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Foreign Affairs Committee

Foreign Policy Aspects of the War against Terrorism

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Oral and Written Evidence

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The Foreign Affairs Committee

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Oral evidence

Taken before the Foreign Affairs Committee

on Tuesday 23 November 2004

Members present:

Donald Anderson, in the Chair

Mr David Chidgey
Mr Eric Illsley
Mr John Maples

Mr Bill Oler
Sir John Stanley

Witnesses: Mr Kamran al-Karadaghi, Institute for War and Peace Reporting, and Mr Damien McElroy, Sunday Telegraph, examined.

Q1 Chairman: Mr al-Karadaghi, may I welcome you on behalf of the Committee. You currently work for the Institute for War and Peace Reporting in Iraq and you have been a regular visitor to Iraq, for a time running *Radio Free Iraq*. As you know, this is in the context of the work of the Committee on foreign policy aspects of the war against terrorism. We are keen to have evidence from those who know Iraq and have been recently to Iraq, so it is in that context that I invite you, first, to give an overview to the Committee of how you see the broad security situation as evolving. I just add this: as you know, we were hoping that you would be joined by Mr Damien McElroy who writes for *The Sunday Telegraph*. We hope that he is on the way and when he comes I shall welcome him on behalf of the Committee but we are confident you are more than able to hold the fort and to help the Committee. Firstly, you have been a fairly regular visitor to Iraq yourself, I understand.

Mr al-Karadaghi: Yes, I have been visiting Iraq regularly and, of course, I am originally an Iraqi. I visited Iraq when I was running *Radio Free Iraq* and now I have joined the Institute for War and Peace Reporting. I have been in Baghdad in the north and in Kirkuk, so I have quite a good idea of what is going on in Iraq. Then, of course, I keep in touch; almost daily I speak to people in Baghdad and other places.

Q2 Chairman: It is extremely important for us to interpret the situation. Clearly, like all people in this country, we see on our television screens the violence, the hostage-taking and the atrocities against the forces of order in Iraq. How general is that? Are there swathes of Iraq where people are able to live a normal life?

Mr al-Karadaghi: Of course, the general security situation in Iraq is not good, to say the least, and it has worsened over the last few months. The main problems are in Baghdad and the so-called Sunni Triangle, and then, further to the north, in Mosul, and parts of Kirkuk, but not all. Mosul is now the big problem. However, the situation in the south and the so-called central Euphrates area has been relatively calm, especially since the confrontation ended between the coalition and Iraqi forces, on the

one hand, and the fighters of the Al-Mahdi Army led by the young cleric Muqtada al-Sadr. I think one should also exclude from the Sunni Triangle the province of Tikrit which, surprisingly, had been relatively calm. I think there are reasons for that, and if you want me to explain why Tikrit has been calm I can say that. The situation in the north is completely different.

Q3 Chairman: That is in the Kurdish areas?

Mr al-Karadaghi: That is the Kurdish controlled areas. Arbil, Sulaymaniyah and Dahuk—three provinces—are completely under the control of the Kurdish authorities and the coalition forces in that area are really having a picnic-like time (if you would like to call it that) because there are no problems. The Kurds have managed to enforce law and order in the region. But, of course, the big problem is Baghdad and the Sunni Triangle.

Q4 Chairman: In relation to those areas, particularly in the south, which you described as relatively calm, does that mean that the public services are functioning—the water, the electricity? Are ordinary people able to carry on their lives in a normal way?

Mr al-Karadaghi: In a way, yes. A lot has been done in that area but, of course, it has not been easy because under the previous regime life in the south—that is the Shia, of course—was really so miserable that people sometimes had to travel from Karbala or Najaf to Baghdad to get clean water for drinking. It was a very, very bad situation under the previous regime.

Q5 Chairman: And now?

Mr al-Karadaghi: Now it is getting better. The coalition forces and the local authorities are trying to improve the situation, which is not always easy because when I said it is relatively calm that also means that from time to time there are troubles—as you all know, in Basra, for example, especially when there was confrontation with the Al-Mahdi Army of Muqtada al Sadr. These disturbances and trouble spread from Najaf and Karbala further to Amarah and even Basra. Of course, unfortunately, some of the British troops were victims of that confrontation in Basra.

Q6 Chairman: There is no further trouble from the Al-Mahdi Army following the agreement?

Mr al-Karadaghi: Apparently not. Since the end of August, after interference by the Grand Ayatollah Ali al-Sistani, Muqtada al-Sadr gave instructions and orders to his followers for a ceasefire and then, later, to surrender their weapons. Of course there is a problem here, because we know from the people on the ground that many of al-Sadr's fighters who surrendered their weapons and, also, some of the citizens in Shia areas like Saddar City north of Baghdad, exchanged them for money. The coalition forces and the Iraqi Government bought these weapons from them. Now we hear that many of them bought new weapons.

Q7 Chairman: So there is a regular supply of weapons?

Mr al-Karadaghi: Yes. That is really a problem. The other problem is Muqtada al-Sadr's late father, who was a Grand Ayatollah, Mohammed Sadiq al-Sadr, co-operated for many years with Saddam Hussein's regime but only in the last two years of his life he rebelled against the Government, and eventually Saddam gave orders to kill him, and many people in Iraq, many expert people who know the situation, think that still al-Sadr's organisation is infiltrated by some of Saddam's previous security elements.

Q8 Chairman: These are Shia?

Mr al-Karadaghi: Yes, Shia.

Q9 Chairman: The Shia would be loyal to Saddam Hussein?

Mr al-Karadaghi: Well, under Saddam Hussein the brutality which took place in the Shia areas against the Shia population was also not only by his Sunni Army, or by the security people, but among them were many Shia because they were really either forced to do so or they were bribed to do so, but the facts remain that in those areas many Shia operated with the Government. Of course, nobody knows exactly because many people think that some of Saddam's loyalists who are still with Muqtada al-Sadr might be Sunni but they pretend to be Shia.

Q10 Chairman: Help us on this: can you give the Committee a profile of the insurgents? Who are the insurgents?

Mr al-Karadaghi: This is a very good question, sir. The insurgents in Iraq mainly are two groups: the old Ba'ath party Saddamists. That means hard-core Ba'athists, Saddam security and intelligence, remnants of the Republican Guards, of the Special Republican Guards and of the Fedayeen of Saddam Hussein, which was led by his son Uday. So this is part of the insurgency. The other part is the so-called Jihadists—that is the Islamists.

Q11 Chairman: From outside?

Mr al-Karadaghi: From outside and from inside. From inside, a lot of them are represented by the associations for Islamic clerics, which is a Sunni organisation. Also, Salafis are, of course, members of a sect in Islam which is very strict and so these are

the second group. Then, of course, there are the outsiders. I remember, personally, when I first went to Iraq from Jordan immediately after the fall of the regime of Saddam Hussein, the borders were absolutely open and that situation continued for several months, during which nobody can count, really, how many people came to Iraq with an agenda, with a goal of organising insurgency against the coalition forces. So these are the two groups. Immediately, of course, after the fall of the regime the Ba'ath party was in a big panic, so that was the time when you could say that the insurgency was mainly led by the Islamists, Jihadists, foreigners and locals but the Ba'ath party managed very quickly to reorganise itself. If I follow, for example, the website of the Iraqi Ba'ath party you can see the evolution; how they managed to do so. Their first major statement was issued in June 2003 and if you read that statement one would be surprised how quickly they reorganised themselves and how they managed to fulfil all the pledges they made in that first statement.

Q12 Chairman: Before I turn to Fallujah, Mr al-Karadaghi, can you finally give some indication of how much popular support there is for the insurgency, and, indeed, in what way it is manifested?

Mr al-Karadaghi: It really depends on what area you are talking about. For example, if we take Baghdad, there were always areas purely Sunni or Ba'ath or Arab nationalist areas, like the area which has been in the news lately which is called al-Adhamiya, and this is a purely Sunni Arab area. It has always been, I would say, since the 1950s or 1960s. It is a stronghold of Arab nationalists and then of the Ba'athist party, and in fact you can even say that this was the area where the Ba'athists started to organise and fought against the regime of—

Q13 Chairman: That is outside Baghdad?

Mr al-Karadaghi: No, that is Baghdad.

Q14 Chairman: But outside Baghdad?

Mr al-Karadaghi: A suburb of Baghdad, yes. It is part of Greater Baghdad.

Q15 Chairman: But the groups who support the insurgents outside Baghdad, how significant is their support?

Mr al-Karadaghi: Of course, we have Fallujah.

Chairman: Can I move on to Fallujah now?

Q16 Mr Oler: On Fallujah, do you think the operation has been successful?

Mr al-Karadaghi: From a military point of view, yes, they were successful but whether they were successful in general and they will reduce the level of insurgency, I really doubt.

Q17 Mr Oler: Do you think the insurgents escaped Fallujah, have gone somewhere else and regrouped?

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Mr al-Karadaghi: Most of them maybe escaped; according to my information they went to Mosul. Mosul now will be the next battleground. It might be a very nasty battleground.

Q18 Mr Olnier: Prime Minister Allawi was very prominent in ensuring that it was an Iraqi-led military operation in Fallujah. Is that a commonly held view within Iraq, or is it seen as just a front for a US-led attack?

Mr al-Karadaghi: I think the Iraqi people are now clever enough to know whether a certain decision is taken by the Prime Minister or by the coalition. I think, in general, the common understanding is that this was mainly decided by the Americans; the Prime Minister, of course, was in consultation but the real decision was taken by the Americans, and people realise that the attack on Fallujah happened immediately after the US presidential elections.

Q19 Mr Olnier: Finally, the Committee sometime ago conducted another report into international terrorism. Do you think any of these insurgents in Fallujah and wider in Iraq are, indeed, al Qaeda?

Mr al-Karadaghi: Yes, there are al Qaeda people, but not only al Qaeda. It is still really doubtful whether, for example, Abu Musab al-Zarqawi is or was al Qaeda; he works on his own although, of course, he issued a statement which was attributed to him saying that he declared his loyalty to Osama bin Laden. I really do feel that there are definitely people who belong to al Qaeda among the insurgents.

Q20 Mr Olnier: Finally, you mentioned that the new battleground after Fallujah might be Mosul. Do you think that is a battle that has got to be won before elections can take place in January?

Mr al-Karadaghi: Yes, I think this will be a very big challenge for the coalition and the government. Mosul is the second largest city in Iraq. There are some estimates that at least 200,000 people in Mosul were really dependent on the former Iraqi regime working in the army, the Republican Guard, the security and intelligence and, of course, they all became unemployed immediately when the coalition decided to dismantle the Iraqi army. Mosul, also, historically, is a stronghold of Arab nationalism and now, according to the whole indication, the insurgency is concentrating on Mosul. Mosul is divided into two parts by the River Tigris. The western part is controlled by Kurds and the eastern part is controlled by Arab nationalists and, I would say, by the insurgency. It is very, very difficult for the government to really distinguish, even among the newly formed Iraqi forces, the Iraqi police, who is Saddamist and who is not Saddamist. Just a few days ago the chief of police in Mosul was arrested and we heard that several thousand Iraqi police in Mosul, newly established, have already switched to the side of the insurgents. Also, on the other hand, the Kurds are very nervous about the situation there and we know there is information that lately something like 50 Kurds were killed in Mosul by

Arabs just because they were Kurds. If there is a big battle, which the Kurds might join, then I think this will be a big problem.

Q21 Mr Olnier: Could it start a civil war?

Mr al-Karadaghi: No, I do not think it will be a civil war but it will be bad.

Chairman: We have now been joined by Mr McElroy. Mr McElroy, you are a correspondent of *The Sunday Telegraph*, you have travelled extensively in Iraq. We welcome you. Mr Maples will begin the questions.

Q22 Mr Maples: I would like to ask both of you whether you think elections can successfully and properly be held in January? Obviously, they will not be perfect but are they going to be good enough to give credibility to the National Assembly or the Constitution, or whatever it is, that flows from that?

Mr al-Karadaghi: My personal, honest view is that it would be better to postpone the elections. People are not ready for elections in Iraq. Not only that but, also, I think, few other groups, except the Shia groups, are happy with the elections, and that includes the Prime Minister's party. It is very difficult for him. I think he has been in a dilemma. I heard one of his very close aides saying "How on earth can we provide 120,000 policemen to protect the elections?" This is something very difficult, and that is what is demanded by the UN in order to provide security. On the other side, for example, the Kurds are unhappy because now they are saying that in Kirkuk there will not be any proper voting. A few days ago on the Kurdish Party's initiative there was a very big meeting in the north, all the major political parties were invited including the party of the Prime Minister and the Shia parties, and the Kurds demanded at that meeting to postpone the elections in Kirkuk. They have two grievances: one, they say that Kurdish deportees have not been returned to Kirkuk and Arab settlers have not been sent back out of Kirkuk. Of course, some of the Shia parties were against that, but, nevertheless, the meeting decided to establish a committee from these parties to study the proposal by the Kurds. The third thing, of course, is because the Arab Sunnis are now bent to boycott the elections, and no matter what we think about that it is true that although Arab Sunnis in Iraq might not be more than 15% of the population it will create a big problem because the Sunni area is in the heart of Iraq. However, having said this, I think that if elections are to take place then the coalition and the government should really make a special effort in Tikrit because Tikrit is a different situation. Despite the fact that Saddam Hussein was from Tikrit, Saddam's clan was mainly restricted to a few villages including al-Owja, which is his birthplace. Tikrit suffered under Saddam Hussein, especially the tribes. Saddam did not belong to any prominent clan or tribe in Tikrit, so the prominent clans became his victims, and the coalition managed in Tikrit to work well with these tribes. Also, the difference between Tikrit and Fallujah is that Tikritis are not poor people, they are well-off. In the beginning they were very frightened of the fall of the

regime because they were convinced that Shias and Kurds would slaughter them because they belonged to Saddam Hussein clans. What happened, to their surprise, was that the coalition forces actually protected them, so I think this made them behave in a different way. Now we see there are Sunni parties led by Tikritis which will participate in the elections. So I think if there are elections there must be a special effort to make sure that Tikritis will vote, because if you come out of elections with a majority of Tikritis, which is an important part of the Arab Sunni population, if you come out with 65/70% of Tikritis participating, that will of course give a legitimacy to the elections. Otherwise, if the Sunnis boycott the elections they will not change their mind, no matter what will happen; they have already in advance decided that whether now or after elections the government has no legitimacy and the result of the elections will not be legitimate. That is another problem. This is why I am saying that people are not ready.

Mr McElroy: I guess my first big problem with the question of whether to hold the elections or not is I do not understand how not having elections will help you have elections later. The elections have been a focal point for very many people through this and a lot of people, surprisingly enough, have not lost heart in the way that you might imagine. If you postpone elections then you possibly put those people in the position of losing heart, because their opponents will say, "There. You see. America never really wanted to have a democratic Iraq anyway; it just wants to rule by itself." Secondly, you have the possibility of real unrest in Shia areas if you postpone the elections, because I do not think Ayatollah al-Sistani would be quite the restraining force he is if they took away the prospect of elections in a very few weeks. The security problem is quite limited. In many ways, if you are looking at the run-up to an election it is unquantifiable how much the opponents of the election will target the election process. We can presume they will but we do not know by how much and where. The places where the election will be targeted are, presumably, mostly Baghdad and about three or four cities in the Sunni Triangle—Mosul, Fallujah and Ramadi (places that I am sure you are familiar with). Will they be able to achieve a total wipe-out of the electoral process in these areas? That is doubtful. You could re-run the elections in certain neighbourhoods if that proved to be the case, because I do not think they would be able to cause a blanket collapse of the electoral process in whole swathes of the country. I just do not think that is going to happen. Sunni participation is a problem, but elections are about whether you wish to vote or not wish to vote and there is an evolution in that in which you almost give the Sunnis an incentive to vote next time if they get excluded from it this time. I think there is a special problem in Fallujah in the sense that the city has been more or less cleared—will these people go back—and whether there is time left to allow these people to vote in the neighbourhood that they are from. On the whole, I think the election is a point in the calendar that much of the effort to normalise Iraq

has been aimed at, and if you take that away, even if you say "There will definitely be elections in six months after this", then (a) people will not believe you as much as they did before and (b) you are going to give ammunition to your opponents. So I think it opens up a whole panoply of problems. The problems of holding elections are very clear to us but when you say you do not have elections then, suddenly, the problems of not holding elections will open up. So I do not see what there is to be gained.

Q23 Mr Maples: As I understand it, the way the elections are organised is on a national basis so it would not be possible to have elections in those parts of the country where it is felt that elections could be properly held and, maybe, delay the election in places where it could be different. Am I right in thinking it would be very difficult to do that?

Mr McElroy: It would be very difficult, but I guess you could have re-polling and provisional results. These things could be accommodated, but, yes, it would be difficult.

Q24 Mr Maples: And nationalists are candidates, are they not? Do you agree with that?

Mr al-Karadaghi: The entire Iraq will be one electoral constituency. This is also a problem. You cannot tell several hundred thousands of voters in Mosul or in Ramadi to go and vote in Najaf, for example. This will be a problem. Also, I am not saying that there should not be elections; elections, I think, until now, will go ahead although I do not exclude surprises to the run-up to the elections. However, there are many other problems which have no relation to the security situation. For example, until now most Iraqis do not know what the election is about or what the election process is. There was no time in Iraq, because of the security problems, to educate people about the elections. Many people have difficulties in understanding the election process. Then there is another problem of, for example, how the Iraqis who live abroad will join the elections. There are more than 3 million Iraqis abroad and the higher election committee in Iraq estimates 1.1 million of those are eligible to vote. They identified 14 countries where Iraqis can vote; that includes Iran, Syria and Jordan in the region and, also, in Europe, the United Kingdom, and some other countries, but still there are many countries which are excluded. People say that if it is a principle, there are many Iraqis in Australia and many as far as New Zealand; they will not be able to travel to Europe to vote. So there are these kinds of problems also. This is why I am saying that people are not ready, really, for elections. It is now too late to change the agenda because this has been decided. I think, whether many groups in Iraq who are participants of the political process and in the government like it or not, they have to go on with the elections. I, for one, for example, cannot see why, if there are elections, the insurgency will become weaker.

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Q25 Sir John Stanley: When we invaded Iraq we clearly hoped that we would quite rapidly stabilise the security situation and it would then improve. In practice, as we know, the reverse has happened, particularly the downward spiral starting back in February/March this year when the kidnappings began in earnest. I would like to ask you, do you think it was inevitable we were going to get into a deteriorating security situation in Iraq, or do you feel that we, in part (I say “we”—the Americans and ourselves), brought it upon ourselves and made mistakes that could have been avoided?

Mr al-Karadaghi: I would say that, to be fair, nobody, not even the Iraqis, expected that this would happen in Iraq. To blame the United States or Britain, the coalition, and say they brought it on themselves would not be fair because I do not think there is any Iraqi who thought, expected or predicted the situation. We knew that there would be problems, we knew that there would be, in some areas, resistance but not to this extent. Nobody expected that. Of course, there were big mistakes committed at the beginning. There was no consistency. The decision to dissolve the entire Iraqi forces, Iraqi army, the Republican Guard, was a big problem because I do not think the situation was prepared for that. For example, many Iraqis thought that it would be a very good idea to dissolve the Republican Guard, the Special Republican Guard, and the security and intelligence Fedayeen of Saddam, but nobody thought that the regular army would also be dissolved. The regular army in Iraq was somehow a kind of national institution, and because they were victimised by the Republican Guard people thought that this regular army could be a nucleus for a new army, but all the Iraqi armed forces were dissolved. So this was a problem. Then, for example, the idea of de-Ba’athification. If this process was properly done it would have very good results. I personally was a very strong supporter of de-Ba’athification in Iraq but the way it was conducted was not proper. Then the Iraqi government, led by Mr Allawi, who himself is a former Ba’athist, decided that he can gain the minds and hearts of Ba’athists and, until now, he refuses to blame the Ba’athists as Ba’athists; he always distinguishes between Ba’athists and Saddamists. The result is that the Ba’athists infiltrated his own security and he had recently to arrest his chief of security, who was a former Ba’athist. This was the main mistake of de-Ba’athification. De-Ba’athification was not managed properly and it gave very bad results. Now we have seen, really, a situation where we have re-Ba’athification.

