



Contested Case

Do the Facts
Justify the Case
for War in Iraq?

by David Cortright, Alistair Millar,
George A. Lopez, and Linda Gerber

*A Report of the Fourth Freedom Forum
and the Joan B. Kroc Institute for International Peace Studies,
University of Notre Dame*

Photos, top to bottom: (1) A scene of excavated debris where UN inspectors verify Iraqi claims to have unilaterally destroyed ballistic missiles (UN/DPI photo by Mark Garten). (2) Inspecting mustard agent artillery projectiles (UN/DPI photo by Mark Garten). (3) Mohammed Al-Douri, Permanent Representative of Iraq to the United Nations (UN/DPI photo by Eskinder Debebe). (4) Hans Blix, the Executive Chairman of the UN Monitoring Verification and Inspection Commission (UNMOVIC) (UN/DPI photo by Eskinder Debebe).

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Policy Brief F8

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Contents

Link to executive summary	v
Have any prohibitive weapons been found?	2
Are the inspections working?	3
Has Iraq cooperated with the inspectors?	4
Are weapons inspections a deterrent?	4
Have sanctions restrained Iraq's weapons development program?	5
Is Iraq actively developing nuclear weapons?	6
Has Iraq produced mass quantities of chemical and biological weapons?	7
Does Iraq have mobile biological weapons labs?	8
Is there evidence of underground weapons production facilities in Iraq?	9
Is testimony from defectors reliable?	10
Is there proof linking Saddam Hussein to Al Qaeda and September 11?	11
Conclusion	13

Executive Summary

This report examines the key questions being asked by the international community as they seek further justification for the necessity for war with Iraq. The U.S. and UK governments have attempted on several occasions over the last two years to answer these questions. To date the evidence provided has not made a compelling case for war.

- **Secretary of State Colin Powell's presentation to the UN Security Council on 5 February made a case for strengthening the UN weapons inspection mission in Iraq but did not provide a justification for war.** Powell presented new intelligence about Iraqi efforts to conceal its weapons capabilities, and he reiterated previous information about the likely existence of chemical and biological agents from the 1990s, but he did not prove that there is a grave new threat from Iraqi weapons of mass destruction.
- **Powell claimed that Iraq harbors a terrorist cell linked to Al Qaeda and that a terrorist training camp exists in the northern area of Iraq outside Baghdad's control. Powell did not provide credible corroboration of these claims, however.** Powell did not prove a link between Iraq and September 11, or an operational connection between Saddam Hussein and Al Qaeda. Nor did he explain why an authoritarian tyrant and hated dictator like Saddam Hussein might turn over deadly weapons to others and entrust his fate to terrorist groups that have described his secularist regime as an enemy.
- **CIA testimony in the U.S. Senate in October 2002 noted that the likelihood of Saddam Hussein initiating an attack against the U.S. with chemical or biological weapons is "low."** On the other hand, if the U.S. were to attack Iraq, the chances of a chemical or biological response would be "pretty high," according to the CIA testimony.
- **In more than 400 inspections over the past two months UN weapons inspectors have found no evidence of actual weapons of mass destruction.** Dr. Mohamed ElBaradei, director general of the International Atomic Energy Agency (IAEA) told the Security Council in January that "no evidence of ongoing prohibited nuclear or nuclear-related activities has been detected."
- **Iraq has not voluntarily disclosed its weapons activities as required by Security Council resolutions, but it has provided partial cooperation by opening its doors to UN inspectors.** The monitors have had unfettered access to all sites and complete freedom of movement. Dr. Hans Blix, executive chairman of the UN Monitoring,

Inspection and Verification Commission (UNMOVIC), told the Security Council on 27 January that "Iraq has on the whole cooperated rather well so far."

