's regime was thus essentially isolated, willing to be seen handing out financial support to Palestinians, but not WMD to terrorists.

32. It is often argued that Iraq's WMD program could easily be concealed. Given my comments on the size of a militarily significant program (tonnes of munitions, factories, protective equipment, etc) this seems incorrect. The surveillance systems available to the Coalition are of such performance that it seems incredible that much could be concealed. Before WW II the Nazis built enormous oil storage tanks underground (at Schaferhof) that were not detected by the Allies until after the war. This is not surprising given the primitive state of aerial photography at that time, and the hazards of flying over hostile country. Today, with current technology, this concealment would have been impossible. There is also the claim that mobile laboratories were used by the Iraqis. Perhaps so, but you cannot make a war capability in a truck and trailer.

### **Conclusions and comments**

33. My assessment is that the Iraqi regime wished to retain the basic capability of producing chemical and biological weapons at some later favourable date, and worked desperately to maintain a core ability against UN pressure.
34. The capability actually present was probably a deal of technical know how, relevant documentation, sample specimens, some equipment and perhaps some complete weapons.
35. This residual capability is worrying from the point of view of a small scale terrorist incident, but is not a military threat. It could be contained by persistent international pressure and surveillance.
36. With respect to the Committee's Terms of Reference, I can make no comment on a) and b) as far as the input received by the agencies is concerned, as that information would be classified and not available to me.
37. Noting the above, and as an expert outsider, I believe the product of these two activities (in a and b) and the information presented by the Commonwealth Government (ToR c) distorted the matters to a degree that far exceeded the likely situation.
38. With respect to ToR d), I believe that the assessment made by Australia would not be helpful to the ADF. However, I expect that the ADF were given a more detailed briefing in confidence, with a lot more detail; at least one hopes so.
39. The assessment made public seems to have been framed to meet a political end. This raises the question of the professional independence of the scientists and intelligence officers making the assessment. It is vital that they should not be pressured, directly or indirectly, to slant the assessment in hand to meet the desires of the government of the day (see para 5).
40. Australia must make its own assessments, taking account of the information and views from allies but not accepting these uncritically.
41. The question that is next encountered is where does the independent and objective assessment of the intelligence officers and scientists merge with the policy decisions of the Government? It seems to me that Government must present the objective material to the public, and then show how its policy arguments are compatible with the factual material. It is unacceptable that the

objective material is twisted or massaged to suit a policy already agreed on. If Government believes that the assessment is incorrect, it should return it to the intelligence agencies for further, but objective, modification.

**END**