Q26 Sir John Stanley: Did we make mistakes or was the security deterioration pretty well inevitable?

Mr McElroy: I think the actions of the coalition allowed it to happen. I think in Iraq there were, pretty much, no institutions that had penetrated down to the lowest levels of society after the occupation, and you cannot possibly hope to police a society—even a western society—if you do not have that forest of coverage. Many of the elements who are behind the insurgency were, of course, in

Iraq when the regime fell. A lot of them lay low; a lot of the Ba’athists, a lot of the regime hierarchy, basically, went back to their sort of farmyards and their city compounds and lay low for three months and started networking. They obviously had substantial resources. So there was this sort of honeymoon period in which they, first of all, allowed the chaos of looting to happen, which was enormously symbolic because it allowed people to think that there was this level of activity that you could engage in against which there would be no sanction. Obviously, the prisons had been opened so lots of criminals had also come to the surface during this looting. Then these people started cherry-picking; they started building up their insurgency from amongst these types of people and, also, the disaffected from the army who had been let go. Where was anybody to stop them? There was not really anybody to stop them. The Americans did exist in large numbers but they were engaged in building bases, they were engaged in securing supply lines, they were engaged in, essentially, setting themselves up on the ground so that they could operate like the American army operates wherever it goes. So that is where the fire took light and started to spread. Could we have stopped it? Yes, if there had been more of a decapitation strategy within the invasion and there had been, at least, some level of police and army retained intact. For example, I was in Mosul on the day it fell; I went to a police station and there was a police chief who had turned up to work and was trying to keep three or four people milling about because he maintained that he was a police chief. I went back five days later and that police station was abandoned, and during the time that I was in it, while he was there, helicopters were buzzing it because they wanted to establish who was in control, so they were buzzing up and down the city flying very low and creating conditions in which people would stay in their houses—the Americans are in charge. That was the level that they came in, and this is well-known to an extent. They did not appreciate how well-equipped the insurgency would be or how mentally prepared many of these people were for an insurgency. I do not know because I have never seen if there were any plans for insurgency but it certainly seemed that over a three- to four-month period an insurgency took shape, and these people were able to roll themselves out as quite competent terrorists.

Q27 Sir John Stanley: Thank you for giving your perspective on what has happened in the past. Perhaps we can now look forward, and the perspective I would like to have from you both, please, is what you think the Iraqi government and, particularly, the American and British Governments should be doing to try and reverse the security deterioration that has taken place and to try and get on top of it, bearing in mind it is clearly covering all the key arteries as far as the Iraqi nation state is concerned: they are going for the economy through the reconstruction, they are going for international organisations, whether it is the UN or international charities, they are going for the security forces—the

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police and the Iraqi Army—and they are going for the top echelons in the civil service (there have been a number of very serious assassinations of senior civil servants in Iraq). It is right across the board. They have shown that all the key sinews, arteries, of any nation state are vulnerable. So can you tell us: do the American and British governments, as the key external players, and the Iraqi Government have a prospect of getting on top of this and reversing the security position? Give us your perspective on the way forward and where we are going to be—leaving the elections aside—in six months to a year from now?

Mr McElroy: It is obviously very difficult. You know this from past jobs, but if you have got a terrorist organisation targeting members of their community who are working for the government then the government is obviously depleted in how it acts. I will say that I have met many Iraqis who are willing to disguise themselves, wander away from home in the mornings and not tell anyone in their neighbourhood where they are going or what they are doing, to the point of asking their children: “What does daddy do?” and, when the child says: “You work for the British Embassy” or “You work for the electricity ministry”, upbraiding the child and saying “No, I am an itinerant bookseller”, or something. A large part of that is that there is money and there are jobs available and so people have to get jobs and earn. The insurgency is not, as far as I know, providing general community welfare payments; it may be paying its own people and the people who provide safe houses, etc, but it is not funding the lifestyle of neighbourhoods, or anything like that. So people do need money and there has always been an element of Iraq being a contest between the forces of chaos and the forces of money. Obviously, you know very well about the bottlenecks in getting money into Iraq. For much of the time I was going there the money just was not getting out; what was being allotted was not spent and what was spent was being spent on, basically, lots of foreigners who were hired on wages far beyond what an Iraqi would get. There were good reasons for that but there also was not the general spend. I am told that general spending is picking up, that more and more people are being absorbed in jobs but people need an incentive; they need to feel that the government is going somewhere, that the government will take root, that the government will establish itself. Most people do have a horror of what is happening, a horror of the chaos that they see on the television or that they experience, so they do not want it. There is obviously a sizeable minority who facilitate terrorism; there are militias and alienated communities that those militias spring from. What will the security situation be like in six months? I would guess not terribly different from today but there would be a slow train improvement in the capacity of the government to deal with it, and I would hope that there would be far more people employed, Iraqi people, so that they are doing normal things; going out and earning a living, coming back and spending that money in the community and looking after their families. That is the only long-term way it will improve.

Mr al-Karadaghi: I think if things continue as they are now then the security situation might not be better, but if there is a change of policy then, I think, within six months there will be a big difference. The change which is needed from my point of view is to take the initiative. The problem of the coalition and the government is that they are merely reactive; the initiative now is in the hands of the insurgency and in the hands of, maybe, the Ba’athists who are very organised, much more than we think. So there is only reaction to what they are doing. I think this is wrong; there must be a very well-studied plan to take the initiative, militarily and in terms of security, to try to change the situation. That is very important. What the coalition and the government, I think, must do is put more pressure on some of the neighbouring countries of Iraq: Syria and Iran—especially Syria. The new Ba’athist leadership is really based in Syria. We have information that they have recently elected a new leadership; they had a meeting in the Al-Hasakah area on the Iraqi border, they elected a new general secretary temporarily because they still consider Saddam Hussein as their leader. So they have elected a general secretary from Tikrit, and the sons of Saddam Hussein’s brothers—his relatives—are in Syria, really, establishing companies so that they have money. Iran, also, is doing a lot. So I think this is a relevant place where the coalition should take the initiative and be more aggressive, because failure in Iraq will not only be failure for Iraqis it will be failure for the coalition as well. Without a change in the approach of the security situation things might yet even worsen.

Q28 Sir John Stanley: So you are saying that, in your view, there is still a substantial movement of people from both Syria and Iran into Iraq and they are providing the manpower for the terrorism?

Mr al-Karadaghi: It is not necessarily the manpower. Syria, for example, may not have the manpower but the possibility is there of providing, especially to the Ba’ath Party in Syria, and that is very dangerous. Also, the neighbouring countries, like Syria—even Jordan in a way—and Saudi Arabia, can do a lot if they take a very firm stance—if they were to make very clear to the insurgents inside Iraq that they are supportive of the Iraqi Government and that they will not tolerate any anti-Iraqi movement within their own countries, that they will be more aggressive in this context. The Arab countries were always used to the fact that Iraq was run by Arabs who were always part of the larger Arab nationalist group. This has to be changed because it was not natural, really, for a country to be run for eight years by 15% of the population. If these neighbouring countries make their position clear this will affect, also, the Sunni Arabs inside Iraq and they will, in turn, try and change their position and their attitude to the new Iraq. Of course, we always speak about neighbours and we do not mention, for example, Turkey, which should change its position in regard to Kirkuk because this has created tension in the area. Although I think Turkey is a very important

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country and they showed that they are very pragmatic and they know the restrictions and they know the fine lines, but they can be more positive.

Q29 Chairman: Gentlemen, I am going to ask each of you a final question. How effective do you think the contribution of the United Kingdom has been and how can it be improved?

Mr McElroy: I think they tried very hard obviously and that is what they do. Obviously there were fairly high-level people put in the CPA when it existed. I am not sure that they had a contribution which in any way came out in the wash. Indeed I have heard that they expressed some frustration with exactly how they were listened to. Essentially, most of them did not have an executive function. Much of the top-level executive function in the CPA was done by Mr Bremmer and he was very jealous about his power and how he exercised it. There were technical British contributions. I think technically what the CPA in the south did in terms of restoring infrastructure and trying to get governments up and running, trying to do district elections, trying to get the police forces running just aside from what the Army has done which has been much praised, I think the actual British-run CPA in the south was a model that the central and northern CPA operation could have very well emulated and markedly did not.

Q30 Chairman: How could it now be improved?

Mr McElroy: Well, now of course the government is an Iraqi Government and there are British diplomats in these places trying to feed into what they are doing. They are tremendously hamstrung by the security situation. They cannot physically leave an area about two miles square without a personal protection team and when you think about the logistics of just making an appointment outside the office, well, if you are going to want to make an approach to someone, in many cases they do not have an extensive list of contacts and they rely on people coming to them rather than them getting out to meet people. I think what DFID is doing is quite

effective. At least I have been briefed by the representative there and he seemed very proactive. He seemed very determined actually to make the money that he was spending go into pockets on the ground and he seemed determined to orientate what they were doing to that effect. British diplomats, they obviously are engaged. They try very hard, and it is a big embassy, but I am not sure that they have got really the levers to pull whenever it comes to a situation where they need to pull levers.

Mr al-Karadaghi: I really agree with Mr McElroy's assessments, but I say that despite the fact that the British were frustrated almost all the time by the way that the Americans were conducting things, but still I think that the parts of Iraq where the British were in charge were really very lucky because of the way that the British conducted themselves in these areas. There are a lot of problems. It is not becoming really a problem with the coalition embassies, particularly the United States and British embassies, because of obviously the security situation, but sometimes they are becoming out of touch because they have no means to communicate with people and they cannot leave these areas, so that is a problem which I really do not know how it should be solved because it is a security problem, but communication with people is very important to understand what is going on. Also I am aware of the activities of DFID which are very effective.

Q31 Chairman: What should we do which we are not doing? How could we improve our performance?

Mr al-Karadaghi: Well, I think one important thing would be maybe to send to Baghdad, to the embassy, more people who know the area, more experts maybe who have been in touch with the Iraqis, not necessarily inside Iraq, but outside Iraq, who work with Iraqis and who have a better understanding or a very good understanding of the nature of the Iraqi society, and I think this will help, or at least to involve more people to advise the diplomats.

Chairman: Gentlemen, your insights have been extremely helpful to the Committee. May I thank you both.

Witness: Ms Jane Corbin, British Broadcasting Corporation, examined.

Q32 Chairman: The Committee meets again Ms Corbin. You have been tracking al-Qaeda with *Panorama* for the last seven years. You have recently worked on the insurgency in Iraq and the evolution of al-Qaeda from a terror organisation to "a movement". It is with both those areas of interest that we seek your advice, so perhaps I may, therefore, first turn to Iraq and ask you how, in your judgment, does al-Zarqawi fit into the global picture of terrorism? We knew before the war that al-Zarqawi worked in this enclave adjoining the Iranian border and that was largely destroyed during the war, and now he has moved somewhere near Fallujah, but he is operating fairly freely within the country. How, in your judgment, does al-Zarqawi and his own organisation fit into the wider al-Qaeda picture?

Ms Corbin: I think that al-Zarqawi has sought to affiliate himself with al-Qaeda rather than being sent to the region as an emissary for al-Qaeda and I think that is important because it tells us something about the way the organisation has evolved into a looser network of affiliated groups. His organisation, Ansar, in that northern part of Iraq, as you say, was allied to al-Qaeda and then, as it were, developed a life of its own, partly I think because it was deliberately targeted by coalition forces in the early stage of the war and was bombed, so you perhaps had the element of revenge to add to what was already a very potent view held by al-Zarqawi about America. However, and I think a lot of people would agree, I think it is perhaps too simplistic to say that al-Zarqawi himself is part of al-Qaeda or that bin Laden deliberately sent him to the region.

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Q33 Chairman: Does he have a subordinate role?

Ms Corbin: He would like to be part of it and in fact earlier this year when I was in Iraq an interesting thing happened which was that a courier was intercepted between him and bin Laden and a series of correspondence was revealed in which al-Zarqawi sought bin Laden's help and support almost, as it were, to give credence and credibility to what he, al-Zarqawi, was trying to do in Iraq, and there is no question that he is trying to pursue the same philosophy to destabilise and to attack the coalition forces, but it was almost as if he was pleading to have the umbrella of al-Qaeda over his organisation to give it legitimacy and I think that is very much what he aims to do. We know that he knows bin Laden, he has spent time in Afghanistan, and he has, as it were, the stamp of the Afghan veteran on his passport, so there are links in that way, but I think it is simplistic to say he is part of al-Qaeda or he was sent there to fulfil a role. I think he looks for credibility from bin Laden and he looks to be part of his organisation, but we do not know whether he is able to travel freely over and back, or whether he is able to take any kind of instruction from him in any way. I think one of the problems with al-Zarqawi is that we in the West, and I think this is particularly true of America perhaps more than Britain, we like to know the face of the enemy that we are dealing with and we have perhaps accorded him a higher profile than he might have had because with the failure to capture bin Laden and, as it were, bin Laden disappearing from the radar screens, which he did until fairly recently, just before the US election, there was a need perhaps to give the War on Terror a face and that face in Iraq certainly became al-Zarqawi. The media too had given him a higher profile and closely linked him to al-Qaeda in a way which does not reflect the reality.

Q34 Chairman: A higher profile than he deserves?

Ms Corbin: Yes. It may be that we are giving him more credibility and in a way by giving him that profile, giving him publicity, it is a circle, it is a cycle, and he then becomes, in the minds of those who would give allegiance to such groups, a bigger figure and it is something we have created. I think intelligence experts who have looked at him and his background feel that he is a terrorist, but some feel that he is a psychopath, that he is criminally insane as well as being a person who has a terrorist philosophy, and, therefore, by giving such a person a high profile, we have perhaps contributed to the myth of Abu Musab al-Zarqawi which is by no means clear.

Q35 Chairman: How much popular support does he enjoy?

Ms Corbin: I think he enjoys very little popular support certainly amongst the Iraqis that I have spoken to in the many months that I have been going there over the past couple of years. I certainly see no support for him at street level in the way that Iraqis would support some of their own home-grown insurgents.

Q36 Chairman: But presumably if he were able to move fairly freely, which means, one assumes, that people are unwilling to report on him and he has safe houses, then, whether by intimidation or otherwise, he has a certain almost invulnerable position?

Ms Corbin: Well, I think he is able to move freely because of the chaos in Iraq and he has been able obviously to move in areas like Fallujah and the "Sunni triangle" where that chaos is far more serious than it is in other parts of the country which operate still in a reasonable way, so I think that that is why he is able to move with impunity and gather followers and to perpetrate some of the really awful hostage-taking that we have seen.

Q37 Chairman: But he has a large price on his head and there are many people who must observe what is happening, so why is the intelligence not better?

Ms Corbin: I think that it is very hard to penetrate some of those areas. It has been a problem for Western intelligence right throughout this War on Terror, their inability to act on the ground and to recruit people to actually learn what is going on. When you see that al-Zarqawi has managed to integrate himself and to, as it were, lose himself in the general insurgency in Iraq, I think you can appreciate why it is very, very difficult to find one particular individual.

Q38 Mr Illsley: We can separate al-Zarqawi presumably from the insurgents, can we? He is not one of these guys who is going to take a group of people on the street with a rifle and take on the US Marines. It is criminal activity quite separate from the insurgency?

Ms Corbin: I do not think we can separate it from the insurgency. I think we could in the early days when you heard more about foreign fighters and perhaps if we go back to last August with the bombing of the UN Headquarters, that was very specifically seen as Islamic militancy directed against the UN, but from that time to where we are now a year later, there has been a mixing, a finding of a common cause between what was a secular insurgency and an extreme form of Islamic militancy and I think that it is very difficult now to distinguish the different strands. That may be why al-Zarqawi is able to hide more closely and to infiltrate those areas because we have seen the development of the insurgency in Iraq from what it was a year ago.

Q39 Mr Illsley: Is he likely to become a leader figure to the rest of the insurgents? Is he going to be revered as a—

Ms Corbin: I do not think so. I think it is a marriage of convenience. I think that as long as there is a common cause fighting the coalition, these groups will act together in certain circumstances and on certain operations, but I think that a person like Abu Musab al-Zarqawi, even if we were to accept that he has a certain leadership amongst the Islamic militant tendency within those groups, I think it would be impossible that he would become a leader in the broader sense—of the Ba'athist elements, for example.

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Q40 Chairman: Are you surprised that he has not been shot?

Ms Corbin: I am not. There is another very large price on Osama bin Laden's head. There are heavy prices on a number of heads of the known leaders of al-Qaeda, and very few of them have been shot. They have nearly all been killed or captured in shoot-outs rather than as a result of insider information. It does not work like that in those areas where tribal loyalties are strong, where fear of course is an enormous factor, and in the general chaos that we have in Iraq and in the Sunni Triangle, I am not surprised.

Q41 Sir John Stanley: I am going to ask you the big question: do you think the world is a safer or less safe place following the invasion of Iraq?

Ms Corbin: From my observations within Iraq and in other parts of the world, I do not think it is safer in any way. I would have to, if I am honest, say that I feel that the world is a less safe place because of the fracturing of these groups, their ability to form looser and looser affiliations and to grow their network. I think that the CIA is recently on record as admitting that they are amazed at the ability of al-Qaeda to replicate. I think when I appeared before you just over a year ago I said that I believed in the first six months after 9/11 in the war in Afghanistan that al-Qaeda was severely hit, it was difficult for them to operate, but what has been extraordinary is their ability to fight back not as a single organisation, and it never was that by the way, but its ability to grow other organisations and to form affiliations. Therefore, a more diffuse network is more difficult to deal with and, consequently, I think, therefore, that the world is less safe and Iraq I feel has certainly added to the problem.

Q42 Sir John Stanley: Can I just turn to how this grim form of terrorism is evolving. You have obviously been watching it closely, particularly in Iraq, but also elsewhere, so what is your judgment as to the degree to which al-Qaeda terrorists or determined insurgents are increasing their level of sophistication of operation, particularly combining conventional forms of terrorism with the use of suicide attacks? Do you feel that they are on a learning curve and becoming that much more difficult or not?

Ms Corbin: I think that 9/11 proved how sophisticated an operation they could mount, so I think it is not that they have become more sophisticated, but perhaps they have found new opportunities, they have recruited new people. In Iraq, for example, in the early days of the suicide bombings, it was said that it could not possibly be Iraqis doing this, but I think we have seen that the sheer number of such attacks has grown and the sheer frequency that there can be little doubt that Iraqis, perhaps people who were once very secular, have been persuaded that this ideology of "martyrdom" is something that they can follow, so I think that is very worrying. I think we are seeing an increase, for example, in these suicide bombings, so that is one thing that worries me, and I am not one

of the people who feels, as some do, that 9/11 was the last hurrah, if you like, that they are not capable of mounting such an attack or a similar kind of attack in terms of sophistication. I think it will take a long time, but they are very, very patient and they are prepared to wait for years until the right cell in the right place can come up with the right plan. Therefore, I feel that they have by no means finished, they have not been finished and they still have the capability to mount such an attack or something similar.

Q43 Sir John Stanley: Can I just take you through some of the particular terrorist techniques which are in operation now quite clearly in Iraq. What is your judgment as to the degree of emphasis they are placing on infiltration, particularly infiltration of the Iraqi police and the Iraqi army recruits? Would you agree that some of the cold-blooded murders that we have seen clearly depended on penetrating the security of those organisations and working in conjunction with people inside who knew about lorry movements and where concentrations of the police or members of the armed forces were likely to be found?