- **The current inspections program is an impediment to Iraqi weapons development or use.** As long as the current UN monitoring regime continues, there is no chance that Iraq can develop or use weapons of mass destruction without being detected. According to IAEA director ElBaradei, UN "verification activities serve . . . as an important deterrent to the resumption of such activities by Iraq."
- **President Bush and Secretary of State Powell have restated previously known concerns about the large volumes of chemical and biological agents produced by Saddam Hussein.** In his State of the Union address the president repeatedly charged: "He has not accounted for that material. He has given no evidence that he has destroyed it." While uncertainties about Iraqi stockpiles remain, UN documents confirm that substantial amounts of the chemical and biological agents produced by Iraq were accounted for and destroyed by Iraq and UN inspectors during the 1990s.
- **Powell claimed that Iraq is producing new biological weapons in mobile production facilities, but offered only flimsy evidence of their actual existence.** Powell said that the United States has "firsthand descriptions of biological weapons factories on wheels and on rails," citing Iraqi defectors as his source. He offered no physical or documentary evidence, however, providing only an animation to depict such facilities. Present and former UN weapons inspectors have expressed doubts about these claims. Since the return of inspectors to Iraq UNMOVIC monitors have conducted numerous aerial observation and monitoring missions and have found no evidence of mobile laboratories.
- **War is not a necessary or appropriate response to the security concerns raised by the United States, the United Kingdom and other countries.** Viable alternative options are available for neutralizing the Iraqi weapons threat and countering the risks of international terrorism. These options include a more vigorous and effective inspection regime, an enhanced system of military containment, and strengthened deterrence—combined with continued coercive diplomacy. Reputable evidence of prohibited material held by the Iraqis can be dealt with in a number of coercive ways short of war, including targeted air strikes. Such approaches would provide robust security assurances, while avoiding the risks and costs of war, and would better serve the goal of disarming Iraq through the United Nations.

Contested Case

Do the Facts Justify the Case for War in Iraq?ⁱ

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The United States, the United Kingdom, and other nations claim that Iraq poses an imminent threat to international security because it has weapons of mass destruction and operational connections to the Al Qaeda terrorist network. U.S. Secretary of State Colin Powell asserted in his presentation to the Security Council on 5 February that Iraq has made no effort to disarm and is concealing efforts to redevelop weapons of mass destruction. Powell restated old allegations that the United States had made prior to the 8 November passage of Resolution 1441. He presented new intelligence about Iraqi efforts to conceal its weapons capabilities, and he reiterated previous information about the likely existence of chemical and biological agents from the 1990s, but he did not prove that there is a grave new threat from Iraqi weapons of mass destruction. Nor did he show a link between Iraq and September 11, or an operational connection between Saddam Hussein and Al Qaeda.

The U.S. government effort to release "new" information now, in dramatic form before the Security Council, raises questions about Washington's commitment to UN weapons monitoring and the goal of disarming Iraq. Under the terms of Security Council Resolution 1441 (2002), UN member states are required to provide full cooperation to the weapons inspection process. Much of the information provided by Powell on 5 February was collected before the resumption of inspections in late November. If the U.S. has been in possession of evidence of Iraqi concealment or weapons activities, its first obligation is to share this information with UN inspectors, who can ensure that prohibited weapons are then destroyed or rendered harmless. A majority of the permanent members of the UN Security Council concluded that the questions raised by Powell could only be

ⁱ The authors are grateful to Dr. Glen Rangwala of Cambridge University, Cambridge, England, for his comments on the initial draft of this document and for the valuable information he compiled on his detailed study, "Claims and Evaluations of Iraq's Proscribed Weapons," 29 January 2003. Available at the Fourth Freedom Forum <<http://www.fourthfreedom.org/php/t-d-index.php?hinc=traprock.hinc>> (6 February 2003).

answered by allowing the UN inspectors sufficient time, resources, and support to carry out the mandate unanimously endorsed in Resolution 1441.

This report examines the key questions being asked by the international community as they seek further justification for the necessity for war with Iraq. The U.S. and UK governments have attempted on several occasions over the last two years to answer these questions. To date the evidence provided has not made a compelling case for war.

Have any prohibited weapons been found?

The Bush administration has presented evidence that Saddam Hussein is still concealing and attempting to redevelop his weapons programs. This is a cause for concern but not a justification for war. The Iraqi government has been resisting the UN disarmament mission since its very beginning in 1991. Saddam's cooperation has always been grudging, never complete or voluntary. The level of interference in recent months is actually less than during the 1990s.

The Powell presentation provided no specifics on new weapons systems, with the exception of alleged biological weapons produced in mobile facilities—a claim examined below. The Secretary of State noted that many Iraqi biological and chemical agents from the 1990s have not been accounted for, but he gave no evidence that these agents now exist in weaponized form.

In more than 400 inspections over the past two months UN weapons inspectors have found no evidence of weapons of mass destruction.

