
The Parliament of the Commonwealth of Australia

Intelligence on Iraq's weapons of mass destruction

Parliamentary Joint Committee on ASIO, ASIS and DSD

December 2003
Canberra

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Foreword

The Conduct of the inquiry

The United States and the United Kingdom argued that war against Iraq was necessary because Iraq had defied, over a period of 12 years, United Nations Security Council resolutions, which sought the disarmament of Iraq of its weapons of mass destruction. In particular, both governments and the Australian government which joined in the coalition, argued that intelligence had revealed that Iraq continued to possess and indeed was increasing its holdings of weapons of mass destruction. The consequent danger that Iraq posed was considered to be serious enough to warrant a pre-emptive war in order that Iraq be forcibly disarmed. In support of these arguments both the British government and the American government released, in September and October 2002, unclassified documents, which outlined in detail the supporting intelligence for this decision. The arguments about the need to go to war were controversial; however, when a further 'intelligence' document, released by the British government in February 2003, was identified as a student's thesis, the focus of debate centred on the overall quality of the intelligence used. The suicide death of the British weapons inspector, Dr David Kelly, in the midst of the two separate British parliamentary inquiries into the decision to go to war intensified both the arguments and the controversy. The Prime Minister of Great Britain, Hon Tony Blair, established a further inquiry, conducted by Lord Hutton, into the death of Dr Kelly. In the United States, Congressional committees also reviewed the nature and use of intelligence on Iraq.

In Australia, the Senate referred this matter to the Joint Parliamentary Committee on ASIO, ASIS and DSD on 18 June 2003. The Committee was asked to consider the nature, accuracy and independence of the intelligence used by the Australian government and the accuracy and completeness of the presentation of that intelligence by the Australian government to the Parliament and people of Australian. The Committee advertised the inquiry on 5 July 2003 in the *Australian*

and the *Canberra Times* and on the internet. The Committee received twenty-four submissions, five confidential submissions and three classified submissions from the intelligence collection agencies. Five hearings were held, one in public.

The reference, like the matter into which the inquiry was conducted, involved some controversy. There was a view by the Prime Minister that the inquiry was premature. Some Senators were unhappy with what they perceived to be the limited scope of the Committee. The limitations imposed by the statute under which the Committee operates are real: it does not have a broad right to call witnesses, reports written by the Committee must be vetted by the Ministers for Foreign Affairs and Defence and the Attorney-General (*Intelligence Services Act 2001, s 7(3)*) to ensure that no matters affecting national security are revealed in the report's contents. However, the Committee is better placed than most parliamentary committees to seek classified information from the intelligence agencies, as the Intelligence Services Act also requires that staff of the secretariat be cleared. For the current inquiry, the Department of the Parliamentary Reporting Staff also had a number of officers cleared to handle the classified hearings conducted with the agencies. Special arrangements were made for the secure transcription of hearings and the processing of evidence so that it would comply with the requirements of Commonwealth protective security guidelines.

Nevertheless, the Committee notes that, unlike the Intelligence Services Committee of the British Parliament, which conducted a similar inquiry, we received excerpts only of the assessments made prior to the war in Iraq. The Committee's conclusions, therefore, must be qualified. The Committee recommends that a more comprehensive inquiry should be conducted by suitable experts into Australia's intelligence sharing and intelligence liaison arrangements.

I would like to thank my colleagues for their work on this inquiry, as well as Mr Charles Vagi, on secondment from the Department of Defence and the Secretary of the Committee, Ms Margaret Swieringa.

The Hon David Jull, MP
Chair



Membership of the Committee

Chair Hon David Jull MP

Members Hon Kim Beazley MP

Mr Stewart McArthur MP

Hon Leo McLeay MP

Senator Paul Calvert
(discharged on 29.08.02)

Senator Alan Ferguson
(appointed on 29.08.02)

Senator Sandy Macdonald

Senator the Hon Robert Ray

Committee Secretariat

Secretary Ms Margaret Swieringa

Technical Advisor Mr Charles Vagi, CSC and Bar

Executive Assistant Mrs Tiana Di Iulio

Administrative Officer Mr Daniel Miletic



Terms of reference

Pursuant to section 29 of the Intelligence Services Act 2001, the following matter be referred to the Parliamentary Joint Committee on ASIO, ASIS and DSD for inquiry and report by 2 December 2003:

- a) the nature and accuracy of intelligence information received by Australia's intelligence services in relation to:
 - (i) the existence of,
 - (ii) the capacity and willingness to use, and
 - (iii) the immediacy of the threat posed by, weapons of mass destruction (WMD).
- b) the nature, accuracy and independence of the assessments made by Australia's intelligence agencies of subparagraphs (a)(i), (a)(ii), and (a)(iii) above;
- c) whether the Commonwealth Government as a whole presented accurate and complete information to Parliament and the Australian public on subparagraphs (a)(i), (a)(ii) and (a)(iii) above during, or since, the military action in Iraq; and
- d) whether Australia's pre-conflict assessments of Iraq's WMD capability were as accurate and comprehensive as should be expected of information relied on in decisions regarding the participation of the Australian Defence Forces in military conflict.

Motion agreed by the Senate 18 June 2003.



List of abbreviations

AIC	Australian Intelligence Community
BW	Biological Warfare
CIA	Central Intelligence Agency (US)
CW	Chemical Warfare
CBW	Chemical and Biological Warfare
DIO	Defence Intelligence Organisation
GA	A non-persistent organophosphate based nerve agent, commonly referred to as Tabun
GB	A volatile organophosphate based nerve agent, commonly referred to as Sarin
GD	A moderately volatile organophosphate based nerve agent, commonly referred to as Soman
GF	A persistent organophosphate based nerve agent, commonly referred to as Cyclosarin
IAEA	International Atomic Energy Agency
INR	Bureau of Intelligence and Research (US State Department)
ISG	Iraq Survey Group
JIC	Joint Intelligence Committee (UK)
MI6	Secret Intelligence Service (UK), also known as SIS

NIE	National Intelligence Estimate (US)
ONA	Office of National Assessments
OSP	Office of Special Plans (US State Department)
PSM	Protective Security Manual
R&D	Research and Development
SC	United Nations Security Council
SIS	Secret Intelligence Service (UK)
UAV	Unmanned Aerial Vehicle
UN	United Nations
UNMOVIC	United Nations Monitoring, Verification and Inspection Commission
UNSC	United Nations Security Council
UNSCOM	United Nations Special Commission (into Iraq)
VX	A highly persistent organophosphate based nerve agent, commonly referred to as VX
WHIG	White House Iraq Group (US)
WMD	Weapons of Mass Destruction



List of recommendations

Chapter 3 The Independence of the Assessments

Recommendation 1

The Committee recommends that, in the course of any post war review of the intelligence agencies, the Government assess the capacity of ONA in line with the changed security circumstances.

Chapter 4 The Accuracy of the Assessments

Recommendation 2

The Committee recommends that, in any review, the AIC should examine their processes to ensure the maintenance of their independence and objectivity.

Chapter 5 The Presentation of the Pre-War Intelligence

Recommendation 3

The Committee recommends 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.