Ms Corbin: Yes, and I think infiltration of course has been a very effective weapon that they have used, but again I would differentiate between the more al-Qaeda-allied Islamic militants and the Ba'athist insurgents. The Ba'athist insurgents have used to great effect a lot of the military tactics that, after all, they have learnt. Many of them are thought to be former police and army officers and also have access to explosives, so they have used those techniques very successfully and in the cold-blooded murder of large numbers of Iraqi recruits to the police services and security services, so infiltration is one thing they have used very effectively. I think the other thing we have all watched with growing horror is the practice of hostage-taking and kidnapping and this certainly can be linked back as a tactic to al-Qaeda. I think we all remember the capture, kidnap and eventual horrible murder of Daniel Pearl shortly after 9/11 and before that there are other examples in Kashmir, for example, involving some British hostages way back before 9/11, so this is a technique they have used. I think they have allied it increasingly to another skill which they have become very adept at using which is the whole business of propaganda, videos, pictures on the Internet and the spread of those techniques, and that has been used to horrific effect with these beheadings which they find a way of getting on to television or the Web very quickly and that has obviously had a big effect not only on the way people in Iraq feel, but we have seen it even here with the taking of some of the British hostages, the kind of effect it has had on public opinion back here. This is tool of terrorism, this is what terrorism is, it seeks to terrify, and this is a very effective weapon that we have seen them willing to use more and more in recent months.

Q44 Sir John Stanley: You have very acutely anticipated my next two questions which were precisely in those areas, about the use of kidnapping

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and the use of media manipulation. Could I just ask you on the area of media manipulation, you very well are able to give us your perspective from your particular background, but is it your judgment that the showing of these appalling scenes on television, including the beheading and murder of people, in media terms that is working to al-Qaeda's advantage or do you think this is actually showing millions of people around the world the sheer horror of these people and repelling people rather than attracting them?

Ms Corbin: Well, I think that there are different audiences that these videos are directed at. There is the western audience and the desire there is to terrify, to spread the message of terror and I think that is very effective. I think for a very small segment of the population that al-Qaeda seeks to recruit and to attract, if you like, the angry element of young, perhaps dispossessed Muslim youth, somehow the way that these videos portray the ability of terrorists to exercise power over westerners who are often seen in that society as being the ones who exercise the controlling influence, that is quite potent with that particular small group of recruits and it is meant to be, so I think there are different messages going out to different people. Bin Laden himself does not use those kind of videos. He presents himself in a much more, if you can use the term and he would like to think certainly, statesman-like way. He gives speeches, he makes announcements things and you do not see him in these blood-thirsty, awful videos, but you see some of his fighters using these techniques, so again I think the sophisticated element is the way that different videos are made in different ways and directed at different segments of his audience. Again he appeals sometimes to the broader opinion in parts of the Middle East where there is anger at American policy, British policy and European policy in, the Israeli/Palestinian question, for example, and the skilful use made of video footage of the killing of Palestinians, for example, and that is another element they use very well in their videos, so I think different messages to different groups and some of them very effective. Yes, you are right, they are very, very off-putting and they are cruel and evil in the extreme, and to the audience that receives them in that way, the message of terror I think is very clearly taken.

Q45 Sir John Stanley: Terrorism coupled with kidnap coupled with media exposure, do you judge that that is going to remain confined essentially to Iraq and possibly one or two neighbouring countries, possibly even Saudi Arabia and Afghanistan, or do you have any anxiety that this is a particular form of terrorist technique which might get used more widely?

Ms Corbin: Well, I think that we have seen actually something a little more encouraging in the last few weeks and certainly when I speak to contacts in Iraq, as I do on a daily basis, the information that I have is that the awful video, which we have not seen, but some Arab stations have shown, of what happened to Margaret Hassan has actually turned public opinion in Iraq in quite a dramatic way. Now,

whether that will last or not, I do not know, but people have been horrified because here was an aid worker who had given her life to Iraq. It may be that that was a video too far, but, on the other hand, we have seen of course the release in Afghanistan just today of some western hostages, so I would like to think that perhaps that is another encouraging sign that we have seen the tide turn in using this as a technique. I am afraid that these things go in waves and it may go quiet for a while now, but that does not mean that we have seen the end of hostage-taking as a purely criminal endeavour because a lot of it is about raising ransom money and this, I think, will continue, so I do not think we have seen the end of it, although, as I say, there are some encouraging signs that it has backfired, if you like, on the kidnapers.

Q46 Sir John Stanley: Do you agree with the reports that the hostage-takers in Afghanistan, and we all hugely share your relief at the release of those three hostages, that that particular group in fact was doing it for commercial reasons rather than plain terrorism?

Ms Corbin: I think, knowing Afghanistan and kidnap is a long and honourable tradition, or not so honourable a tradition in certain areas, it was probably for money at the end of the day.

Q47 Sir John Stanley: I would like just to turn to Afghanistan now. What is your view as to whether we are winning the war against terrorism in Afghanistan, whether it is still stale-mated or whether we are actually losing it as of now?

Ms Corbin: Well, I think the recent elections were very encouraging, that President Karzai received a mandate to govern that country and will now be seen to be independent. I think the parliamentary elections, which will come in April, will be perhaps even more revealing if they can be held in an atmosphere of relative calm. I think there will be the temptation for more violence there because it will be easier for people to intimidate through violence in all the different regions, so I think it remains to be seen, but I think that the security situation is not good. It is not possible to move around outside Kabul and the warlords still reign supreme. Personally, I think it is a matter of great concern that the opium production is up 400% from the year 2001 and that it may mean that some element of that production is being used to finance what remnants of al-Qaeda and the Taliban still exist in the country and over the border in Pakistan, so I think the situation is very unstable. We have done better perhaps in the War on Terror in Afghanistan than we seem to have done so far in Iraq. I think it is early days yet and I think that perhaps with the efforts to find an exit strategy in Iraq by both the British and the US Governments, which obviously are going to be key in the next year or so, perhaps the pendulum will swing and more resources and more effort will be put back into Afghanistan and into those areas particularly in the

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south and the east where we still believe that al-Qaeda is able to operate across those borders and where I still believe bin Laden and those around him may well be.

Q48 Sir John Stanley: I would like to come to Europe and the United States and the degree of risk there in a moment, but let's take some of the other parts of the world. What is your judgment at the moment as to whether we are, in simplistic terms, winning or losing the battle against what can broadly be called al-Qaeda? Clearly we have had some extremely serious al-Qaeda-type terrorist attacks in Saudi, we have had serious attacks elsewhere in the Middle East and we have had another attack against an Australian target in Indonesia. Do you feel that worldwide we are losing or do you feel in fact that we are still getting on top of al-Qaeda?

Ms Corbin: I think in some areas there have been encouraging signs. I think al-Qaeda, through the offices of Algerian militants, have tried to expand into the Sahel region, into Chad, Mauritania and northern Nigerian where there are obviously large Muslim populations and I understand that local forces, aided with specialist expertise from American forces, have been able to push back that attempted expansion. However, on the other hand, we have seen, for example, in south-east Asia and Australia difficulties in getting to grips with Jamaah Islamiah who are believed to have been behind the Bali bombing and although we have had the arrest of important operatives, amongst them Hambali who was very key in that Bali bombing planning, we have new local leaders. This goes back to what I said about al-Qaeda's ability to regenerate itself, to split, to form new groups. There is somebody called Zulkarnean, a former Afghan veteran, who, it seems, has replaced Hambali. It is almost like an alphabet soup of names in that for everyone who is taken out of circulation, you can point to another one who begins to become important within the hierarchy, so it is mixed news. There have been successes in certain parts of the world and I think in other parts and certainly in Saudi I think the problem still remains very, very acute, just as the Saudi authorities, who seem to be far more focused now on their hunt for these people, just as they arrest or kill one leader of al-Qaeda, al-Qaeda is able to announce the formation of a new group and a new leader, so I think in those areas we cannot say that we are getting on top of the problem. Al-Qaeda remains a threat and it is always looking through affiliated groups, through like-minded organisations who share the same philosophy and it is always looking for opportunities, for weaknesses in states, for difficulties that it can exploit to bring into being, and to encourage, local chapters.

Q49 Sir John Stanley: Coming to Europe now, clearly all the European governments have been doing their utmost to put in place tougher legislation to deal with terrorism, and in the UK we have had some more announced here today. We have had the Spanish rail terrorism and clearly there are relatively

high terrorist threats on any sort of western target throughout Western Europe, including of course the UK. What is your judgment as to the degree of vulnerability we have to al-Qaeda now compared to just before 9/11?

Ms Corbin: I think we have to be vigilant because just as it is undoubtedly true that bin Laden and, if you like, al-Qaeda central is part of an old formation of al-Qaeda which has less day-to-day control and has been replaced with this new, more diffuse organisation, which even intelligence agencies tend now to characterise as new al-Qaeda rather than old al-Qaeda, we know that the hard core, if you like, old al-Qaeda is still capable of running operations long-term and I think in the case of Madrid, there is a strong feeling, and also in Turkey where the attacks were against our own consulate, that there was an element of central al-Qaeda being involved in the planning of those operations. I think this shows that they still have the reach to Europe and to British interests in places like Turkey which are obviously on the border between the East and the West, so I think we have to remain vigilant. I do not think we can say that al-Qaeda has mutated into something less dangerous, that day-to-day control has been taken away from bin Laden, or that they are no longer interested in, or capable of, carrying out long-term terror attacks. They may not be capable of such ambitious attacks as 9/11, but, goodness, Madrid of course was a terrible, terrible attack.

Q50 Chairman: And not very sophisticated.

Ms Corbin: And not very sophisticated, but quite sophisticated as to its timing, as to the near simultaneous bombing on the four trains. No, the methods, the backpacks with the explosives all bought from a mining company, were relatively unsophisticated, but the sophistication of using mobile phone detonators and having four teams able to do that near-simultaneously, that is the hallmark of al-Qaeda and I think shows they are still able to do it and that is why vigilance is important as is the whole process of law-enforcement and intelligence-gathering, which I have always felt was more of an answer long-term than a military solution in the war against terror.

Q51 Sir John Stanley: Then the United States. We were very interested in your extremely illuminating recent programme on *Panorama* with the relatives of the 9/11 victims, and clearly they have, understandably, and right across the United States there is still, a very real fear of being subjected to another terrorist attack. How far do you feel that the US Administration has conferred a significant extra degree of security on that now?

Ms Corbin: We see a number of alerts from orange to red to yellow which constantly changes. I think the awareness is there of course post-9/11 and given it did to the psyche of that country. The work that was done by the 9/11 Commission I think has meant that the US public will be far more prepared and far more alert. Some have been critical saying that it is scaremongering, that fear is being unreasonably stirred up. However though I think that they are

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more prepared, how prepared can an open country, a democracy, ever be against people who are very determined to do this kind of thing? Every road tunnel, every bridge, every railway, every tube station is a potential target and it is impossible to protect, but better intelligence-gathering, better sharing of information—and certainly the American public is aware in a way that it never was before, and some would say it was complacent before—I think are the best safeguards, but you cannot have 100% security and the ability to guard against terror attacks.

Q52 Sir John Stanley: Al-Qaeda and al-Qaeda-related elements have been using conventional weapons, conventional explosives for doing terrorist attacks, 9/11 and subsequently. What is your judgment as to the degree of risk that they may try to move into WMD and where do you see the risks that they might be able to do that in terms of what they might be able to procure?

Ms Corbin: I think that when I last appeared I said that I felt the intention was there, but not the ability above and beyond a sort of crude ability to create poisons in terms of chemical and biological weapons, but the nuclear option I felt was still quite a long way off. I have not seen any information and I have not come across any information in the last year or so that tells me they are any closer to their objective and I still believe that it is an objective of bin Laden's. I note that the US Marines have said that in the combing through of Fallujah in the last two days, they have found a cache of chemicals, crude chemicals, but chemicals that might be incorporated into the kind of bombs that the insurgents would be using in Fallujah, some of them are Islamic militants, so again I think they may not have the ability to strike in a way that would endanger a whole city, but they are looking for it all the time. They are looking for the value added, in their terms, and I do not think I can say too much about it, but certain things, events in this country and arrests that have been made, though I do not want to stray into legally difficult areas here, have also shown that those who are accused of having sympathies or perhaps being involved in these organisations have sought such materials, but again I do not think I should talk about it too much given that it is as yet going through the courts.

Q53 Mr Illsley: On something you mentioned earlier, a courier from al-Zarqawi to bin Laden was intercepted, it just struck me, are we any closer to finding bin Laden? Again this follows on from another thing you said about the ability of the organisation to recreate itself. Donald Rumsfeld said on the 4th October, I think it was, that more than two-thirds of al-Qaeda's leadership have been arrested, detained or killed. That obviously contradicts what you have been saying and tends to give me the worry that we will never find bin Laden.

Ms Corbin: Well, perhaps I can just deal with Donald Rumsfeld's comments and come back to bin Laden. Yes, this is a message that comes constantly from the Bush Administration, and the figure they

give is that between two-thirds and three-quarters of al-Qaeda's leadership has been dealt with, but this was the three-quarters of the leadership that we knew about on 9/11 and that is three years ago, and there is an alternative leadership now. First of all, they have not taken out the people at the very top and those underneath them, we are led to believe, have been replaced by others, for example, in Saudi where whenever they take one leader out and then al-Qaeda announces that it now has different person, and Amer Azizi is a new name that comes up who is a man still at large and believed to be behind the Madrid bombing, a new al-Qaeda figure. We could talk about names endlessly, but I personally do not believe that you can say that the majority of al-Qaeda's leaders are taken out. I think the ones we knew about then have been taken out and have been replaced with other leaders and also people below that in the strata, because it has always operated in cells anyway and I am not quite sure how important leaders, in the sense that we understand them in the West as military operational chiefs. I am not sure how important they are, I am less confident that the organisation has been decapitated and still the man at the very top and indeed his deputy and indeed Mullah Omah, who were the three top wanted figures when the War on Terror was launched, are still at large, and whether they exercise day-to-day control or not, they are figureheads and they are very important, I think, as propaganda tools for al-Qaeda.

Q54 Mr Illsley: Are we still looking for them?

Ms Corbin: Yes.

Q55 Mr Illsley: The reason I ask that is you have just said that the organisation can operate without them and I just wondered whether the West was now perhaps looking to spend more time, effort and resources dealing with anti-terrorism at home rather than going looking for, if you like, the leadership and whether, even if we find them, it will make any difference to a terrorist attack.

Ms Corbin: Well, I think it is important for political reasons and the kind of propaganda we have been talking about where the videos and audiotapes that continue to come out are powerful recruiting tools, so making bin Laden still very effective. We can talk a little about the latest tape, if you like, because I think that was a particularly key moment, the appearance of bin Laden on video after more than two and a half years. On the hunt for bin Laden, we are led to believe that the trail has gone cold. The belief is that he is still in the border area between Afghanistan and Pakistan and indeed his video is believed to be genuine and he makes comments in it that date it to recent months, but the idea that anybody has got any closer to him has certainly gone away. There was a period in the summer when we saw intense activity in the tribal areas on the Pakistani side of the border, an operation known as the "Hammer and Anvil" whereby the Pakistani forces were attempting to drive across the militants to be trapped, if you like, against the anvil of American forces on the Afghan side, but people were

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unsure as to how much that was for political effect to show that President Musharraf was a trustworthy ally in the War on Terror and how much was down to the real indication that they had al-Qaeda people cornered. There was certainly a rumour that they believed al-Zawahiri was in that area, but I never heard of real concrete evidence that they had bin Laden cornered at that point. Since then, my information is that the trail has gone cold.

Q56 Mr Illsley: Just moving, as Sir John mentioned, to the situation in Europe, I just wondered what your take was on the murder of Theo Van Gogh, the film-maker, whether that was just an incident of a backlash from the Muslim community against the film that they saw as offensive, a *Satanic Verses*-type issue, or whether this has developed into something far more serious and will produce perhaps a backlash against the Muslim communities in Europe where there are now attacks on mosques and so on in the Netherlands. Are the two linked or would it be possible to isolate the incident?

Ms Corbin: I think there were similarities to the *Satanic Verses* in that I understand that the film which sparked this particular attack was very controversial and put forward views which would be offensive to many Muslims, but I think, on the other hand, there is no doubt a section of young Muslim men usually who are very angry, who feel dispossessed and disillusioned in our society, whether it be the Netherlands or here in Britain. I think the fear of those who track these developments, and I think it is something for our own Government and I know our own Government is very interested and concerned about, is how do you head off that anger and that feeling of alienation and dispossession before it is put to potent use by those who would recruit from that alienated section of our society. I think it is a very real problem for us in this country. It is not new, it has been that way for some time and I think 9/11 brought it to a head. I think again, if I can just go back to Iraq, that those insurgents who have been captured recently, whether they be on the Ba'athist end of the scale or the Islamic militant end of the scale, they are very angry and sometimes very incoherent about what their reasons are for wanting to fight and kill coalition forces, but there is a common theme which is an anger and a feeling of futility and loss in not quite knowing the motive for what they are doing and what the future holds for them. I think that can be paralleled in a less extreme way in our own society and in the Netherlands as well and it is a potent mix and it is a mix that we have to get to terms with and we have to try and find long-term solutions to.

Q57 Sir John Stanley: You have just touched on the area that I wanted to come on to which is what are the policy options and whether there are things that particularly the British Government, which we are particularly concerned with here, could be doing and are not doing now. We all recognise that this is by far and away the most difficult terrorist issue in our lifetime because these are people who basically have a non-negotiable agenda. Do you feel, against that

background, that in terms of trying to overcome them that we have any options other than the military and intelligence options in dealing with the al-Qaeda hard-core? Do you feel that there are any political policy options or negotiating options that we can entertain?

Ms Corbin: I think that law-enforcement and intelligence have to be the option with the hard-core because it is perhaps too late to do anything about the way that they feel about our society, but I think it is very important that a different attitude be taken to those who might find themselves swimming in that direction or might find themselves susceptible to joining and that is to do with integration into our society, being part of it, being given opportunity, and also, it has to be said, solving the kind of political problems long-term that anger many of the Muslim world, whether it be the Israeli/Palestinian question or the lack of democracy across the Arab world. However, for the hard-core I believe that you have to keep a firm intelligence-gathering and legal framework, law-enforcement framework, but the whole point of the operation is to stop that sector growing and to head people off before they join. There are initiatives, like, for example, the attempt to regulate the kind of religious teachers that come to Britain and teach in mosques, to encourage a more home-grown, moderate form of Islam than the importation of mullahs who follow a more extreme Wahabist creed of Islam, though that seems quite a long-term view, but it is important. On the other hand, I think that when terrorist attacks occur as happened in Madrid and we in the UK see that and we feel that to be very close to home, then it is important too that the Muslim community here stands up and is counted in (a) saying it is wrong and (b), if they have information, being encouraged to report it and to make sure that these kind of terrorist cells are not allowed to develop here. I think responsibility lies there as well.

Q58 Sir John Stanley: How up the agenda for the British Government and indeed other western governments should be the whole issue of trying to support reformist, more democratic movements inside some of the key Middle Eastern states, African states, Saudi, and down the Gulf? I think we are all very conscious that there is a sort of small two-way conflicting push here which to a degree we experience in this country. Terrorism tends to make governments reach for suppressive, intrusive and potentially dictatorial instruments, but at the same time if you pursue those policies, as the Saudis are certainly experiencing, you create a potential cauldron which is likely to overcome your regime. Do you feel that the British Government is doing enough in the reformist agenda or do you think that it is going to have to accept the realities of terrorism and recognise that a lot of countries will say, "Our first priority is to keep our state together", and they are not going to take whatever measures unless they can ensure that happens?