- Dr. Hans Blix, head of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) told the Security Council on 9 January, "If we had found any 'smoking gun' we would have reported it to the Council . . . We have not submitted any such reports."¹
- Dr. Mohamed ElBaradei, director general of the International Atomic Energy Agency (IAEA) declared that "no evidence of ongoing prohibited nuclear or nuclear-related activities has been detected."² In his update to the Security Council on 27 January ElBaradei reiterated that "no prohibited nuclear activities have been identified during these inspections."³

Iraq's December 2002 weapons declaration contained many omissions and discrepancies, but this does not prove that Iraq actually possesses weapons of mass destruction.

- Blix noted in his 27 January update to the Security Council that previous UN reports on these unresolved issues "do not contend that weapons of mass destruction remain in Iraq." The reports show inconsistencies and question marks but provide no hard evidence that weapons of mass destruction actually

exist. "UNMOVIC, for its part, is not presuming that there are proscribed items and activities in Iraq, but nor is it . . . presuming the opposite."⁴

Are the inspections working?

Even without the full, voluntary cooperation of Iraq, UN weapons inspections can achieve significant progress in eliminating weapons of mass destruction and guarding against their renewed development. If resources are needed to address the issues raised in the Powell presentation, the appropriate response is to beef up the inspections process by adding new inspectors and providing additional detection capability.

- A dossier report of the British government in September 2002 acknowledged that "without UN weapons inspectors it is very difficult . . . to be sure about the true nature of Iraq's facilities."⁵
- The lack of Iraqi cooperation during the 1990s did not prevent UN inspectors from disarming Iraq's weapons of mass destruction. Despite active Iraqi interference and obstruction, UN inspectors successfully eliminated most of Iraq's prohibited weapons.⁶
- As a result of the destruction caused by the Gulf War and the extensive weapons monitoring and dismantlement efforts of the United Nations Special Commission (UNSCOM), much of Iraq's capacity for developing and using weapons of mass destruction was eliminated during the 1990s.
- An independent panel of experts established by the Security Council in 1999 concluded:

In spite of well-known difficult circumstances UNSCOM and [the] IAEA have been effective in uncovering and destroying many elements of Iraq's proscribed weapons programmes. . . . The bulk of Iraq's proscribed weapons programmes has been eliminated.⁷

- According to Blix, "More weapons of mass destruction were destroyed under [the disarmament process] than were destroyed during the Gulf War."⁸
- Rolf Ekéus, former UNSCOM chair, wrote: "Thanks to the work of the UN inspectors, not much was left of Iraq's once massive weapons program when inspections halted" in 1998.⁹
- Ekéus said on 3 February 2003; "We have not seen serious operational obstruction of the type that UNSCOM had to fight with. The UNSCOM inspections succeeded under much more difficult circumstances . . . UNMOVIC are now dealing with pathetic remnants of what Iraq had in 1998."¹⁰

Has Iraq cooperated with the inspectors?

Iraq has not voluntarily disclosed its weapons activities as required by Resolution 1441, but it has provided substantial cooperation to UN inspectors. The monitors have had unfettered access to all sites and complete freedom of movement. Even Saddam Hussein's palaces, previously off limits to UN officials, have been opened to inspection.

- According to Blix, "the most important point to make is that access has been provided to all sites we have wanted to inspect."¹¹ Blix reported that "prompt access . . . has been given to inspection teams." This "open doors policy," as Blix described it, is "an indispensable element of transparency and a process that aims at securing disarmament by peaceful means."¹²
- IAEA director ElBaradei reported that "Iraqi authorities have consistently provided access without conditions and without delay."¹³ ElBaradei reported on 27 January that "all inspection activities have been carried out without prior notification to Iraq, except where notification was needed to ensure the availability of required support."¹⁴

The present "open doors" policy contrasts sharply with the 1990s, when Iraqi officials blocked inspections, harassed UN monitors, and directly interfered in the inspection effort. To date UNMOVIC and IAEA monitors have not faced anything remotely resembling the systematic obstruction of the 1990s.

Are weapons inspections a deterrent?

The current inspections program is an impediment to Iraqi weapons development or use. As long as the current UN monitoring regime continues, there is no chance that Iraq can develop or use weapons of mass destruction without being detected.