Ms Corbin: I think Britain has taken a tougher stance. I am not sure that it would have taken it if America had not taken it following 9/11 and the fact

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that 19 of the hijackers were Saudi. I think this has changed public opinion in America towards Saudi Arabia and has driven their Government's policy, so I think we have followed on from them, and I am not confident that the British Government would have perhaps taken that line alone. Recent and very interesting work has been done in Norway on the reasons why terrorists become terrorists and particularly suicide bombers. It was often thought that poverty was a key factor, but their work has shown that it is not poverty, but one of the key factors is repression, the lack of democracy and the feeling that they have no voice in their own country, so I think that research bears out the importance of pushing in that direction, pushing for more democracy in those countries where it is lacking.

Q59 Chairman: Following Sir John's theme, in terms of the implication for us in the UK of these wider movements, there was an interesting juxtaposition in today's morning press where *The Independent* suggested that the Government was seeking to create a climate of fear as if exaggerating the threat, yet the *Daily Mail* had a large piece about the danger or the threat to Canary Wharf. How do you respond?

Ms Corbin: Well, in the book that I wrote about al-Qaeda, I did actually give details about Canary Wharf as a possible target and the fears of our own intelligence and security apparatus about Canary Wharf, but I have never seen any evidence that suggests that a plot has actually been uncovered to attack Canary Wharf. There certainly was information about an attack on Heathrow Airport and that was well documented and troops were sent to surround Heathrow Airport. The fear was there that a shoulder-launched missile could have been used against a plane taking off or landing, but I was a bit surprised at the *Daily Mail* headline today. I do not know of an actual plot to fly planes into—

Q60 Chairman: Are you sceptical about it?

Ms Corbin: I am very sceptical, but I know that this is something which has concerned our authorities here because it is a landmark, it is an icon, it is very big, and I think post-9/11 we know that al-Qaeda goes for the spectacular and that any country that has something similar to the World Trade Center would be wise to look at its security. There is an enormous amount of chatter always in the websites associated with al-Qaeda about potential targets and you never know whether it really is for real or how genuine it is, but governments have to look at all

eventualities because the press will attack them if they are found to have been wanting in acting on any information about a threat which they had received.

Q61 Sir John Stanley: In the very interesting analysis you have given us about al-Qaeda's motivation, you focused obviously on their sense of anger, particularly if they feel they have been invaded by occupiers in their own country and you focused on suppression of democracy and not having any sort of outlet, but you have not so far referred at all to any religious motivation, and most of the Muslim world would say a mistaken religious motivation, but do you think that amongst the kernel hard-core of al-Qaeda, they are actually driven positively from their standpoint by a view that they have a duty to remove the infidel world, in other words, the non-Muslim world, so is that a serious widespread motivation?

Ms Corbin: Yes, but I think we have seen an evolution. I think that is what was so interesting about the recent videotape from Osama bin Laden. It was quite different from earlier ones which had harped on the religious themes, that there was a need for jihad, and there was no mention of jihad in the latest video. The latest video was very political in a sense in which we would understand it, appealing to the public over the heads of politicians to say, "It is not what you are that angers us, it is your policies", or the policies of your Government. It was an attempt to make the public understand why al-Qaeda is opposed to us, so I think that we saw a diminution of the religious rhetoric in this recent video and in fact in the audiotape that preceded that, I do not know if you remember there was an audiotape a month after the Madrid bombing in April in which bin Laden first presented, if you like, this attempt to appear more reasonable and more political. He is trying to shape himself into a political figure, to rely less on the religious rhetoric and to present a more global agenda. We should not be deceived by it because the real hard-core message to the hard-core supporters is violence, terrorism still, but I think that is the direction in which he is seeking to move. It may be because the original motive that fired him, which was the presence, as he saw it, of infidel US troops in the Holy Land of the Saudi Peninsula, has now been removed and events have moved on. Therefore, I think he is actually clever and adept at moving, if you like, with the times in the way he represents himself and that is why we see now more of a focus on these kind of reasons in his statements and the statements of others in al-Qaeda than the original religious rhetoric, but of course it remains a core motive for that organisation.

Chairman: Ms Corbin, naught for our comfort, but we thank you for your presentation, nevertheless. Thank you very much.

Tuesday 14 December 2004

Members present:

Donald Anderson, in the Chair

Mr David Chidgey
Mr Fabian Hamilton
Mr Andrew Mackay

Andrew Mackinlay
Mr Bill Oler
Sir John Stanley

Witness: Dr Ali Ansari, University of St Andrews, examined.

Q62 Chairman: Dr Ansari, may I welcome you again to the Committee. You gave very valuable evidence to us way back in February 2003.

Dr Ansari: I am very pleased to be back.

Chairman: The Committee visited Iran in October 2003. We were hosted by the chairman of the Majles Foreign Affairs Committee, Mr Mirdamadi, who was not allowed to stand in the Majles election, which we cannot understand given the extremely correct way in which he dealt with the Committee. Since your first evidence session to us, I note from subsequent articles you appear to have hardened your position a little. I will move on to my colleague, Fabian Hamilton, to take that up.

Q63 Mr Hamilton: Welcome back to the Committee, Dr Ansari. Sadly, I was unable to join the rest of the Committee on the visit in November last year, but I did get a very full report and we then produced our Report to the House. In our Report to the House we noted that the elections to the Majles “may represent a swing of the pendulum of Iranian society back from democracy and openness towards fundamentalism and isolationism. If such is to be the context in which the United Kingdom must conduct its relations with Iran over the coming years, that relationship may be a difficult one to develop. On the other hand, in our estimation the weight of Iran’s overwhelmingly youthful population is certain to push the pendulum once again towards reform.” I wonder what you consider to be the current prospects for reform in Iran given the context of those elections.

Dr Ansari: I do not think anyone can deny that it has been a bad year. Both in the way domestic politics has worked out but also in the international dimensions of that it has been a very poor year for democratisation in Iran. I would tend to agree with the conclusions of your own report, however, in the sense that if one was to look at the overwhelming structures of democratisation of any country in the Middle East, certainly any Muslim country in the Middle East, and look at the foundations of that, then Iran still does present us with one of the more interesting cases of a sort of organic growth of democratisation. That is not to say that Iranians themselves did not find recent events quite distressing, quite traumatic or even a very serious setback. I think the overwhelming direction is still positive. I would say that in the long run rather than the short to medium run we have to deal with particular issues. Part of that has to do with the

reform movement itself and the way it is organised but also the way in which the international community dealt with the reform movement.

Q64 Mr Hamilton: May I ask how you think the political spectrum is going to change after the presidential elections in which obviously President Khatami will have to stand down. Who is likely to be the candidate?

Dr Ansari: There are a number of candidates that are being put forward. The big issue is who will be allowed to stand. The second issue is how many people will vote. There is a lot of disillusionment with the process as it stands. There may be a certain amount of compromise *vis-à-vis* the guardian council to make sure that there is some sort of competitive electoral procedure. Iranians are well aware that the February elections were not their finest hour. I have heavily criticised this as well in open print and I have said to them that it did not do them any favours. I think the contest now has shifted to the centralists and the conservatives. My own view is that the presidential election is probably not quite as important as some Iranians would have us think and that is partly because the presidency itself has been so weakened. It all depends on who can possibly take over the mantle if Rafsanjani makes a comeback for instance, but even there we are not sure. What is much more fundamental is whether the more centrist conservatives, the conservative “wets”, and more of the left of centres, the reformists, can coalesce in some way to obstruct the more hard right revolution purists that I mentioned really seizing control of all the organisations of power. It is very possible that the presidency will not fall into the hands of a hard right, but the question that then arises is what this person can do when up against some of the institutions that are under the control of what I have termed revolution purists essentially.

Q65 Mr Hamilton: How sustainable is the current system given the weight of the youthful population, as we pointed out in our Report, that within five or 10 years will start moving into positions of authority, maybe 15 years, but eventually those people who were born since the revolution who very much see the establishment as the conservative establishment? How sustainable is the current system, or will it be overwhelmed by the desire for democratic control within 10 or 15 years?

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Dr Ansari: I have long argued that the system as it is currently constructed is not sustainable. The sad thing is that most Iranians are well aware of this. The question is how you manage this transformation or this transition of power structures and economic structures. I would say it will come much sooner than the 10 to 15 years that you have been saying it will take.

Q66 Mr Chidgey: You wrote that “The revolutionary regime, and especially its more hard-line elements have become more emboldened. What they ask, can the ‘West’ do, having embroiled itself in the quagmires of Iraq and Afghanistan? A military invasion is out of the question; a military strike is sustainable, and sanctions, if they are ever implemented (doubtful given the consequences for the oil price) . . .” What lessons do you believe that Iran has taken from the situation in Iraq and Afghanistan and the changes in its regional environment? Secondly, how concerned do you believe Iran is about US policy towards it? Are there serious concerns that Iran could be next in line for US efforts of regime change? Finally, is Iran seeking to influence events in Iraq, particularly now with the elections that are upcoming?

Dr Ansari: The first thing we have to bear in mind is that there is no single Iran. We talk about what Iran wants. There are obviously different groups and different factions and what they are interested in is different. In terms of the regional change and the war on terror in broader terms, I think there was quite severe anxiety on the part of many members of the establishment about what this meant. Many reformists drew the conclusion that the swift collapse of the Ba’athist regime shows what happens to an unpopular regime when put under coercive pressure; others obviously took different lessons. But at the moment there certainly seems to be this view that some of the pressure that they felt in the aftermath of the invasion and occupation of Iraq has now lessened and that Iran can play a much more influential role for good or ill in the region depending on the way that its relations develop with particularly the coalition powers. So it does have a certain amount of leverage and it sees that, it is not quite so one-sided. What it anticipates from that depends on the various factions. Many of them will use Iraq as an example—and I am sure this is how it is being portrayed on the state television of Iran—of what Western freedom brings you, ie anarchy, and ask if this is what you want and would you not much rather have the stability that we have come to know and love rather than this more anarchist situation. That is certainly used. No doubt there are many younger Iranians who would have preferred to see a much smoother transformation of power in Iraq than we have witnessed. I think they would have liked to use that as an example to show what can happen. I think on the Iranian side it is fair to say that what all the different factions have in common is basically they want whatever emerges in Iraq to be non-threatening, this is overwhelmingly the sense you get. They do not want a fragmented Iraq,

they do not want instability on their western border, the last thing they want is an influx of refugees crossing the border and so on and so forth, but they do not want a militarily strong Iraq either.

Q67 Mr Chidgey: Do they want to influence directly the political power structure emerging in Iraq so that it is more towards fundamentalism or the Iranian version of that? Are they trying to coerce the elections?

Dr Ansari: I think what we have to be very realistic about is that obviously the Iranians will want to have an influence in Iraq. It is very difficult to argue why the United States can go 3,000 miles and interfere in the domestic policies of a country and Iran, which is right next door, cannot. It is part of its neighbourhood and it will obviously want to have some sort of effect.

Q68 Mr Chidgey: Are Iranian activists migrating across the border in order to take part in the elections?

Dr Ansari: There are two views on this. I was in the US over the summer and there are some quite exaggerated claims about what the Iranians are doing in Iraq to be honest. My colleagues here say clearly there is an Iranian role, certainly in southern Iraq and among the Shias. They do provide a lot of welfare services for instance, social welfare, stuff which in many ways the British have tolerated. They are offering something quite useful but, on the other hand, there is a political angle to that. They are establishing themselves quite well. On the other hand, there is no indication really on the part of any Iranian faction that they want to see another Islamic republic in Iraq. Their primary concern is a stable regime politically and militarily, not a particularly forceful one. They do not want a large army on their border and something that will provide a market for potentially Iranian goods. They see it as their back room. In terms of interfering, the Iranians are in this advantageous position of being in a situation where as long as you have these directly held elections the Shias are in the majority, so they are quite happy for that to happen and they have no reason to agitate otherwise. I do not want to over-simplify the issue either. They have no reason to make the situation for the Americans particularly easy. There are certain elements in Iran that would not be anxious for the Iranians to leave either too quickly or too easily because it would free up the Americans to do other things in the region which they really do not want them to, which basically comes to the final part of your question. Yes, there is a very serious concern that the Americans are looking to finish up in Tehran and this is part three of the strategy.

Q69 Mr Chidgey: I think that answers my supplementary question which in fact is, has the war in Iraq accelerated or decelerated Iran’s search to acquire nuclear weapons?

Dr Ansari: There are two catalysts when we talk about the search for nuclear technology and leave it up to others to enquire about how they want to

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use their nuclear technology and certainly one was the nuclearisation of South Asia. There is no doubt about it, the Pakistanis acquiring nuclear weapons was something that did bother the Iranians and worried them to some extent. There is the argument that the Americans are not going to attack nuclear powers. I think it is a somewhat simplistic argument but it is an argument that says we should look at North Korea or Iraq and learn our lessons from those examples.

Q70 Chairman: Should we see the hand of Iran in the compilation of the list put forward by Ayatollah Sistani and his group?

Dr Ansari: To be honest, I hear many different stories about the influence that Iran has, particularly among the Shias. As far as I am aware, Ayatollah Sistani has a relationship certainly with the Iranian clerics but also with different factions. Sistani's relationship really is stronger probably with Khatami and Montazeri than it is perhaps with some of the more right-wing ayatollahs, whereas Muqtada al-Sadr will have relationships with other sides. On the other hand, they are all very heavily intermarried. I would be surprised if the influence was that direct that they were actually dictating lists of candidates, I do not think it would be that obvious and I certainly think Sistani is in a somewhat different category. He is very well regarded as a marja, as a supreme, a Grand Ayatollah and I do not think he would be that easily persuaded.

Q71 Sir John Stanley: The Iranian Government has come in for a fair amount of criticism both from the Americans and also from the Iraqi provisional government for not doing more to seal their border with Iraq. Could you inform the Committee of just how realistic or completely non-realistic any such policy is? Is it basically an open border? Is it financially ludicrous to suggest the thing should be completely sealed, or is it actually a realistic possibility for the Iranian Government to do very much more in terms of controlling passage between Iran and Iraq?

Dr Ansari: The longest border Iraq has is with Iran and it is extremely difficult to police. Clearly there are elements where they can secure certain border crossings, but it would be very difficult to monitor the passage through it. I think the Americans in this case are being somewhat realistic and probably unfair if you look at the American-Mexican border. These are difficult borders to monitor. Even in the northern areas you would find there is a lot of trans-national movement. I do not think there is any doubt that there are Iranians moving over and some of it is pilgrimages, some of it is other more political activities. I think there is undoubtedly an element of political exaggeration on behalf of probably the Iraqi interim government as well as the Americans in this regard about how much is going on.

Q72 Sir John Stanley: On the Iranian nuclear programme, the object of the exercise as far as the EU and America is concerned is to prevent that turning into a nuclear weapons programme. Do you think that the EU trio have basically gone down the right route or do you think they are guilty of naivety? Do you think that the alternative American policy of certainly looking for various forms of sanctions to put greater pressure on the Iranian Government would be a better policy option?

Dr Ansari: I think this last year has been somewhat of a shock to my system in particular because what really has come home this year is the absence of a policy both on the EU side and the American side, and by a policy I mean a real long-term strategic vision of how they intend to go about developing their relations with Iran or getting their goals. The EU now has got it about right but it has been a long time getting here. I think they spent a year running around and making mistakes and having a very steep learning curve. In fact, that was the phrase used by one of my colleagues. My argument is that there should not be a steep learning curve at this stage. The British should not need to go through a steep learning curve in their relations with Iran. I think this country has probably had the longest diplomatic relations with Iran of any European power going back over 200 years, so we should have enough expertise to know how to deal with the Iranians. Overall there needs to be quite a radical re-think—this is a pretty personal view—both on the EU side and the American side about how to approach Iran so that we can get things constructed and get some benefit. At the moment we tend to react rather than respond and while we were dealing with the security issues and the nuclear issues I think we neglected other sides which equally deserved our attention over the past year and that was not to our credit.

Q73 Sir John Stanley: I am surprised you are so dismissive of the EU3 initiative. Is that not a fairly considerable achievement, having entered into an agreement with the Iranian Government which, if you believe the Iranian Government is going to adhere to it, will mean that the Iranian Government is not going to go into the nuclear weapons business?

Dr Ansari: I think now this is commendable, but we are really back to where we were last year after having gone through a year of renegotiating, a lot of hair pulling and a lot of frustration. Now, broadly speaking the EU, particularly the EU3, have got the position right. I think they are also taking seriously their own obligations under the NPT¹ in order to give Iran certain character as well as insisting on certain restrictions. The initial agreement signed last October I was enormously in favour of at the time, but what I did not realise then was that certain compromises seem to have been

¹ Non-Proliferation Treaty.

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made on other aspects of Iranian policy which dealt with human rights and democratisation and that was a pity.

Q74 Mr Olnier: It might well be said that Iran is trying to talk up the conflict with the US and that is one of its reasons for pressing ahead with its nuclear programme. Given the negotiations with the EU3 as the way to move out of a conflict situation, how strong do you think the voices are now in Iran in calling for the nuclear programme to be upped a bit? It does not really matter, does it, to the Majles deputies, the 200 of them that have signed up and said we will go ahead no matter what with enrichment and what have you?

Dr Ansari: One of the flaws in the thinking of the EU3 last year was that in not actually protesting enough at what happened in the parliamentary elections we had a group of people coming into parliament through largely fraudulent means who were not sympathetic to an agreement. We had signed an agreement, hoped the additional protocol would be ratified but then effectively turned a blind eye to an election fraud. If we compare it to the reaction to the Iranian elections, it is quite telling to be honest, which is basically putting a group of people into parliament that were very unlikely to ratify the situation, they wanted extra concessions and so on and so forth. My big concern is that there are elements not just in Iran but in the United States, perhaps even in Israel, who have a confrontational and a rather antagonistic view of each other and if you put these three together it is quite a volatile mix. So in this respect I have enormous sympathy for the Europeans. I think the Europeans are stuck in the middle of a very volatile pot and they are trying, as you say, to pull us back from an escalation, whereas others are playing a very dangerous game, a bluff is the best way of putting it. My greatest concern is that in the following 10 or 12 months we will see a situation develop where there is an enormous amount of goodwill in the various capitals but there are also a lot of spoilers who are going to cause difficulties. Really the task for us over the next year is to make sure that (a) we can anticipate some of these spoilers but (b) also have the mechanisms and the ability to communicate with each other to be able to avoid anything getting out of hand. One of the things we have to bear in mind is that the United States has no relations with Iran, they have no man on the spot. Even at the height of the Cold War they had an embassy in the Soviet Union. We have no contact between those two antagonists so to speak.

Q75 Mr Olnier: Do you think the Americans are prepared for us to be the honest broker and the French and Germans? You have no contact. Are they happy with their contact with them?

Dr Ansari: I think at the moment they are, at least that is certainly the impression I get. One of your other witnesses may be able to tell you better than I. There is also a very influential group who are willing this agreement to fail. There is no doubt

about it, there is also a group of people who do not want it to fail, who are quite happy to let the Europeans continue for a few more months and sweat and make all the effort, but they really will not be surprised if it fails. I was very struck for instance when hardly had the ink dried on this latest agreement than Colin Powell had announced that he had evidence that Iran was converting long-range missiles for nuclear warheads and it turned out that this was based on a single source of evidence. One would have liked at least a week for the agreement to settle in before we started moving on to the next issue of contention. The Americans' attentions at the moment are focused on Iraq and they are very happy to allow certainly the British to be the honest broker, but there are also groups there who would want to be able to turn round in six months and say "we told you so".

Q76 Mr Olnier: You touched before on the trade agreement between Iran and the EU. Do you think that is of vital importance in getting the message over to ordinary Iranians that we have no wish to control them or anything like that and that to trade is a great leveller in bringing back prosperity? How widely amongst the general public in Iran are the trade agreements with the EU known about, spoken about or whatever?