- The IAEA reported in its 27 January update to the Security Council that it "expects to be able, within the next few months, barring exceptional circumstances and provided there is sustained proactive cooperation by Iraq, to provide credible assurance that Iraq has no nuclear weapons programme. In the meantime, the presence in Iraq of inspections with broad investigative and monitoring authority serves as a deterrent to, and insurance against, the resumption by Iraq of proscribed nuclear activities."¹⁵
- According to IAEA director ElBaradei, UN "verification activities serve . . . as an important deterrent to the resumption of such activities by Iraq."¹⁶

The presence of more than one hundred highly trained weapons specialists, conducting dozens of on-site inspections every week, equipped with the world's

most advanced monitoring technology, will enable UN officials to detect any militarily significant weapons activity.

- Said Blix, "There is a great value in being sure that big Iraqi industries — whether in armament or petro-chemicals, or whether they have a research capacity in biology—that this is being monitored, and that one is assured that these big installations are not used for weapons production."¹⁷

Former president Jimmy Carter recently stated:

"Even if . . . lies and trickery by Saddam Hussein are exposed, this will not indicate any real or proximate threat by Iraq to the United States or to our allies. With overwhelming military strength now deployed against him and with intense monitoring from space surveillance and the U.N. inspection team on the ground, any belligerent move by Saddam against a neighbor would be suicidal. An effort to produce or deploy chemical or biological weapons or to make the slightest move toward a nuclear explosive would be inconceivable."¹⁸

Have sanctions restrained Iraq's weapons development program?

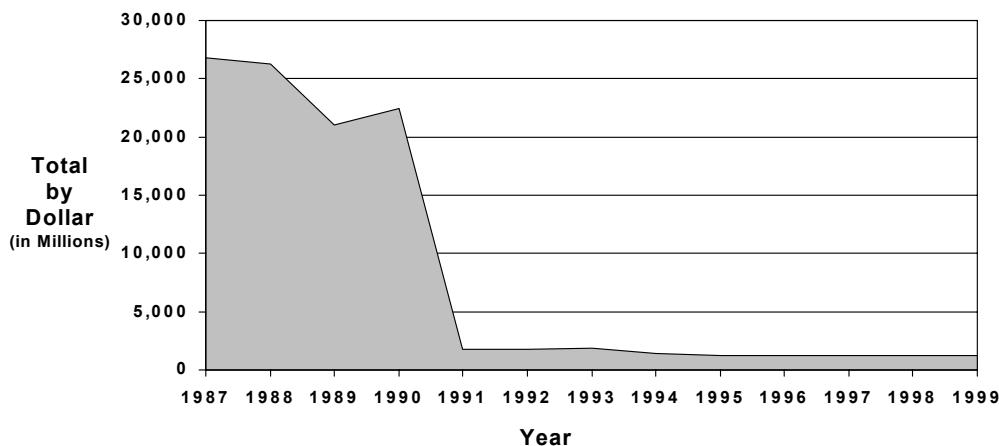
In his State of the Union address president Bush claimed that "nothing to date has restrained him [Saddam Hussein] from his pursuit of these weapons—not economic sanctions, not isolation from the civilized world, not even cruise missile strikes on his military facilities."¹⁹

In reality, sanctions have been successful in blocking specific Iraqi attempts to import specialized materials and goods that could be used for developing prohibited weapons. A number of the weapons-related goods mentioned in the Powell presentation were intercepted before entering Iraq. Many of Saddam Hussein's attempts to acquire prohibited technologies have been blocked by international sanctions.

- Iraq failed in repeated attempts to import specialized aluminum tubes. Iraq also failed in attempts to purchase vacuum tubes, a magnet production line, a large filament winding machine, fluorine gas and other goods that could have potential nuclear weapons-related applications.²⁰ According to the September 2002 British report, "UN sanctions on Iraq were hindering the import of crucial goods for the production of fissile material." As long as sanctions remained effective, according to the report, "Iraq would not be able to produce a nuclear weapon."²¹
- Since the imposition of UN sanctions, Iraqi military spending has plummeted. According to estimates from the U.S. Department of State, Iraqi military expenditures dropped from \$22.5 billion in 1990 to an average of

approximately \$1.2 billion per year in the late 1990s.²² As a result, the huge volume of military goods that flowed into Iraq in the 1980s slowed to a trickle.