Dr Ansari: I think the relationship of the EU to Iran is enormously important and enormously influential, which only heightens the fact that the lack of any response last year had a very bad effect. Trade agreements are a very useful way forward. My only wish is that in some ways the EU had been able to do this earlier. There is a general consensus that had a trade agreement been signed when Khatami was at his height it would undoubtedly have boosted his position domestically. In that way we have somewhat missed the boat. Nonetheless, it would be enormously beneficial and plain to an Iranian audience, a general audience, that the Europeans are not there simply to wield a big stick and constantly berate us for various reasons.

Q77 Chairman: Dr Ansari, how do you respond to the cynics who say that since the agreement with the EU3 in October of last year Iran has been playing games and it has pursued a fairly consistent line towards obtaining military nuclear capability? Evidence pointed out would be that of concealment and brinkmanship in terms of the UN Security Council and that ultimately they know that Russia and/or China would veto any sanctions of the Security Council. So, having bought off that referral, they would get fairly shortly to the point of nuclear breakout and achieve their aim.

Dr Ansari: I think there is a lot of validity to the argument that what the Iranians have been doing since the original agreement signed in October 2003 has been a lot of brinkmanship, a lot of manipulation of the political process. Part of the problem, however, still lies on our side of the negotiating table. One of the biggest complaints about the EU is that it is a very difficult organisation in some ways to co-ordinate to be able

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to have a single policy coming out of the EU. I think the Iranians were very effective in being able to exploit various disagreements between EU partners and there needed to be a strength of determination in wills among the EU partners to let Iranians know these are the red lines and we would rather you did not cross them, but the trouble was that from an early stage there was a lot of provocation on a number of different partners, not necessarily the EU3 but certainly other partners as well may have sent different messages and I think that was certainly an issue. In terms of inconsistency, however, I feel that we must also bear in mind that as far as the Iranians are concerned there has been quite a heavy amount of inconsistency from the West as well and this has resulted in quite a deep sense of mistrust in actual fact and that we are in the situation we are in not because of the success of policy but the failure of policy. If I was to look at the most recent failure, in a sense it is the whole “axis of evil” speech. This thing put the final nail in the coffin of Khatami as a reforming president who had gone out of his way to give the West things it wanted during the Afghan war and he was rewarded with this. So a lot of Iranian leaders are extremely sceptical and suspicious about how to deal with the West. In that sense I can fully understand that.

Q78 Chairman: But the suspicion of the West goes back far longer than that.

Dr Ansari: Absolutely. You are absolutely right, it goes much further back. The “axis of evil” was maybe the latest in an unfortunate series of perhaps miscalculations on both sides.

Q79 Chairman: If it is a consistent aim of the Iranian authorities to obtain a military nuclear capacity, what is the relevance of the sweeteners, the carrots, the trade agreements?

Dr Ansari: I can tell you what I believe they may be up to and I can tell you what I know they may be up to and what I know they may be up to is very limited. If we knew what they were up to then we would not be in this difficulty. Clearly they have this determination that says that nuclear technology in its variety of forms—and it is a very widely held view among many Iranians which I disagree with but I am probably a minority of people in this respect—is a sign of modernity, it is a sign of being modern, it is prestigious, it is like Europe in the Sixties when the idea of having nuclear power was essential and it is something that they played very well on a nationalist card and even diaspora Iranians would be very positive on. I think much of the money could be spent on much more fruitful things. Nonetheless, I think the way to handle it perhaps is the way that Europe has done at this stage, which is to say, “Look, if you want to pursue the civilian side of it by all means do. We are not going to prevent you having the technology, but we need reassurances that you are not going to go down the other route”, and I think that is why you have to have a very transparent procedure as far as possible.

Q80 Mr Mackay: Dr Ansari, may I explore again this issue of Iranian brinkmanship. You rightly say it has been a very frustrating year so far. Is it too simplistic to say that it is their policy to play the EU off against the United States of America?

Dr Ansari: It is not, because in the last year we have witnessed some of this taking place. It has been a long, well-founded policy, prior to the last year, that the EU were Iran’s ideological bedfellows and that the Europeans were the people to deal with. Clearly the Americans we were going to have long-term problems with, therefore it is much better to consolidate ourselves with the EU. We have seen not only the EU being played against the Americans but we have seen the EU countries played against each other, that is the flaw. There are those more constructive people who will say that they see the EU as a route towards bringing America in from the cold so to speak, that is also an element and the route to Washington lies through London basically, but this is probably a more long-term aim.

Q81 Mr Mackay: You have hinted at what the Iranian Government want to achieve. Would you like to say a little bit more on what you think their ultimate objective is?

Dr Ansari: In terms of their nuclear capacity?

Q82 Mr Mackay: Yes.

Dr Ansari: Let me put it this way. I think most Iranian governments even prior to the Islamic revolution had this yearning to restore their great power status and this is something that goes back a very long way, it is something that the Shah was very keen on and I think the vital element here is that they want to be technologically advanced. I think my own view, and it is a view I gathered from an American colleague, is that the Iranians were being quite clever about this, they were going out to the absolute edges of the NPT, providing the infrastructure of a weapons programme but not taking that final step. It would be a matter of debate, as you said, Mr Chairman, about whether the current threats are ones that would push them across the brink. My own view is that for prestige reasons, for the idea that nuclear technology in a broad sense provides them with legitimacy, they will go as far as they absolutely possibly can.

Q83 Mr Mackay: You have just said then, and I am sure you are probably right, that they are seeking again great power status. When you were before the Committee last time you said, in respect of some Iranians, “for them an American attack would be just the tonic to reinvigorate traditional values and national unity”. Linking those two together, are we in for a dangerous confrontation between Iran and the international community?

Dr Ansari: That is a very serious concern. I have to say that this year I genuinely feel there are factions on both sides of the equation who are not averse to a confrontation and there is no doubt this is a problem. If it was only one side I would feel much more secure, but because there are both sides

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working in a way against each other it is something that I think we would be well advised to be acutely aware of.

Q84 Chairman: Dr Ansari, do you see any signs of any more flexibility or pragmatism in terms of foreign policy? For example, we were there and we were told that there are no diplomatic relations with Egypt because they named a street in Tehran after the assassins of Sadat. They have now resumed relations with Egypt. Does that show any greater flexibility to the Middle East in terms of the rejectionist views on the Middle East peace process, Israel/Palestine?

Dr Ansari: The debate on Israel/Palestine has been going on for some time. I fear that we are unlikely to see anything productive on that front certainly in the next year, but there is an increasing awareness among Iranians, even those involved in matters of political influence, that some sort of *modus vivendi* with Israel has to be arranged, you cannot continue like this *ad nauseum* particularly when they have to come to some sort of arrangement eventually with the United States and you cannot do that with the United States if you are looking for a peaceful solution. If you are looking for a more confrontational solution this situation is ideal at the moment, it cannot get better. I think there are strong motivations, strong pushes, towards being more flexible on the Middle East peace process.

Q85 Chairman: Have they encouraged their friends in the Palestine Authority to take part in the January elections?

Dr Ansari: I am not aware of their position on the January elections so I cannot comment on that directly.

Q86 Sir John Stanley: Can you explain a bit further why you take the view that there is unlikely to be any progress on Israel and Palestine over the next year? We were told that there was going to be no progress until we knew the outcome of the US presidential election. We have now got that outcome. Mr Blair is clearly very, very anxious to make progress in this next 12 months when he is going to be President of the EU and President of the G8. Just explain to us why your view is that we are unlikely to make any progress in 2005.

Dr Ansari: My view is entirely to do with Iran's relations with the Middle East peace process, not the peace process itself. Iran believes that Israel has recently purchased 500 bunker-busting bombs from the United States specifically as a threat essentially towards Iran. They are unlikely to be using bunker-busting bombs against the Palestinians. In that light and because of all that that implies I think in the next year you are unlikely to see anything from the Iranian aspect that is particularly productive or constructive *vis-à-vis* the Middle East peace process.

Q87 Chairman: Iran is a vast country in an unstable area and of enormous strategic significance. How would you advise us, the US or, more particularly, the European Union to engage most constructively?

Dr Ansari: There are a number of things that I think need to be dealt with including in terms of policy making. I think one of the great weaknesses of the last year has been the fact that so many of the Iran experts in the foreign policy establishment in this country have been directed towards Iraq and therefore we have had a dearth of resources and this has caused some of the problems we have had, ie people have been learning on-the-hoof. They have learned very well but it has caused a few delays. There are some very structural and personnel related issues to do with having the expertise, which is there, it exists, it is just directed towards other things. I think particularly at this moment in time what we need to do is to bring these people back into the fray and bring them back in on Iran. In terms of EU and US policy what we need is a united front, a very clear policy of how we are going to approach Iran, we need to know what we want from Iran and how we are going to get it, but it has to be united and it has to be clear and we must not allow the separate fissures in the EU and America to be exploited by those elements in Iran who would like to exploit them.

Q88 Sir John Stanley: Have you any information as to whether the American sale of bunker-busting bombs to Israel was done on a no strings attached basis or whether the use of those weapons is dependent upon the approval of the US Government?

Dr Ansari: I have been informed, but I would freely admit that this is not my area of expertise, I have taken advice from a number of people, that it would be impossible for the Israelis to launch any sort of air strike on Iran without prior US approval for the simple reason that they would have to fly over Iraq and if they flew over Iraq they would need to get air clearance if they did not want to be shot down. Certainly the view coming out of Washington that I am aware of is that the Israelis are unlikely to do anything without some sort of prior American sanction for it to happen.

Q89 Sir John Stanley: Are you making your statement in relation to the requirement to fly over Iraq on the basis of knowledge of the air-to-air refuelling capability of the Israeli Air Force?

Dr Ansari: That was one thing that they did say, that they would have to refuel. The argument is that the Israelis do not have the logistics capability to deal with a comprehensive air strike. They could hit certain targets, but they would need to refuel over Kurdistan. I do not know why over Kurdistan but this is the area they were talking about. I was very confidently told basically by an American diplomat that they cannot go over Turkey, Turkey would not allow them through, that the only route they could take was through Iraq, that they have

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a certain amount of range and limited capability to hit some targets but they certainly could not hit all the targets that the Americans could. The Americans have the capability sitting in the Gulf. I was told by an American that there is a lovely myth that their armed forces are over-stretched. He said, "Our Army is overstretched, our Marine Corps is over-stretched, but our Air Force hasn't got anything to do at the moment." That was basically his argument and they said they have to justify their budget.

Q90 Mr Hamilton: Do you think the Americans are likely to turn their attention now to Tehran and use military action against them if they do not comply with international agreements on nuclear development?

Dr Ansari: I think there is a very strong incentive among a number of Iranians to pursue this to its final conclusion. One would hope that wiser counsel would prevail because the consequences would be quite catastrophic.

Chairman: Dr Ansari, you have been very helpful to the Committee. Thank you very much.

Written evidence submitted by Dr A M Ansari

MEMORANDUM ON IRAN

Domestic Developments

There has been a shift to the right in domestic politics with conservatives close to the Supreme Leader taking control of key institutions including most visibly, the Majlis last February, in an "election" which was widely derided as fraudulent by most Iranians. This election effectively terminated the Reform Movement (as currently constructed), as a force of change within the country, and reformist politicians have accepted that they lost sight of their strategic objectives as well as their constituents, who by 2004 had largely become disillusioned with the slow pace of reform. With reformists out of the political limelight for the foreseeable future (Khatami himself is essentially a lame-duck president), the political battleground is being contested between pragmatists and revolutionary purists on the conservative side. The fear among many Iranians, including moderate conservatives, is that the ideologically driven revolutionary purists are increasingly dominating the political agenda, with serious implications for foreign policy.

Iraq

Views towards Iraq basically reflect the political divisions within Iran. Reformists and the vast majority of the population are on the whole sympathetic to the Coalition cause and regard a democratic and stable Iraq as beneficial to the entire region, including Iran. Hard headed foreign policy analysts tend to omit the necessity for a democratic Iraq, but would be happy to see a stable, populist (hence Shi'a) Iraq, which would pose no military threat to Iran, but would serve as a market for Iranian exports. In practical terms this generally translates into an enthusiastic support for the electoral process insofar as it will yield a Shi'a majority government. More radical voices, nonetheless, see Iraq in purely confrontational terms with the United States, in a curious parallel strategy with American neo-cons. Basically, as long as the Americans are pre-occupied in Iraq, then they won't come after Iran, and a war in a distant land is better than a war at home. They advocate interference on such real-politick grounds, while more extreme elements still, argue that Iraq provides the best opportunity to inflict a defeat on the "Great Satan". These competing visions sit side by side and can be seen in the occasionally contradictory policy of Iran towards Iraq. It would be fair to say nonetheless that all Iranians share the view that whatever emerges should not pose a military threat to Iran, and that the real difference emerges on how to handle the United States.

US

Relations with the United States are central to Iranian foreign policy thinking. Indeed, for all her practical absence, the United States casts a long shadow. It would be fair to say, that while there is severe anxiety among many senior Iranian officials over worsening relations with the United States, there are also significant Iranian decision makers who are complacent about the possibility of a military strike. Their argument, interestingly, is that the US simply would not be so irrational. More extreme elements of course welcome the possibility of a confrontation arguing that sanctions will encourage self sufficiency (although the resultant hike in the oil price make this unlikely), and an air strike could be sustained, and indeed might serve to reinforce nationalist fervour and state legitimacy. While Iranian pragmatists view such calculations with trepidation, there is little evidence that a military strike would be welcomed by the Iranian population, as some US hardliners suggest.

Attitudes towards Nuclear Development

The Government has very effectively turned the nuclear issue into a nationalist cause and by and large any straw poll (even among diaspora Iranians, where if anything, feelings are stronger) will show an overwhelming support for the development of nuclear technology, which is regarded as a right, the denial of which is widely regarded as a breach of Treaty (which it is), but more prosaically, a determination by the “West” to prevent Iran enjoying the fruits of modernity. They point out, quite rightly, that the West, including the UK was all in support of nuclear development (for peaceful purposes) under the Shah. Equally, the development of nuclear technology (peaceful or otherwise), is seen as both prestigious and legitimating for the regime. Many Iranians will of course also argue that Iran has the right to develop weapons, but since this would be a blatant breach of the NPT, the government cannot endorse this view, and in fact rigorously and regularly denies it.

Whatever the suspicions, the truth is that we simply don’t know what the state of play is regarding nuclear development in Iran, and this of course is the core of the problem, with fears being heightened by the fact that Iran did hide developments from the IAEA for nearly 18 years. Among the different factions in Iran, there are those who genuinely want a resolution with the West (although not a humiliating compromise), but it would also be fair to say that there are influential figures who see great value to continuing the crisis on what I would call “vulgar nationalist” grounds. This is not a rational argument but an emotional one, and hence there are dangers in the way it is handled, especially when one juxtaposes it with hawkish views in the United States. There is some justification in the view that Iran should get on and develop weapons as a protection against an aggressive United States, who irrespective of the nuclear issue, is ultimately determined to “sort out” Iran once and for all.

EU Policy

For the reasons noted above, there are doubts about the durability of a deal and indeed former President Rafsanjani (a pragmatist) has noted that the suspension of uranium enrichment will last only six months. There is no doubt that considerable time and good will was lost over the past year, and a significant part of this can be blamed on a critical failure in EU judgements. There seemed to be too much haste in wanting to “out-do” the United States and reach a diplomatic solution with Iran, a haste which was noticed by members of the EU not party to the troika’s negotiations. More damaging, in my view, was the EU decision to prioritise the nuclear deal over everything else, such that there was a muted response to the “elections” last February. Indeed the response compares very badly with the recent European response to the Ukrainian elections. The consequence of this was that a parliament came to power in Iran ill disposed to work with the West, and unlikely to ratify the Additional Protocol, neo-cons in America mocked the European belief in Iranian democratisation, while Iranians themselves felt badly let down by what was seen as a cynical exercise in European real-politick. In short it was a bad year for the EU, and it has been running to catch up ever since. Much ground has indeed been recovered, but serious questions must be asked over the initial miscalculations, part of which resulted from the practical reality that every available resource had been directed towards Iraq.

Human Rights

The approach of the EU to Iran over the last year (2004) has ill served the cause of democratisation and human rights, and this has been damaging to the EU position in Iran as a whole. Any discussion of human rights has to be nuanced and at times subtle, but it should be there, and the EU would regain lost credibility if it made explicit its reservations about human rights (of all Iranians, not just particular groups) when necessary, and made clear the costs to Iran of continued abuses. It should be stressed here that too often the human rights debate is debased by an exaggeration which demeans the credibility of the EU. There is no need to indulge in rhetoric which characterises Iran as the “worst offender” or the “most evil . . .”, terms which convince even critical Iranians that the criticisms are insincere and have more to do political point scoring. Iran does some things well, others very badly. They are quite clear and obvious, and require no exaggeration. Dealing with specific points, would I suspect, yield far better results.

Engagement

There is no doubt in my mind that Iran policy, insofar as a coherent policy exists, has been unimaginative, and that the West in general needs to radically rethink its policy, and if possible think “outside the box”. A quarter of a century after the Islamic Revolution we still face many of the same problems. Inconsistency is not an Iranian monopoly, and a clearly expressed and determined policy would serve all parties much better than the ambiguous mix of rhetoric and objectives which currently serve as policy. At times, over the past year, it appears that we have suffered from a bureaucratic drift and inertia, in part as a consequence of the absence of relevant expertise at the cliff-face. Indeed, it is increasingly apparent that at a critical juncture in our relations with Iran, the UK became so preoccupied with developments in Iraq that Iran was effectively “de-prioritised” to the point of neglect.

Such practical problems of course, apply both to the US and the EU (probably more so to the former), and the recent confrontational rhetoric coming out of Washington does not augur well. Talk of “totalitarianism” and the suggestion that Iranians might be envious of the electoral process in Iraq and Afghanistan are frankly absurd and indicate a depressing absence of sober assessment among senior US policy makers. Rather than consistent and somewhat predictable confrontation, there is an argument, for example that the US should offer some “carrots” and the EU be more forceful in its criticisms. After all it is the EU which enjoys economic relations with Iran and therefore in many ways has more leverage. Of course this depends on the EU being able to work in concert, and coordinating engagement with a willing United States. As far as the Iranian response is concerned, there is little doubt that on the right terms there would be a willing audience, although there are those who would clearly oppose it. The key would be how the US approached engagement, and it has to be said that there are vested interests on both sides that would not be in favour. In short we need a coherent, integrated, strategic vision and a clear idea of how it can be achieved.

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3 March 2003

Written evidence submitted by Dr Stefan Halper, Centre of International Studies, University of Cambridge

SELECTED US FOREIGN POLICY THEMES AND DIRECTION

There are two schools of thought on the direction of US foreign policy in President Bush’s second term:

One: those that see the potential for further military intervention, perhaps in Syria, Iran or North Korea etc. In an administration that affords neo-conservative sensibilities even greater influence, and

Two: those who believe the second term will embrace greater moderation and caution. They cite the president’s hope to leave a legacy of having brought Iraq to a form of democratic government, to have found the peace between Israel and Palestine that eluded president Clinton and having addressed the China challenge in a productive manner.

This school also cites constraints over which the administration has little control—an overstretched military, the ballooning deficit, and frayed international relations that limit the scope of us action.

I would suggest that we will see a combination of the two . . . but within a distinct framework.

1. Contrary to most previous administrations, this administration’s foreign policy has been largely determined by two people over the past four years, President Bush and Vice President Cheney. We can expect the same going forward.