Military Expenditures in Iraq, 1987 through 1999



Source: United States Department of State, "World Military Expenditure and Arms Transfer 1998" (April 2000) <http://www.state.gov/www/global/arms/bureau_ac/wmeat98/table2.pdf> (31 July 2001); 1998/1999 figures from "Military expenditures, Armed Forces, GNP, CGE, Population, and Their Ratios, By Group and Country, 1989-1999," available at <<http://www.state.gov/documents/organization/9243.pdf>> (30 September 2002), 27.

The combined results of war, more than a decade of stringent sanctions, and the previous weapons dismantlement efforts of UNSCOM have significantly diminished the Iraqi military threat.

Is Iraq actively developing nuclear weapons?

The Bush administration has alleged that seized shipments of aluminum tubes are evidence that Iraq is actively developing nuclear weapons. In his State of the Union address the president described these tubes as "suitable for nuclear weapons production." The Powell presentation repeated the U.S. assertion that these tubes are for nuclear enrichment purposes, although Powell acknowledged "differences of opinion" on the issue.

- According to the latest assessment of UN inspectors, these aluminum tubes were not intended for the enrichment of uranium but the reverse engineering of 81-millimeter rockets. IAEA director ElBaradei said on 27 January that the aluminum tubes are "not suitable for manufacturing [uranium] centrifuges."²³

President Bush said in Cincinnati on 7 October that aerial photos of the former Tuwaitha nuclear weapons complex "reveal that Iraq is rebuilding facilities at sites that have been part of its nuclear program in the past."

- UN inspectors have visited Tuwaitha numerous times since December 2002. According to their latest report, "the IAEA has found no signs of nuclear activity at any of these sites."²⁴

IAEA inspectors continue to report that there is no evidence of an active nuclear weapons production program in Iraq.

Has Iraq produced mass quantities of chemical and biological weapons?

In his State of the Union address the president cited the large volumes of chemical and biological agents produced by Saddam Hussein and repeatedly declared: "He has not accounted for that material. He has given no evidence that he has destroyed it."

In fact, substantial amounts of the chemical and biological agents produced by Iraq were accounted for and destroyed by Iraq and UN inspectors during the 1990s.²⁵

- UNSCOM reported in 1997 that "considerable quantities of chemical weapons, their components and chemical weapons-related equipment have been destroyed by Iraq and UNSCOM."²⁶
- During the 1990s UN inspectors destroyed 480,000 tons of live chemical agent. They also destroyed more than 3,000 tons of precursor chemicals.²⁷ UNSCOM found that 3,915 tons of precursors existed in 1991; it accounted directly for 2,850 tons and confirmed Iraq's claim that 823 tons were destroyed during the Gulf War.²⁸
- In the 1990s UN inspectors supervised Iraq's destruction of 12,792 of the 13,000 155mm artillery shells filled with mustard gas Baghdad had declared as remaining after the Gulf War ended. UNSCOM inspectors also accounted for or destroyed 337 bombs and 6,454 rockets containing sarin.²⁹
- The UN reported in 1999 that "UNSCOM ordered and supervised the destruction of Iraq's main declared BW [biological weapons] production and development facility, Al Hakam. Some 60 pieces of equipment from three other facilities involved in proscribed BW activities as well as some 22 tonnes of growth media for BW production collected from four other facilities were also destroyed. As a result, the declared facilities of Iraq's BW programme have been destroyed and rendered harmless."³⁰
- UN inspectors destroyed all of Iraq's known chemical and biological weapons production facilities. In the last two months UN monitors have conducted more than 300 inspections of possible chemical, biological and missile sites in Iraq

and have found no evidence or documentation confirming the existence of the alleged chemical and biological stockpiles.

Does Iraq have mobile biological weapons labs?

U.S. officials claim that Iraq has developed mobile biological-weapons laboratories, described as "Winnebagos of death." Secretary of State Powell claimed on 5 February that Iraq "is continuing to make these weapons." Powell said that the United States has "firsthand descriptions of biological weapons factories on wheels and on rails." He cited Iraqi defectors as sources for these charges. He offered no physical or documentary evidence, however, providing only an animation to depict such facilities.³¹

The claims about mobile biological laboratories stem from UNSCOM's discovery of a document on Iraqi Military Industrial Commission letterhead indicating that Iraq was interested in developing mobile fermentation units. Iraqi defectors associated with the Iraqi National Congress (INC) have told U.S. officials that Iraq was trying to move in the direction of mobile BW production.

UN inspectors searched extensively for mobile laboratories during the 1990s but never found any evidence confirming their existence.

Hans Blix told reporters on 4 February that UN monitors have already inspected two alleged mobile labs and found nothing. "Two food-testing trucks have been inspected and nothing has been found."³²

- Mr. Blix told the *New York Times* on 5 February: "We have had reports for a long time about these mobile units. . . . We have never found one. We have not seen any signs of things being moved around, whether tracks in the sand or in the ground."³³
- "We know from UNSCOM that Iraq was pursuing mobile fermentation," said a senior U.S. Defense Department official on 13 September 2002, "but the inspections never found them."³⁴

Former UNSCOM chairman Ekéus expressed skepticism about mobile labs at a 3 February 2003 press briefing:

"UNSCOM never found any mobile labs. But—and this might be a source of the misunderstanding among those who believe in the mobile labs—Iraq did have a number of trucks to transport frozen materials around, some of these, some in convoy were picked up by overhead imagery. . . . There is however the question of how to transport a bio lab by road. On their roads it will shake around in transportation. It is a tremendous high-risk operation if a truck runs into another truck . . . for

a bio lab you need electricity, a ventilation system, such as HEPA filters, a system that is highly sophisticated and complex.³⁵

Former UN weapons inspector and microbiologist Raymond Zilinskas told the *Washington Post* that Powell's descriptions of the alleged mobile labs did not ring true. A fermentation cycle would normally take thirty-six to forty-eight hours, not the twenty-four hours suggested by Powell. He also noted that such facilities would generate large quantities of highly toxic waste. "This strikes me as a bit far-fetched," he observed.³⁶

- A former senior UNSCOM inspector told a reporter for the *Los Angeles Times* in September 2002 that his inspection teams searched for such mobile labs from 1993 to 1998 without success. "I launched raid after raid," he said. "We intercepted their radio traffic. We ran roadblocks. We never found anything. It was just speculation."³⁷

Since the return of inspectors to Iraq UNMOVIC monitors have conducted numerous aerial observation and monitoring missions. The inspections have found no evidence of mobile laboratories.

- In January Blix told an interviewer from the BBC: "We do monitor all over the country, and at the same time we look for anything that may [be] hidden. . . . This has a great value in itself because, as we found out, over the whole country that [means that] transparency increases. Of course, we cannot guarantee that we may . . . find underground or mobile installations, unless we have very good intelligence."³⁸

Powell expressed doubts that UN inspectors could "find even one" of the eighteen trucks allegedly involved in mobile biological weapons production. Identifying such trucks would be a formidable challenge, but the task would be aided by the fact that such production units, if they exist, generate emissions containing trace elements that can be detected by UN monitoring equipment. If there is a concern about mobile biological production units, UNMOVIC should be given additional detection equipment and personnel to locate and eliminate such facilities.

Is there evidence of underground weapons production facilities in Iraq?

The Bush administration has repeatedly stressed its concerns about Iraqi underground facilities. Secretary of Defense Rumsfeld referred to Iraqi construction of underground facilities as evidence of its efforts to conceal weapons.

In August 2002 the media began to report that Iraq was starting to "dig in," building more earthen bunkers and revetments to protect aircraft, trucks, armored vehicles, missile launchers, and a wide variety of military equipment. Intelligence

sources said it was "impossible to know if the current Iraqi effort is specifically in response to international talk of the United States launching a military attack against Iraq."³⁹ The digging of underground bunkers would be a natural response to military threat.

During the 3 February briefing Ekéus was asked about the significance of underground activities: "Underground work was developed . . . during the war with Iran. Iraq was taught techniques for hiding things—the United States were courteous enough to help them with that. . . . Underground facilities may be possible, but I don't know why the Iraqis would do it . . . if there is a catastrophe there would be tremendous fallout, there would be massive casualties. . . . So I think that the Iraqis would be cautious at least. If you go underground you will also need ventilation systems, what gives for aerial surveillance."⁴⁰

Is testimony from defectors reliable?

A significant portion of the intelligence used to make the case for war on Iraq has come from Iraqi defectors, including former weapons program scientists, engineers and intelligence officials. Many left Iraq with assistance of the INC, which has lobbied vigorously for U.S. help in overthrowing Saddam Hussein and has been paid by the U.S. government to assist with a congressionally mandated regime change policy.

American intelligence officials have long had cause to be skeptical of defector reports.