2. Moreover, unlike the Clinton administration for example, where the administration considered a range of policy challenges and addressed them *ad seriatum*—everything from China trade balances, to the Israel-Palestine problem, to India-Pakistan to Japanese long netting off the Irish coast—this administration is focused on one organizing issue: the war on terrorism. All other issues are a sub-set of this issue.

3. This means that Iraq, the road-map for peace in the near east, Iran, North Korea and Atlantic relations will be addressed in turn but within the framework of the war on terror. Foreign policy initiatives and reactions will be seen in the context of their impact on US security in the confrontation with terrorism.

President Bush, like previous presidents, can be expected to travel more in his second term (he will be in Europe in February) and particularly in his last two years when he will have become a “lame duck”. The optics will change; more socializing, more conferences, bi-lateral meetings and dinners. But policy will remain largely the same.

Support from allies will be welcomed; challenges will not.

Personnel appointments

Figures like Paul Wolfowitz, Condoleezza Rice, Scooter Libby, John Bolton and Elliott Abrams (shortly to be named deputy national security advisor), Douglas Feith, undersecretary of defense for policy (whose troubled tenure continues for now)—will remain, for now, key players in the policy-making hierarchy. Colin Powell’s coming departure appears to represent an end to whatever moderating influence he may have exercised, which raises the disquieting prospect of group-think.

These appointments reflect the value the president places on loyalty, his comfort with policy direction—and his determination to strengthen senior policy management. They also indicate that President Bush remains convinced Iraq can be remade as a democracy; that the region can be made to reflect market-democratic principles. Moreover, it appears the administration is prepared to pay the collateral cost of an unpopular policy.

Neo-conservatives outside the administration such as Bill Kristol, the editor of the *Weekly Standard*, the **Wall Street Journal** editorial page, *Commentary Magazine*, senior policy figures at the American Enterprise Institute like Richard Perle, Jean Kirkpatrick and Eliot Cohen, and media icons like Bill O'reilly and Rush Limbaugh—will continue to provide the administration with needed media support.

Recent statements by the treasury and defense secretaries underscore the view that growing deficits, a weakened dollar and an overstretched military are, in the administration's view, problems to be managed, not limitations to current policy . . . and certainly do not shake Washington's determination to confront Islamic jihadists.

Yet, as George Bush steps upon the world stage for act two . . . he realizes Washington confronts a distressed international system.

Excepting the frayed "special relationship", traditional European alliances are dysfunctional . . . and the un is now less able, less credible and less inclined to act as a force for international legitimacy in conflict resolution.

Yet, the administration realizes that its military and economic resources are finite. There is a renewed sense that America must reacquire constructive relations with allies and global organizations to manage:

- today's proliferation of mass weapons;
- convulsive change in the Islamic world; and
- the dramatic rise of China.

Today's tensions in central Europe underscore the need to mend US-EU differences.

The election

It is well to remember that the administration's electoral victory was due in no small part to the discursive fig-leaf it laid over the Iraq war. In the course of the campaign, republican strategists effectively conflated Iraq and terror. Kerry's inability to unwind the knot was critical to his defeat. In this sense, the election did not illuminate; it obfuscated the issues and choices at hand.

For Bush voters: terror was more important than Iraq; and moral values were more important than the economy.

To take this a bit further, in place of the widely held notion beyond American shores that the convulsion in Iraq augers poorly for the emergence of market-democracy in the foreseeable future, and that the region is now less, not more stable, Bush voters focused on values, fear of terrorism and the belief that Bush would better protect them.

Given their promise of a positive outcome in Iraq, greater regional stability and thus a diminished terrorist threat, the administration remains committed to a neo-conservative theory of the problem and its solution.

This commitment will impact other areas of foreign policy, such as relations with European powers, who view the influence of us Middle East policies differently. The space for discursive common ground over Iraq in transatlantic dialogue will be ever meagre as the American discourse about freedom on the march meets European scepticism about circumstances on the ground.

Clashing discourses are apparent in recent transatlantic dialogue over Middle Eastern peace initiatives. While the White House seeks more international assistance for nation-building in Iraq, European powers have been pressing Washington for greater involvement in resolving the Israeli-Palestinian dispute which they see as the root of regional instability.

Yassir Arafat's death and the coming municipal elections in Gaza and the west bank seem to offer new opportunities for progress toward Palestinian statehood. This comes at a time when prime minister Sharon ousted a coalition partner, the secular Shunui party, and is courting the labour party to Likud's discomfort. Further, Sharon has indicated he will coordinate the Gaza pullout with the Palestinians—which had been in question.

Meanwhile Mahmoud Abbas, the PLO chairman, has ordered that government controlled media stop broadcasting material that incites hate towards Israel.

There is now discussion in Washington regarding Palestinian parliamentary elections which, should they proceed, could bring Fatah, Hamas and others into the government and provide them a stake in a new polity. One can not see over the horizon, but this is a possibility.

Having said that, the fact remains the administration has refused to commit itself to an international peace conference on the Israel/Palestine issue or embrace calls for a special European envoy to the Middle East. Nor has serious consideration been given to the appointment of a UN sanctioned commission to establish an international protectorate for Jerusalem in which the three major religions would each have access.

Thus, tactical progress may be possible in this period, but Washington's theory of the Middle East has not changed.

Iran

Even though Iran was identified as a part of the “axis of evil”, the prospect of pre-emptive action directed at Iran’s nuclear program is minimal. The reasons are:

1. An attack would bolster the mullahs and discredit the opposition;
2. There is no guarantee that an attack would destroy all or even most of the Iranian nuclear program; and
3. The British, French and German initiative in concert with the iaea seems to have brought interim progress. Though far from explicit, an approach seems to have evolved in which interested parties negotiating with “rogue” nuclear, or incipient nuclear powers, offer technical assistance for non-weapons nuclear development, a financial and trade package and an invitation to dialogue with the prospect of greater inclusion in future global fora. The American role in this is to remain in the background with the threat of force if progress is not made.

This is not unlike the six party talks currently addressing the north Korean nuclear challenge. There China, South Korea, Japan, Russia, the US and north Korea are engaged in a similar process.

While there are important differences between them, a general approach seems to have emerged that reduces the prospect of military action.

Military and budgetary constraints have dampened the appetite of the jcs and congress for further military engagement at this time, especially on these issues. Moreover, the American people, as reflected in the election opinion polling, are frustrated with the Iraq war, unenthusiastic about further conflict and believe their resources should be used in other ways . . . education, health, social security, deficit reduction etc.

The UN

Americans are sceptical about the utility of the UN. Frustrations extending back to the cold war when the general assembly was broadly considered a “debating society”, inaction in the Balkans, more recently a perception of vivid anti-Americanism, inaction in the Sudan and now the Ukraine crisis raises continuing questions.

Moreover, management problems and possible corruption together with the recent un report on reform suggest that the world body is in need of an overhaul. Americans would be generally supportive of this and would likely support an expansion of the security council to reflect today’s realities.

Having said that, Washington’s view is that the un is best suited to assistance work—health, education, refugee, migration problems—and less suited to peace-making, or any type of force projection.

Dr Stefan Halper

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7 December 2004

Witnesses: Dr Stefan Halper, Centre of International Studies, and Dr Dana Allin, International Institute for Strategic Studies, examined.

Chairman: Dr Allin, Dr Halper, may I apologise, we have had a private meeting and of course the deliberations of the Committee have been interrupted by a division. I fear that there will another series of divisions at half past five so we will seek to contain as much as we can within the time available. May I call first on Mr Hamilton.

Q91 Mr Hamilton: Sorry to have kept you waiting, gentlemen. I wanted to start off with President Bush’s recent electoral victory. It was obviously a much clearer result than in 2000, four years ago, and I wondered whether the clarity of the result and the Republican majority in Congress is likely to affect President Bush’s foreign policy over his first term and whether you think that his attitude towards the Middle East and the war against terrorism is going to harden or be any different from the first term?

Dr Halper: Let me say that the question of the decisive nature of the victory, the majority in Congress and the second term all have different dimensions and different effects. The decisiveness of the victory, I think, is a confused result in foreign policy terms because the administration succeeded in conflating terrorism in the Iraq War such that there could be no clear opinion rendered by the public on support either for Iraq or not, or worry about terror. In that respect the election itself shed very little light on where the administration is on the question of Iraq. It did provide an endorsement on the issue of terror. As far as the Republican majority is concerned in Congress, it is a larger party now and there are different voices in it. It is still a very conservative party and it is clearly supportive of the war on terror and the Iraq War, but there are some new voices—and we can talk about that in a minute. In terms of the second term there is the question of balancing his legacy, how he interprets it, and what it means in terms of the administration’s foreign

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policy. I think principally second-term Presidents—Reagan would be an example—tend to become more pragmatic, they become more cautious, they often become more inclined towards negotiation, as Reagan did with Gorbachev. In this term however this President is concerned about terrorism and it may take some of the wind out of the pragmatic sail.

Dr Allin: I would not find anything in that to differ with. Although it was in historical terms a very narrow victory, it was also a convincing victory. The President and his administration clearly feel vindicated by it. Given that the President governed and the administration governed in both domestic and foreign policy terms in a dramatic way as though they had won a landslide, when they narrowly lost the popular vote, you would expect the impulse of the election, as suggested by your question, to drive—and it is hard to see how it could be more explicitly ideological—a continuing strongly ideological foreign policy.

Q92 Mr Hamilton: It could be more aggressive, though, could it not?

Dr Allin: However, there are the constraints of reality and Iraq is not going very well. Even a deeply ideological administration has to recognise some of the constraints on US policy. I suppose this is a crude way of putting it but not so long ago we were asking is Iraq the first step in a series of transformative projects that would involve the use of military force elsewhere? Leaving aside the whole question of Iran which is a complicated one, I would think not. We do not have the resources for it. On the Middle East specifically, there is a possibility, I would say, and it is only a possibility, that the President, who obviously feels strongly about what he feels strongly about and has made a commitment to the Road Map and to a Palestinian state, and although there are a lot of countervailing currents in the United States and the US administration, the question is opaque, I would not be surprised to see a more concentrated effort, including a degree of persuasion on the Israeli Government.

Q93 Mr Hamilton: Chairman, may I just come back and ask about Syria. Obviously you mentioned Iran and clearly that is very, very complex and the idea that the US military would be contemplating or President Bush would be contemplating military action is, I hope, open to question, but Syria surely is much more straightforward, is it not? It is a very similar regime to the former Iraq. Do you think the US Government is considering military action against Syria?

Dr Allin: I will just say briefly I do not know but I think it is probably implausible at this point. There are arguments for confronting Syria but the United States also needs Syria's co-operation in stabilising Iraq and I do not think there is a sense that the United States is operating from a position of strength at this point.

Dr Halper: I would simply add to that that there has been a good deal of discussion about Syria but it appears as if the prospect has clearly diminished, just as it has with Iran, and there are very clear reasons

for that. In the case of Iran an attack would certainly bolster the Mullahs and it would discredit the opposition. Secondly, there is no guarantee that an attack would impact all nuclear sites or the nuclear capability. Thirdly, unless you would like to come back to this, the British, French and German initiative in concert with the IAEA² has brought a great deal of progress on Iran and it seems to have created a kind of informal model which is very interesting because the elements of that model with reference to Iran are not unlike what we see in North Korea. There is a trade component, a financial component, then a movement away from enrichment and towards light water nuclear systems, and the US is in the background with the threat of force if progress is not made. If you look at how we have muddled into this, we have got an approach, it has provided a kind of problem management process and it is actually working as far as Iran is concerned and to a degree as far as North Korea is concerned. Washington does not want a confrontation with either of these countries at this point.

Q94 Mr Oler: At this point, you say?

Dr Halper: At this point.

Q95 Sir John Stanley: I do not mind who bats first on this one but could you just give us your view as to the Bush administration's position as to how much of the occupied West Bank they consider the Israelis should withdraw from?

Dr Allin: My sense is that the Bush administration does not consider that to be the fundamental question. They believe the fundamental question is the nature of Palestinian governance and state and democracy. This is the first order question: does the Palestinian entity develop into a real democracy and a democratic state? There has to be some recognition that viability is an issue and that viability has a territorial component, but if you are asking is there a dominant view in the Bush administration that the eventually Israeli withdrawal has to be on the 1967 lines, my sense is that the administration is, like on many things, divided on this but, no, that is not the driving argument. Having said that, there is a line, and I cannot swear that it is new but it was heard recently from Steve Hadley, that the planned withdrawal from Gaza and from just four settlements in the West Bank is seen by the administration as a down payment on an eventual settlement. I interpreted this language as meaning we do recognise that if there is a suspicion that the Sharon Government might want to more or less use this withdrawal as a *fait accompli* for a final settlement that this is not something that the United States would support.

Q96 Sir John Stanley: Dr Halper, what is your answer to the question please?

Dr Halper: I have nothing to disagree with in my colleague's comments, except to say that both Zbigniew Brezinski and Brent Scowcroft, the

² International Atomic Energy Agency.

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national security advisors, to Carter and Bush I, have stated publicly that they are fearful that the Israelis may be thinking that a withdrawal from Gaza and a few selected areas in the West Bank is not the first step but rather the last step, and therefore because the level of distrust is so great at this point between the parties, that there is no option except for the United States to move to attempt to impose a solution together with whoever will join it. That was their statement. I do not know that in Washington there is a great deal of discussion about percentages of the West Bank or specific areas that they are expected to see where the Israelis will withdraw. There is a fair amount of discussion about the elections on 9 January and calls for them to be expanded beyond elections for President but rather for municipal and also parliamentary seats.

Q97 Sir John Stanley: Can I ask you the same question from the Israeli Government's perspective. What is your interpretation of Prime Minister Sharon's policy in the West Bank? Do you believe it is a policy of effectively *de facto* annexation of the greater part of the West Bank and leaving the greater part of the settlements intact or do you believe that if the Sharon Government got the security assurances that it is seeking they would be willing to uproot those settlements and go back to the 1967 boundaries?

Dr Allin: I honestly do not know. I am familiar with the arguments that Prime Minister Sharon has a plan and that is to more or less to stop with this first phase, to make it the last step. The question is admittedly opaque in the context of Israeli politics because he can always claim he has to deal with the settler lobby and cannot be completely open about the final status. This may be an illusive way of putting it. I am not an expert on Israeli politics and certainly not on Ariel Sharon but I almost have the feeling that he, along with many Israelis, including Israelis on the right, accepts the demographic realities, accepts that the land has to be substantially divided, therefore accepts the inevitability and the necessity of a Palestinian state but somehow wants to combine the creation of a Palestinian state with the defeat of the Palestinian movement because that has been his life-long battle. Of course that is a contradiction in terms but it is possible to hold contradictory goals in one's mind.

Q98 Sir John Stanley: Dr Halper, what are your views on the Sharon Government's policy intention or otherwise towards the settlements on the West Bank?

Dr Halper: I think his government sees politics as the art of the possible, as the rest of us do, and they will push their position as far as they possibly can. He is moving to a new coalition, he may involve Labour, there may be some moderating influence in that and there may be moderating influence from Washington in the form of an insistence on a broader electoral process going forward. This is all to be negotiated as time proceeds. There will be a fair amount of pressure from the Israeli side to sustain

their position as long as they can but ultimately they will have to conform to the pressure which is put upon them.

Q99 Chairman: Gentlemen, before I go further on the Middle East with Mr Hamilton, back to changes in Washington, how should we interpret the personnel changes that have taken place so far? Some claim that Secretary Powell had become fairly marginalised at the end and it is a good thing for the conduct of US foreign policy that an insider is Secretary of State, namely Ms Rice. How do you interpret the changes that have been made thus far?

Dr Halper: I think that the issue which arises with Secretary Powell's coming departure is the very troubling possibility of group-think which could easily happen given the configuration of the senior staff positions. If you look at Paul Wolfowitz in a continuing position, John Bolton continuing, Steven Hadley, now the National Security Advisor, Elliott Abrams soon to be named the Deputy, if you look at Douglas Feith, whose troubled tenure as Under-Secretary for Defense continues for the moment, the key players remain. These were the architects of the neo-conservative policy and those appointments reflect the value that the President places on loyalty. It also reflects his determination to reduce dissention among his senior ranks and, as any corporation does as it is moving to its next term, to consolidate senior management and to stream-line it. It also reflects the President's comfort with policy direction, his belief that Iraq can be recast as at least having the preconditions for market democracy and that the region can move towards democracy, and finally I think it points to his acceptance of a neo-conservative theory both of Iraq and more broadly of the region.

Q100 Chairman: Thank you. Dr Allin?

Dr Allin: The suggestion that you have alluded to that the replacement of Secretary Powell by Condoleezza Rice would offer a state department that was a more authentic voice of Bush administration policy and therefore more effective in various ways, I think in institutional terms it makes sense. The fact that in key issues Secretary Powell did not seem to speak for the administration was clearly problematic for foreign policy, so that could be seen in those terms as a positive change, but I agree absolutely with my colleague that the kind of insider-itis that we see here is disturbing. Again referring to an earlier question, a sense of electoral vindication has been followed by the President appointing people whom he feels closest too and he is unlikely to get very contrary arguments from. Given that that kind of group-think has arguably had a lot to do with the foreign policy mistakes of the first Bush term, a perpetuation of that dynamic is obviously worrying. Then there are issues of accountability for things that have gone wrong and the fact that we do not see high level changes, and one particular highest level change at the Department of Defense, is disquieting.

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Q101 Chairman: Maybe we could turn to the Middle East before moving to Mr Hamilton and I could ask just one question. The President said in Belfast that he would devote the same energies to the Middle East peace settlement as our Prime Minister has devoted to Northern Ireland. Do you think there is any movement in that direction to an engagement by the US administration?

Dr Halper: I think that you are going to see high-profile movements in that direction. The political optics will be encouraging but the structure of the problem remains unchanged, except in the sense that the administration will either receive pressure perhaps from the UK or from other external forces, or perhaps not, but I do not particularly see the structure of this problem changing. You see a lot more discussion about it and I think that this does raise the possibility of how much pressure London wishes to put on Washington on this question. I think Washington may be expecting a very strong position to come from Whitehall.

Q102 Mr Hamilton: When you were answering the Chairman's question about the change in personnel or the lack of change in personnel, I was reflecting that many of the names you mentioned were people we meet with regularly when we go Washington so we actually know a bit about them. I just want to go back to the Middle East, to Israel and the Palestinians. I understand that Marwan Barghouti has withdrawn from the election for President and that leaves the field open really for Abu Mazen, the favourite, if you like, of the West and probably of the United States. But I wonder how much support he is going to get, not just in the election itself but from some of the crucial groups that he is going to have to control if there is ever going to be any peace with Israel. Would either of you like to comment with your views or the views of the American administration on a Palestinian Authority led by Abu Mazen?

Dr Allin: There are two problems, as I see it, in this administration's policy towards the Palestinians. One is, frankly I do not think there is internalised—and maybe this is changing—the view that you have in Europe that a solution to Israel/Palestine is a key element in the broader struggle against terrorism. We could argue about this. I think there are arguments on both sides but maybe because I have spent too much time in Europe I am sometimes astonished by the fact that this connection is not made. It is a complicated connection. It does not mean that Osama bin Laden would give up his jihad but it certainly would have an effect of legitimising moderate Islam, which is an important factor in the struggle against terrorism and, as I say, I am sometimes perplexed that this Republican administration does not really see that connection. Another way of phrasing your question is does the administration see the necessity of empowering a head of the Palestinian Authority so that he can negotiate with the Israelis and show progress to the Palestinians and finally be in a position to make the deals that need to be made and continue to fight against terrorism from the Palestinian territories.