- One official told the *New York Times* that many defectors "embellish what they actually did and what they know in order to try to get safe haven in the United States and other countries."⁴¹

One of the authors asked former UNSCOM chairman Ekéus about the reliability of defector information: "Maybe they are better now. . . . Normally [they] defected to get a good safe nice life outside Iraq and in return they coughed up very low quality intelligence, I must say."⁴²

- Many CIA officials mistrust the information provided by INC defectors, according to a report in *Aero Tech News*. A senior U.S. intelligence official said, "some [defectors] . . . had their talking points sharpened before they met with U.S. officials. . . . For some defectors . . . their stories get more and more colorful as time goes on." Said a former intelligence official, "to take them for a source of anything except a fantasy trip would be a real stretch."⁴³
- "There is tremendous pressure on [the CIA] to come up with information to support policies that have already been adopted," said Vincent Cannistraro, a former senior CIA official and counterterrorism expert. "The [INC's] intelligence

isn't reliable at all," said Cannistraro. "Much of it is propaganda. Much of it is telling the Defense Department what they want to hear. . . . They're willing to twist information in order to serve that interest."⁴⁴

Even the most famous Iraqi defector, Saddam Hussein's son-in-law Hussein Kamal Hassan, was of only limited value to the UN disarmament effort. In his October 2002 speech before the UN General Assembly, President Bush attributed the successful uncovering of Iraq's bioweapons program to the defection of Kamal in August 1995.

- Former UN inspections chief Ekéus wrote at the time: "The president does not appear to have been well briefed. In fact, in April 1995, four months before the Iraqi official defected, UN inspectors disclosed to the Security Council that Iraq had a major biological weapons program . . . The defection of the Iraqi weapons official . . . provided some additional confirmation . . . but the inspectors learned few new details."⁴⁵

Is there proof linking Saddam Hussein to Al Qaeda and September 11?

The Powell presentation attempted to link the Iraqi government to the Al Qaeda terrorist network. Powell claimed that "Iraq today harbors a deadly terrorist network headed by Abu Musab Zarqawi, an associate and collaborator of Osama bin Laden." He asserted that the network is training its operatives in the use of deadly toxins, and that Iraq provides "active support" for these efforts.

President Bush has tried to connect Iraq to September 11. In his State of the Union address the president asserted that Saddam Hussein "could provide one of his hidden weapons" to Al Qaeda or other terrorists. The President evoked the grim specter of Iraq supplying deadly weapons to terrorists: "Imagine those 19 hijackers . . . armed by Saddam Hussein . . . to bring a day of horror like none we have ever known."

No credible evidence has ever been presented linking Saddam Hussein to the September 11 attacks.

Powell's claims about an Al Qaeda cell in Iraq are serious, but they need to be verified independently. The evidence reported by Powell is based primarily on interrogations of captured suspects conducted under "unspecified circumstances of psychological pressure," according to the *New York Times*.⁴⁶ More credible sources are needed to corroborate this claim.

The State Department, the CIA, and other U.S. agencies have reported no link between Saddam Hussein and Al Qaeda, and have stated that Iraq has not engaged in terrorist attacks against the United States.

- The U.S. State Department's *Patterns of Global Terrorism* report of April 2001 stated that "the [Iraqi] regime has not attempted an anti-Western terrorist attack since . . . 1993."⁴⁷
- In October, CIA director George Tenet wrote to the Senate Intelligence Committee: "Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or CBW [chemical, biological weapons] against the United States."⁴⁸
- In an issue brief to Congress Kenneth Katzman reported "FBI Director Robert Mueller said in early May 2002 that, after an exhaustive FBI and CIA investigation, no direct link has been found between Iraq and any of the September 11 hijackers."⁴⁹
- Veteran CIA analyst Melvin Goodman summarizes what many in the intelligence community on both sides of the Atlantic believe. "I've talked to my sources at the CIA," he said, "and all of them are saying the evidence [of a link between al-Qaeda and Saddam] is simply not there."⁵⁰
- The former chief of Pakistan's spy agency declared, "Ideologically and logically, they [Iraq and Al-Qaeda] cannot work together. . . . Bin Laden and his men considered Saddam the killer of hundreds of Islamic militants."⁵¹

Powell has not explained why an authoritarian tyrant and hated dictator like Saddam Hussein would turn over weapons of mass destruction to others and entrust his fate to groups that in the past have declared his secularist regime to be an enemy. The claim that Saddam Hussein would give his most precious military assets to a terrorist network beyond his control is simply not credible.

- The Central Intelligence Agency recently declassified testimony from a closed congressional hearing on 2 October in which Senator Carl Levin (D-MI) asked an unnamed intelligence official whether it "is likely that [Saddam] would initiate an attack using weapons of mass destruction?" The official answered: ". . . in the foreseeable future, given the conditions we understand now, the likelihood I think would be low."
- If the United States were to launch a military attack against Iraq, however, the intelligence official said that the likelihood of an Iraqi chemical or biological weapons response was "pretty high."⁵²

Powell displayed a picture of a terrorist training camp in northern Iraq supposedly operated by Zarqawi lieutenants. Powell noted that this is an area "outside Saddam Hussein's controlled Iraq," although he claimed, without providing

evidence, that Baghdad has an agent in the Ansar al-Islam that controls this region.

- Intelligence officials say there is disagreement among analysts about whether there are significant connections between Ansar al-Islam and the Baghdad government. Some administration officials, particularly at the Pentagon, have argued that Ansar al-Islam has close ties to the Iraqi government, but other intelligence officials say there is only fragmentary evidence of such a link.⁵³
- Mullah Krekar, head of Ansar al-Islam, recently told the BBC: "I never had links with Saddam Hussein's family, Saddam Hussein's government, Saddam Hussein's party, not in the past, not now, not in the future."⁵⁴

If the United States has evidence of an active terrorist training camp in northern Iraq, why hasn't it acted on this information? Washington would have broad international support if it employed air strikes or other targeted military action to destroy such a site.

The key question is not whether a radical Islamist group operates in a corner of Iraq, or an Al Qaeda operative received medical treatment in Baghdad, but whether the government of Iraq has operational links with and provides logistical support for Al Qaeda. Evidence of such support has not been presented.

Conclusion

The case for war and military invasion of Iraq, especially a pre-emptive attack, must meet the highest evidentiary standards. Unimpeachable evidence is needed to justify such a serious act. As this report has indicated, independently verifiable evidence is lacking on the most essential security concerns—Iraq's alleged possession of weapons of mass destruction, and its operational links to Al Qaeda.

War is a grave act that should be taken only as a last resort, when all other options for countering a threat have been exhausted. In the present case viable alternative options are available for neutralizing the Iraqi weapons threat and countering the risks of international terrorism. These options include a more vigorous and effective inspection process, an enhanced system of military containment, and strengthened deterrence—combined with continued coercive diplomacy.

If the United States has evidence of Iraqi weapons materials in specific bunkers or locations in Iraq, this should be shared with UN inspectors. If we are concerned that UNMOVIC and IAEA do not have the capability to monitor Iraqi assets adequately, we should provide them with additional personnel and detection equipment.

The Bush administration's military threats have been effective in pressuring Iraq to accept renewed inspections and persuading the Security Council to mandate a more vigorous disarmament process. Maintaining a credible threat in the Gulf will remain necessary to wrest additional concessions from Iraq and guard against further concealment or backsliding. The large-scale forces now assembling in the Gulf are beyond what is needed for effective diplomacy, however. Sufficient pressure on Iraq can be maintained at a much lower level of force than is now deployed in the region.

While Iraq has not complied fully with the new UN disarmament mandate, it has opened its facilities to inspection without interference. Baghdad's weapons complex is coming under increasing scrutiny and technical verification. The long term monitoring system now coming into place will assure that any significant weapons activity in Iraq is detected and if necessary swiftly interdicted. Supporting and improving this arms control regime can yield substantial security benefits.

Saddam Hussein's unwillingness to disarm voluntarily provides a justification for maintaining a strict arms embargo and financial controls on Iraq. Ongoing monitoring and rigorous restrictions on arms imports could remain in place indefinitely, until a new Baghdad government complies fully with UN mandates. A number of specific options are available for enhancing the current containment system.⁵⁵

Cooperative deterrence would supplement and strengthen containment. An enlarged American military presence in the Gulf region serves these purposes. If Washington were to defer military action and offer a partial phase down of U.S. forces, this might persuade other countries to contribute to a long term containment and deterrence presence in the Gulf, which would further strengthen security. This would avoid the risks and costs of war, and better serve the goal of disarming Iraq through the effective functioning of the United Nations.

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