The problem is that I think intellectually there is a sense that this needs to be done but emotionally and ideologically there is a view that ending terrorism comes first. That is the first point. The second point is that it has to be observed that President Bush has never really wanted to put Prime Minister Sharon in an embarrassing position. Frankly, he has been more willing to embarrass the British Prime Minister than the Israeli Prime Minister. I guess my bottom line is that although there is an intellectual recognition that the Palestinian Authority needs to be empowered and certainly there is a willingness to help it, I am not sure I see a willingness to push Israelis to take concrete steps that would give the Palestinian leadership greater credibility among its people.

Dr Halper: One small point in answer to that question. What is at stake here is the legitimacy of the new Palestinian government and in order for that to occur Abu Mazen needs to draw into the new government Hamas, Fatah, and other important groups. If he does this in the course of parliamentary elections it will have a multi-dimensional effect, including giving those groups a stake in an on-going political society. So legitimacy is the first point. The second point is that Ariel Sharon has a unique capacity to tell President Bush that he is standing on the front line of terrorism and to approach Bush on an issue on which he is very sensitive. That tends to trump most further pressure which could come from the American side on the Israelis. This again is a point that Brent Scowcroft and Brezinski make continuously.

Q103 Mr Hamilton: Very, very briefly, I know, Dr Allin, that you said that you are not very familiar with Israeli politics but some may say there is only one person worse than Ariel Sharon as Prime Minister and that is Benjamin Netanyahu because he is far more extreme. That is why the Israeli Labour Party are prepared to support Sharon because they know they cannot get their own leader elected. I do not know whether that is going to help or hinder the support of the United States Government and President Bush if there is a Labour/Likud coalition under the leadership of Sharon rather than fresh elections that could throw up Netanyahu.

Dr Halper: Frankly, I do not think it will matter.

Q104 Mr Oler: Going back to Iran, I wonder what you think the feeling on the street is in America and perhaps the feeling of the President about whether there is any confidence in the agreement that the EU3 struck on Iran and the nuclear issue. It seems to me rather strange that the UK has this one position and yet France and Germany, the other two signatories were the ones who stopped us getting a second resolution on the war in Iraq. I wondered what the tensions were in that?

Dr Halper: The initial response to this agreement was that Washington had not seen the fine print and therefore could not confirm support or otherwise for it, but there is no question that Washington was generally pleased with a British, French and German

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initiative which, in effect, provided a kind of cat's paw to deal with the problem. It was not a problem the United States could deal with in this context at this time and it seemed as if, as people looked at it, it was an approach which was working. It had stabilised the problem and reduced the prospect of military activity, which is something that Washington was not inclined to do by virtue of its military requirements and budgetary expenditures in Iraq so that in a certain sense it was the right programme at the right time. As I said a moment ago, it is interesting that it is reflected somewhat by what has been going on in North Korea. So my sense is that it is an acceptable position for the time being.

Q105 Mr Olnier: Strangely enough, that is exactly the opposite way that I read the American press on what they thought that we had achieved.

Dr Allin: I have a slightly different view. I agree that the United States cannot oppose this activity really because it does not have anything better to propose. The problem is the administration does not, in general, trust what is going to come out of it. It does not trust the Iranians, it does not believe—

Q106 Mr Olnier: But does it trust us to do it?

Dr Allin: Well, I suppose it depends on the definition of "us". One of the ironies here is if the United States has a position it is to go to the Security Council, which given recent history might seem rather ironic, but I do not think the administration has wrapped its collective mind around the question of what is achievable in Iran in terms of an agreement. It believes that Iran will cheat. It may be right about that, and what it has to do is come to that threshold recognition that an agreement with the possibility of cheating, on suspension of enrichment, however temporary, is better than no agreement at all because no agreement at all and no process at all would lead you to a North Korea-type situation.

Q107 Mr Olnier: But will that agreement go forward if President Bush removes Iran from the "axis of evil" countries that he has?

Dr Allin: I do not expect the President to formally go back on his rhetoric.

Q108 Mr Olnier: Not even in a pragmatic second term?

Dr Allin: Would the US remove Iran from its list to the extent of joining in and being willing to endorse the agreement and being willing to offer what presumably the Iranians are going to require if this moves further, which is American participation in whatever they are asking for, be it security guarantees, agreement not to try to overthrow regime, trade issues, and so forth? There is, I think, almost a paralysis in Washington on this question. There is a distrust of the idea of entering into this. My hunch is that if Prime Minister Blair went to President Bush, as he may have already, and said this is what we need, American participation and endorsement of this agreement, it would be very

difficult for President Bush to say no, particularly since there is a general recognition in Washington that there is no better policy.

Dr Halper: You asked who the US trusts and who it does not trust. There is no question that it trusts the British effort to try to do this in a productive way. It has question marks about the French and the Germans. Certainly there is a lack of trust and comfort with the Iranian leadership but overall there is a willingness to proceed with this and to allow this to go forward because, as my colleague says, there really is not any option. I think this is the key point at this time. This is a balloon which is up in the air. It has not come down yet and the idea is to keep it up in the air for the moment and see where it goes.

Q109 Mr Olnier: Just one final little one, you mentioned, I do not know whether it was a Freudian slip or not but you mentioned in answer, Dr Halper, to a colleague of mine that it was really only at this point.

Dr Halper: Yes.

Q110 Mr Olnier: At what point does it become a possible option of engagement?

Dr Halper: It was not a Freudian slip!

Q111 Mr Olnier: Share your views at what point it is then.

Dr Halper: I think that there are elements in Washington which do not believe the North Koreans will keep an agreement, even if one is achieved, and that there will come a time when the Japanese say, "North Korea has nuclear weapons, we need to weaponise our own systems," and there will be very little come back for that because they will feel as though their security is directly threatened. That will be followed almost immediately by the same comment from Taiwan which will bring a reaction from China. So we have a situation with North Korea where we really would like the Chinese to make some progress because the clock is running. On the question of Iran, if this three-party talk process falls apart and if Iran returns to an enrichment programme, I think all bets are off. I do not know exactly what will happen but there will be some very forceful voices in Washington.

Q112 Sir John Stanley: We have four minutes left before a division so I will give some very brief questions and elicit some very brief answers. Is it just because I have listened to the wrong extracts from the White House Lawn or is it the case that the word "viable" before Palestinian state has now dropped out of the Bush administration vocabulary?

Dr Allin: I have not observed this. The President is not going to say "towards the creation of a non-viable Palestinian state", but if viable is seen as somehow a red flag suggesting too many concessions in territorial terms, it is conceivable, but I have not noticed that.

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Q113 Sir John Stanley: You still believe the Bush administration thinks of it as a viable Palestinian state?

Dr Halper: I have to agree with that because there is no benefit in a dysfunctional Palestinian state which would collapse around its component parts.

Q114 Sir John Stanley: Would you agree that a Palestinian state that was made out of the rump of what remains of the West Bank that is not occupied by current Israeli settlements, combined with the intense level of restrictions on road traffic by vehicles colour-coded with Palestinian number plates, which has recently been the subject of a very interesting study by the Israeli human rights organisation B'Tselem, that a combination of those acute restrictions on road movements plus the existing territory which the Palestinians are now allowed to occupy would mean definitely that the Palestinian state would be non-viable?

Dr Allin: I personally agree with that but the problem in translating this into American policy because, of course, as you know, there is always a different default tendency on who to blame between the Americans and the Europeans, including I believe the British. The Americans tend to accept the Israeli narrative and blame the restrictions on the Palestinian inability/unwillingness to control terrorism.

Q115 Sir John Stanley: Leaving the blame culture aside.

Dr Allin: I agree with you.

Q116 Sir John Stanley: You agree that those are the facts of life and that on those terms the Palestinian state would be wholly non-viable?

Dr Halper: I would simply say that in order for this to work, Israeli technology and Palestinian literacy and labour capability have to come together. That means there needs to be an easy flow of labour and skills. I cannot imagine there will be much benefit in proceeding otherwise.

Q117 Chairman: What has the administration learnt about the need for allies as a result of Iraq and other foreign policy events in the past four years?

Dr Halper: Chairman, I think that this administration is increasingly aware of rising anti-Americanism and the lack of American credibility in multi-lateral fora, and therefore the reduced scope for American action. In the sense that this imposes tangible limits on American foreign policy, to that degree, the American administration is becoming quite sensitive to it. The British have been a remarkable ally and have provided enormous support. Were it not for British support in the last two years the American effort in Iraq would be more broadly regarded as illegitimate and so British involvement has been critical to any sense of legitimacy that it now has. I think that we are looking at the possibility of a confrontation with the United Nations going forward. It revolves around a range of management and policy issues and certainly the corruption questions which are on the table.

Dr Allin: This administration recognises that it needs allies but I do not think it has transformed its view to believe that it needs alliances as an end in itself. I am not sure it is devoted to the traditional alliances. There seems to be no diminishment in the willingness in Washington discourse to demonise France. And so, yes, the administration needs allies but it has just won an election based on a constituency that is not sentimentally devoted certainly to Europe in general.

Chairman: Dr Halper, Dr Allin, I am afraid this session has been truncated but you have been valuable interpreters of the administration.

Tuesday 1 February 2005

Members present:

Donald Anderson, in the Chair

Mr David Chidgey	Andrew Mackinlay
Mr Fabian Hamilton	Mr John Maples
Mr Eric Illsley	Sir John Stanley
Mr Andrew Mackay	

Written evidence submitted by Mr Oliver Miles CMG

LIBYA

INTRODUCTION

1. I am a Deputy Chairman of the Libyan British Business Council, formed in 2004 with the approval of both governments, and Chairman of MEC International, a consultancy promoting business mainly with the Middle East.

2. From 1980–83 I was the Head of the Near East and North Africa Department of the Foreign and Commonwealth Office, with responsibility for policy towards Libya. In January 1984 I was appointed HM Ambassador to Libya and in April I broke off diplomatic relations following the murder of WPC Yvonne Fletcher in London.

3. In 1999 I returned to Libya (having retired from the Diplomatic Service in 1996), and since then I have visited frequently, mainly on commercial business but also to take part in a nongovernmental dialogue organised by the British Embassy in Tripoli.

NORMALISATION

4. One often sees the question raised in the media “why has Libya suddenly become acceptable to the outside world?” Nothing could be more misleading. An evolutionary process of normalisation has been taking place in Libya for a long time. Some analysts argue that the turning point is as far back as 20 years ago, implying that the British decision to break off diplomatic relations in 1984 may have been the spark. If so it was a good number of years before the process established itself clearly; it was after the US bombing of Libya in 1986, and perhaps to pay Britain out for providing bases for it, that Qadhafi gave Semtex to the IRA, without doubt the most damaging blow he ever struck against Britain. Lockerbie, if that was Libya, was 1988 and the UTA airliner bombing 1989.

5. Nevertheless changes did begin in the late eighties and early nineties. Externally Libya ceased to provide support for terrorism and extremism. Internally, Qadhafi’s experiment of closing down the whole of the retail sector of the economy, which had proved a disastrous failure, was abandoned. There may have been three main reasons. First, Libya’s revolutionary policies were not delivering results. Second, the bipolar pattern of international affairs had broken down and the game could no longer be played by the old rules, not that Libya ever joined the Soviet camp, nor did the Soviet Union give Libya much encouragement or support. Third, the concept inherited from the Nasser period that the Arab world was or should be united against imperialism spearheaded by Israel no longer carried conviction.

LIBYA’S RELATIONS WITH BRITAIN

6. The most important milestone was the establishment of diplomatic relations in 1999. This followed difficult negotiations, as a result of which the WPC Fletcher case was more or less settled and two Libyans suspected of involvement in the Lockerbie bombing were handed over for trial. The re-establishment of relations was marked by the publication of a Joint Statement. This still reads very well today, and provided a map which the two governments have followed, leading to something like normal official relations today, symbolised by the Prime Minister’s visit to Tripoli at the beginning of 2004.

7. Relations with Britain were thus brought to more or less the same level as Libya’s relations with the rest of Europe and the rest of the world. By now not only have other European leaders visited Libya, but Qadhafi has also visited Brussels. Let me jump ahead of my story to say that relations with the European Union have also developed, with the European side anxious to include Libya in its various Mediterranean programmes—whereas Libya is on the whole more interested in relations with individual European states. Reconciliation with the EU as such seems to have hit a snag, in that the EU insists that participation in the Barcelona Process for example requires acceptance of the so-called “acquis”, that is to say all the decisions

taken in the past, and these decisions include acceptance of Israel as a full partner. We therefore have the paradoxical situation that sitting down with Israel is a precondition for development of relations with Brussels, whereas no such precondition has been imposed by Washington.

9/11: WMD

8. It was clear that Britain was to some extent pioneering a reconciliation path which America could eventually follow. 9/11 gave this process a vigorous push in the right direction. Islamic fundamentalists, and bin Ladin in particular, had long posed the most serious threat to Qadhafi. He had put out an arrest warrant for bin Ladin two years earlier. His response to 9/11 was immediate and positive, saying the right things about America. Talks were already going on privately between the Americans, the British and the Libyans over the Lockerbie deal and other matters including exchanges of intelligence about al-Qa'ida, and these were given a boost.

9. Libya's decision to give up weapons of mass destruction was not some kind of fraudulent or on-paper-only deal. It was important and it was genuine; Libya had some very sinister material, and Libya really did give it up. The decision was almost certainly not a result of the war in Iraq. The timing seems to rule that out—the decision was taken before the war started. But I would assume that it was influenced by the atmosphere of impending war. The Libyan explanation for the decision, which I find convincing, is that weapons of mass destruction were a blind alley, and were not contributing to Libya's security. Part of the basis for that judgment must surely be that the belief that Saddam Husain had weapons of mass destruction did not stop the Americans attacking him, quite the contrary.

AFRICA AND THE MIDDLE EAST

10. Culturally and historically Libya is an Arab country; geographically it is of course part of Africa. Never regarded by other Arabs as worthy of a place at the top table, Libya during the Qadhafi period has provoked among Arabs a mixture of amusement and alarm. During the first period of 20 years or so following the revolution of 1969 Qadhafi embarked on an endless series of attempts at close co-operation or even unity with Arab states, all of them fruitless. During the period of sanctions, Qadhafi and Libya felt that they were abandoned by the Arabs. By contrast, they found a good deal of support from African states, and notably from South Africa and President Mandela.

11. Qadhafi reacted by emphasising Libya's African personality and looking for opportunities for co-operation in Africa. In the years when Libya's posture was that of friend of every national liberation movement he acquired a bad name for trouble-making and meddling in African disputes. Following the normalisation process, relations with the Arabs at Qadhafi's level remain problematic or worse. Libya's involvement in Africa and African disputes continues, but at least in some cases has been helpful to the cause of peace and stability. Below government level, there is no doubt that Libya is and remains an Arab country. Qadhafi's African policies stand out as an area where he has failed to carry public opinion with him.

HUMAN RIGHTS AND POLITICAL REFORM

12. Women's rights in Libya are something of a special case. This is because Qadhafi himself has taken the lead in trying to modernise the position of women. Although some of the comments on women in the Green Book are eccentric, he has in fact consistently pushed for change.

13. This was part of the background to his typically flamboyant move to create a personal security detail composed of women. His thinking was that putting women into the military would make a decisive break with the bad old days. Unfortunately this ran into an obstacle he had not foreseen, namely that women didn't want to go into the military—for example, they complained about the boots. Qadhafi accepted defeat on that but continued his efforts to push a modern marriage law through the General People's Congress. This too has been defeated by the entrenched conservatism of a traditional Muslim society.

14. Nevertheless, the position of women in Libya today compares reasonably well with their position in other Arab countries. Qadhafi's wife may be taken as an example; her role was accurately described by her son Saif al-Islam as follows: she "lives her life in accordance with Arab custom, and rarely appears in public except for occasional charitable works and times when she has to be by the side of her husband, when welcoming foreign leaders for example. She is not a public figure in her own right, and she is nothing like a First Lady." So there are women in positions of importance and even power, but not very many; and women are free to dress and behave much as they please, but old conventions are still strong and most observe them.

15. Political reform was not prominent during most of the period of what I have called normalisation. The main political problem identified by Qadhafi and members of his government was bureaucracy. Bureaucracy was criticised in increasingly direct fashion, but no solutions were found to the problem. An attempt in 2000 to decentralise decision-making to the regions, simultaneously abolishing most of the central secretariats or ministries, seems to have been a failure. Real control over spending was perhaps never delegated, and the result was if anything even greater stagnation.

16. During these years, however, some more subtle changes were taking place. One important change was the availability of information. Although foreign newspapers are still not available, and the Libyan media are pitifully weak and subservient to the regime, foreign television is now freely available and there are satellite dishes everywhere. There are also plenty of internet cafes, though there is some evidence that the regime tries to control access to politically sensitive information on the Web—efforts which are not likely to be very successful.

17. On the one hand the atmosphere of fear no longer exists, and government ministers and others feel able to speak openly about subjects which were previously taboo, such as unemployment, racism, drugs or relations with the Berber community. On the other, although Qadhafi continues to speak publicly at length as the mood takes him, his statements seem more detached from day-to-day problems, so that his insistence that he is not the head of state or head of government, which previously seemed to be merely a fiction, has become something more substantial than that. Although when I was last in Tripoli in April his pictures were still all over the streets—rather less so as year followed year, and some have been replaced by Pepsi-Cola posters—it was noticeable that Libyans no longer felt the need to defer to him or even to refer to him, whether in private conversation, business discussions or high-level public debate. If he was mentioned at all, it would simply be in passing as “the Leader”. When I first went to Libya in the eighties, Libyans in even quite junior positions would assure me that Qadhafi was regularly on the telephone to them telling them what to do. I think he actually did that, but no more. Perhaps that explains why it is so difficult to get a decision in Libya.

18. This change of atmosphere was symbolised by the appearance on the Libyan scene of two new characters. The first was Shukri Ghanim, previously at OPEC, who was recalled to Tripoli and became Secretary (Minister) of Economy and Trade in 2001 and Secretary of the General People’s Committee (Prime Minister) in 2003. The second was Qadhafi’s second son Saif al-Islam, the eldest son by his present wife.

19. In the last year, political reform and human rights issues have for the first time been very much on the public agenda in Libya. A team from Amnesty International spent two weeks in Libya early in 2004. They were properly received, were able to visit prisons and meet individual political prisoners, and had a meeting with Qadhafi. They reported that they had seen many shortcomings, but their report was forward looking and has already led to some useful developments.

20. Subsequently a team from a British based NGO was able to make further visits to Libyan prisons, and it appears that the charitable foundation headed by Saif al-Islam, who also met the Amnesty team, has itself started prison visiting. Characteristically, the picture is confused. Saif al-Islam has also sharply criticised the Amnesty report, and accused Amnesty of playing politics. Meanwhile Qadhafi himself has apparently abolished the people’s courts, which in the past were responsible for many of the most serious human rights violations. He has also spoken in less clear terms about other changes such as abolition of the death penalty. In short, there is for the first time some welcome movement on human rights questions.

ECONOMIC REFORM

21. Here again developments are positive but erratic. The foreign investment law number 5 of 1997 was a milestone. Although the law itself has not succeeded yet in its objective of attracting a large flow of foreign investment, the fact is that that was the objective, and was a sharp change from previous policy. Since then the government has organised a series of conferences and other events with the aim of attracting foreign companies to the Libyan market. Qadhafi himself has put his stamp on these efforts, although his actual speeches have often reflected old Third World rhetoric, and have sometimes had to be explained away by his ministers. There have been some reforms, most notably the abolition of the old multiple exchange rate, which had such a distorting and frustrating effect on foreign trade. The appointment of Shukri Ghanim put reform on the front foot. He has for example spoken in what at first seemed rather precise terms about plans for privatisation, which as late as 2000 was a taboo subject. But although there has been some action, it has not yet matched the ambitious scale of privatisation which he foreshadowed. Similarly, I was told on my first return visit to Libya in 1999 that the old petroleum law, which unbelievably survives from the pre-1969 royalist regime, is to be replaced by a revised law. But more than five years later nothing has happened.

LACK OF TRANSPARENCY

22. The privatisation story is a good example of what I have taken to calling Libya’s cult of non-communication. Perestroika may be in, but glasnost’ has not yet reached Libya. In my capacity as chairman of a business consultancy company, I earn an honest penny providing information about business opportunities in Libya, but it is hard work. There is, for example, no such thing as a telephone directory.

OPPOSITION TO REFORM

23. Obviously there are vested interests in Libya opposed to the normalisation process, if only because they have enriched themselves under the existing arrangements or because they are guilty of crimes for which they might be held to account if, for example, the Libyan government's agreement to co-operate with Scotland Yard over the investigation of the murder of WPC Fletcher proceeds in a way that the FCO hope. Who are these opponents of reform?

24. Saif al-Islam has been outspoken in his criticism of corrupt elements within the revolutionary committees, the hardline core of the regime who can be compared to the Ba'th party cadres in Iraq or Syria. His criticism has been echoed by Shukri Ghanim and other ministers in his government, by Qadhafi himself, and even in the press which has in the past been tightly controlled by the revolutionary committees.

25. The disagreement came into the open at a televised meeting on 8 January of the General People's Congress. Shukri Ghanim complained about the legal obstacles to his reforms coming from "invisible" forces, and referred bluntly to problems of corruption, lack of housing and unemployment. He demanded that he should be given the authority of a real Prime Minister, for example to choose his own ministers. In response, and for the first time, two well known members of the power elite counter-attacked, saying that Shukri Ghanim had failed to understand that the General People's Committee is not a government but a technical committee, and that in a Jamahiriya power resides with the General People's Congress. Observers waited for the Leader to announce the result of the bout and raise the victor's hand in triumph. But the Leader said almost nothing.

AMERICA

26. A major if not the major objective behind the normalisation that I have described has been to re-establish good relations with Washington. Qadhafi, with good reason, has always taken his relationship with Washington very seriously. More generally, Libya is a pro-American country, and it comes naturally to Libyans to speak warmly about the USA. For example, Saif al-Islam in a television interview praised the employment practices of US oil companies compared with European oil companies. Saif is too young to have any direct knowledge of the subject, and must be reflecting what he has heard from his elders. Libya hopes to profit from being on the right side of America, and has repeatedly expressed a willingness to improve relations with the US and welcome US businesses to operate in the country again.

27. There is still a real possibility that reactionary forces inside Libya will derail the process of normalisation. It is in our all our interest that Libya should have an incentive to behave properly. Up to now British policy has provided such an incentive, but US policy until very recently has not. As late as November 2003 US policy refused to acknowledge change in Libya. It was succinctly restated by Assistant Secretary of State William Burns in a letter to a new anti-Qadhafi group in the US: "Despite the recent lifting of UN sanctions, US bilateral sanctions remain in place and will remain in place until Libya addresses our serious concerns with respect to its pursuit of WMD and means of delivery, human rights, terrorism, and its destructive role in African conflicts."

28. There had in fact been progress on all the topics listed by Burns, and it was not long before American policy started to change, reflecting the rather warm words which President Bush had used in welcoming the announcement about WMD in December 2003. An important factor in this change was that a number of congressmen went to Tripoli and came away apparently rather well satisfied after long meetings with Qadhafi and others. Previously any move by the administration to improve relations with Libya, and there were not many, had been quickly blocked by Congress. Now, one by one, the restrictions on American contact and business with Libya began to be lifted.

29. During the first few months of 2004, it looked as if the arrival of America on the scene would mean that all past problems would be forgotten, and that US companies would get all the business. But the honeymoon did not last long. First, American companies quickly came up against the same bureaucratic and genuine negotiating problems which other international companies face. Libya had kept the assets of American oil companies intact after their departure some 20 years ago. The companies found, however, that repossessing their assets was not a simple matter, and arguments over the small print, and not so small print, look set to continue for a long time yet.

30. There was, however, a more specific problem to complicate relations with America. At an Arab summit meeting in Egypt in January 2003 there was a blazing row between Qadhafi and Crown Prince Abdullah of Saudi Arabia. In September 2003 an American Arab was arrested in America and charged with various offences including doing business with Libya, which was still illegal for an American citizen, and links with terrorist organisations. The charges carried a maximum sentence of 105 years in prison. In June 2004 the New York Times reported that he and a Libyan intelligence officer who was in Saudi custody had in separate statements admitted involvement in a plot to assassinate Abdullah. In September, the American Arab pleaded guilty to tax and passport charges. He was not charged with terrorist offences, but in plea-bargaining said that he had been involved with a Libyan plot to assassinate Abdullah.

31. There has been a welter of further reports, with the Saudis asserting and the Libyans denying the truth of the story. The US government have made cautious statements to the effect that if the story was true it would seriously complicate relations with Libya. Having looked at the information available in public, I do not think it is possible to make a judgment about the truth of the story. But the consequence is that Washington, having lifted various restrictions on travel and trade with Libya, has nevertheless kept Libya on the list of “state sponsors of terrorism”, as was confirmed by the State Department at the end of 2004. It remains to be seen whether the feud between Saudi Arabia and Libya can somehow be brought to an end and the plot story cleared up. Meanwhile the story has given a useful weapon to those in the United States who are unhappy with the rapprochement with Libya.

THE FUTURE

32. The public debate about the succession to Qadhafi is somewhat overheated. Qadhafi is in his early sixties, and although there have been rumours about his health, and indeed about his mental health, since he first came to public attention in 1969, he seems to be in good enough shape to lecture visiting American statesman for two or three hours and leave them more exhausted than he is. Arab leaders of this generation have belied the region’s reputation for instability and have tended to soldier on into their eighties. For example, Qadhafi’s neighbour President Mubarak of Egypt is about 15 years older than he is. We are all mortal, and the succession is a legitimate matter for debate, but I doubt if Qadhafi himself or those around him feel it to be top priority.

33. Externally, the debate about the succession has been stimulated by developments in other Arab countries. The tendency for presidents of republics to be succeeded by their sons is not confined to the United States; we have the recent example of Syria, and we have perhaps the same in prospect in Egypt. So the emergence of Saif al-Islam as a high-visibility player on the Libyan stage has naturally made tongues wag; and besides Saif al-Islam there are a half-brother, five full brothers and a sister.

34. But internally, it is important to emphasise that Qadhafi is not the head of state or the head of government, and he is never referred to as such. He is the Leader of the Revolution, and always referred to by Libyans simply as the Leader, al-Qa’id. It is of course easy to argue that this is a mere fiction, and so perhaps it may be. But it is a fiction on which Qadhafi himself insists, and as long as he does so it seems to me impossible to imagine one of his family taking his place—whatever qualities his children may have, they are not and cannot be the Leader of the Revolution.

35. This line of argument was to some extent confirmed by an event in January 2004. A leading article appeared in the Green March, the newspaper of the revolutionary committees, headed “The time of a Libyan President has come”. It proclaimed that the President of the new State of Libya must be the same Qadhafi who was the Leader of the Revolution. But the sequel was that within a few days it was reported that publication of the Green March had been suspended.

36. If Qadhafi himself were pressed to speak about the succession, I suspect that he would say that the Jamahiriya system is now self-supporting, there is no need for a head of state, and after he is gone there will be no need for a leader of the revolution. One need not take this at face value, but it is a comfortable way of avoiding the issue—which is what autocratic leaders usually do.

37. What is the realistic expectation? Without much confidence in my powers of prophecy I speculate that the immediate future may be rather like the immediate past, a process of normalisation frustrated by bureaucratic stagnation. If the next four years bring as many positive developments as the last four years I for one will be well satisfied.

Mr Oliver Miles CMG

26 January 2005

Witness: Mr Oliver Miles CMG, Chairman, MEC International, and deputy Chairman of the Libyan British Business Council, examined.

Q118 Chairman: Mr Miles, may I welcome you warmly to the Committee? You are the Chairman of MEC International, Deputy Chairman of the Libyan British Business Council and you have an extensive personal knowledge of and experience of Libya. We hope to cover areas like terrorism, the relationship of Libya with the European Union, bilateral relations. As you know, the remit of the Committee is essentially to look at the subject under review and to make appropriate recommendations to the Government. Having once been in

government, but no longer, perhaps you could help us as to where you think the British Government performance can be improved.

Mr Miles: Personally, I am very satisfied with the British Government’s performance over Libya. I think that the breach of relations in which I was personally involved back in 1984 created a vacuum. I, myself, could not see how that vacuum was going to be filled until both Margaret Thatcher and Muammar Qadhafi had left the international scene. I was very impressed by the finesse shown by

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our former colleagues in the Foreign and Commonwealth Office—I had, by that time, retired—in somehow bridging this gap, finding a way forward, setting it out in a joint document which was published in 1999 at the time of the re-establishment of diplomatic relations and prudently following the guidance which was laid down in that document.

Q119 Chairman: So, as a precedent, given the warming in relations, what more do you think the British Government can do in the current context?

Mr Miles: There is quite a lot to do in all the usual areas of the development of relations with a country such as Libya: there is trade to worry about, there are human rights to worry about and there are cultural relations to worry about. All those areas have a flow of problems and I think that government has to address them and find ways to deal with them.

Q120 Chairman: And specifically?

Mr Miles: They seem to have reached a good understanding on the cultural relationship, which is excellent. There are now many Libyan students in Britain; as a matter of fact, there always were quite a lot.

Q121 Chairman: Is that under a formal bi-lateral agreement?

Mr Miles: Yes, it is now. An agreement was signed just over a year ago and I believe the British Council are even now looking for premises in Tripoli, which will mean re-opening there after something like 30 years. I think that is a good move and one in the interests of both countries. The trade side, in which I am personally involved at the moment to some extent, through this Libyan British Business Council, has been making rather limping progress. There seem to be no serious obstacles on the British side: there are obstacles on the Libyan side such as their very poor performance over the issue of visas to businessmen and a number of other semi-technical issues like that. I think the government is right to go on pressing for a better performance, and I think they will. It will not be easy and of course we are not the only country which is facing these problems. Libya's other trading partners face them too.

Q122 Chairman: Are there any recommendations which you would make to the government to improve performance?

Mr Miles: To take the visa question, which is an important one, my own view is that the government have been a bit soft in that we have been willing to give Libyans visas more freely than they give visas to British citizens. I think that that has been done in the hope that the Libyans would mend their ways and they keep saying that they will mend their ways, but they do not actually do it. I am afraid we ought to be a bit tougher with them and I think that if senior Libyans had to go through the kind of performance that senior British people have to go through in order to get visas, you would find the system would change more quickly.

Q123 Mr Hamilton: Welcome Mr Miles. I think you will agree that recent years have seen a remarkable turnaround in Libya's attitude towards weapons of mass destruction and terrorism. Some I think would argue that this change was brought about by the war in Iraq, others that it is the culmination of a long process of re-alignment. I wondered what your views were on why Libya has now re-aligned itself and made a *rapprochement* with the international community.

Mr Miles: On the whole I tend towards the second of those two schools of thought. The process of abandoning support of international terrorism has gone on for quite a long time now. I am not absolutely certain of my dates, but I think that it has been evident since the late 1980s and certainly the early 1990s that Libya was no longer, so to speak, offering open house to the national liberation movements, however disreputable, of the world; in particular the Palestinian groups were closed down in Libya, which of course was a very sensitive issue for any Arab government. The reasons behind this I think are very wide and I think I mentioned some of them in the memorandum I put to you. Essentially, all this goes back to a time, first of all, when international affairs were being played out against the background of the cold war in a bi-polar world, where any country which appeared to be standing up to the United States had at least some chance of getting support from Moscow, and that is no longer the case. Secondly, it was at a time when the anti-imperialist feelings of the third world generally and more particularly the Arab world were much more focused than they are now, and where Arab governments and the Libyan Government in particular felt it incumbent on them to support the Palestinian cause against Israel and therefore, against the United States. The Libyans have seen that feeling, that idea dissolve gradually as more and more Arab states have taken a more conciliatory position towards Israel and they found that they were left isolated.

The Committee suspended from 3.08pm to 3.20 pm for a division in the House

I think I had said everything I wanted to say on the first half of your question which was about terrorism, but you also asked about the decision to give up weapons of mass destruction. I think that the explanations which the Libyans themselves have given on this are reasonably convincing, namely that they saw it as a dead-end policy, that it was not contributing to the security of Libya. I think one can interpret that in the light of the Iraq war and not only the Iraq war, the American pressure in general on weapons of mass destruction and indeed international pressures. They could see, clearly, that whether or not Saddam actually had weapons of mass destruction, it was not deterring anybody from attacking him. Now, as I said in my memorandum, I do not think that the actual move to start the process of getting rid of weapons of mass destruction can be attributed to the war itself, because I think, although the evidence is a little bit confused, that it

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happened before the war. Of course, if you remember the period before the war, there was a period of war fever and so it is rather a fine distinction. You may have seen that Qadhafi himself commented, this week I think, in an interview in *Time Magazine*, where he said something to the effect that if somebody attacks you and you defend yourself with a nuclear weapon, you are in effect attacking yourself. I think that is a lesson which has gone home. When you add to that the fact that weapons of mass destruction are extremely expensive, extremely dangerous, they take up a huge amount of national resource and so on, you do not have to look any further for the reasons for the decision to abandon them.

Q124 Mr Hamilton: Thank you for that. May I continue though, in the same vein? I wondered how committed you thought Libya was to its new foreign policy stance. As I understand it, Libya has moved away from the Arab League towards a greater role in Africa itself. How long lasting will that be? Are they really committed to this new foreign policy attitude?

Mr Miles: I do not give very much credence to that myself as a long-term policy. Libya is more of an Arab country than it is an African country; of course it is both in a sense. I think Qadhafi's decision to play the African card, if you like, over the last 10 years or so was a result of extreme frustration and bitterness at the way he felt he had been handled by his Arab brothers, if you like to put it like that, but I do not think it goes very deep. Certainly it does not go very deep with anyone except Qadhafi himself. The Libyan people are much more interested in the Arab world than they are in the African world, and so I would not expect that to be a long-lasting change. If you want to ask the same question in relation to the normalisation process, the return to a kind of more balanced relationship with other countries, including Britain and Europe and also the United States, I think it is very much in Libya's interest, I think Qadhafi has done it deliberately and has put quite a considerable amount of effort into it, but I would not necessarily assume that he is totally committed for the future. If things went wrong, he could change again.

Q125 Mr Hamilton: And therefore, is he really committed, and is Libya really committed to the war against terrorism and is Libya providing any useful help or information or intelligence?

Mr Miles: I am sorry to be difficult, but personally, I do not really recognise such a thing as "the war against terrorism", but, more to the point, nor does he. He distinguishes very carefully between Islamic fundamentalist violence, which he sees as a threat both to himself and to America and to others on the one hand, and, on the other hand, national liberation movements, resistance to occupation both in Palestine and Iraq, which he would not for a moment associate with terrorism.

Q126 Mr Hamilton: So do you think there is a little bit of self-interest in his move back towards a *rapprochement* with the West?

Mr Miles: Yes, of course.

Q127 Mr Hamilton: That in fighting the fundamentalists, he is trying to protect his own personal position.

Mr Miles: He has to. He has been fighting the fundamentalists a great deal longer than we have, and one of his reactions after 9/11 when President Bush said that anybody who harboured fundamentalists should be bombed, was to say "Well, you can start with London", and a very reasonable comment.

Q128 Mr Maples: How are these postures by Libya viewed by her Arab neighbours? Is she in some sense returning to a more mainstream view, which a lot of the Gulf States would have shared, of its relations with the West, uneasy though that was, or is he simply just doing his own thing and do they regard him as a sort of maverick, as we did for a long time?

Mr Miles: My impression is that the Arab governments and Arab public opinion, if there is such a thing, have never really taken Qadhafi very seriously. They have always regarded him as a bit of a buffoon, going right back to Abd al-nasir¹, who was Qadhafi's hero, but who had no time at all for Qadhafi as far as one can make out. I suppose objectively speaking these changes are welcome in that nobody wanted to see Libya continue as a troublemaker, as a centre of problems and difficulty, but I do not think they are taken seriously in any real sense by the other Arab governments or by Arab opinion.

Q129 Mr Maples: What are relations with her neighbours like, Algeria and Tunisia and Egypt?

Mr Miles: Like most neighbours, I think they have plenty of problems. They have tried in words to patch things up and of course they do have common interests. For example, there are many Egyptians, Tunisians and Algerians working in Libya and earning good money and sending it home, so there is a basis of a relationship there which is beneficial to both sides. At the government level, however, it is fraught with problems and Qadhafi's relationship with the Arab league and its members remains very unsatisfactory.

Q130 Sir John Stanley: You expressed doubt as to whether President Qadhafi recognises the war on terrorism. I am sure, however, he would recognise acts of terrorism and in any moment of candour he would admit that his government had had a very, very long track record in this area. Casting one's own mind back to the outrages which led to the bombing of Tripoli and Benghazi, I suppose most notably the taking of the *Achille Lauro* liner and the tipping overboard of the Jewish American paraplegic in his wheelchair, the shooting of the

¹ President Nasser.

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woman police officer in St James's Square, the successive shipments of Libyan weapons and explosives into the hands of the IRA and of course the endless negotiations over the bringing to justice of those responsible for the Lockerbie bombing, against that background, how far do you think President Qadhafi is willing to co-operate really positively and actively with our own intelligence services, the American intelligence services, other European intelligence services in trying to identify those who may be responsible for committing acts of terrorism in the future?

Mr Miles: If I might first just comment briefly on the background as you describe it, what you say should be remembered, but your catalogue is not complete. You did mention the bombing of Tripoli and Benghazi by the Americans from British bases which of course the Libyans remember, particularly as Qadhafi's adopted daughter was killed in one of those raids. You did not mention the shooting down of a Libyan airliner over Sinai by the Israeli Air Force. There are a good many examples throughout the history which, as with all these bilateral lists of ghastly events, one side remembers and the other side forgets. I just make that point because you laid a lot of stress on the first part of your question. Coming to the question itself, I think it is quite clear that Qadhafi has every interest in trying to uncover and destroy what I would not call the global war on terrorism, but I would call it something like the Bin Laden franchise, if you like, the people who associate themselves as violent Islamic fundamentalists with Bin Laden. These people have tried to murder Qadhafi in the past. There was an incident in 1998 which was the one which led Qadhafi to put out an arrest warrant for Bin Laden through Interpol, and there have been other incidents as well. This has been the most serious internal threat to Qadhafi's regime ever since the beginning of his regime in 1969. So, yes, he has every reason to co-operate. Does he in reality co-operate, does he provide intelligence of value to the British and Americans and others? I believe the answer to that is yes, but I have not been privy to the exchanges themselves so I cannot answer with total confidence.

Q131 Sir John Stanley: And in terms of trying to get the best assistance from President Qadhafi in the war against terrorism, what would be your view as to the particular policies that the British Government should be following to that end?

Mr Miles: As I said in my first answer, I think the British Government have followed a skilful policy of building up a relationship in these very difficult circumstances. It is still not a very good relationship, but it is a darn sight better than it was. I think that policy is the right one. On this particular issue though, I think we are pushing at an open door. I do not think there is any great need to do more in order to strengthen the co-operation on intelligence. My understanding is that it is pretty well as good as it could be.

Q132 Mr Hamilton: Libya has a unique form of government in the Jamahiriya, if I have pronounced it properly, a state for the masses. I wondered whether you felt there was any prospect of political reform there, because there are undercurrents of discontent which have no expression or no way of being expressed. Do you think there is any likelihood of political reform, especially since Colonel Qadhafi himself has no formal role within the revolutionary republic?

Mr Miles: During the last year, there seems to have been some opening towards political reform of various kinds. Some of the human rights issues which were completely closed until more or less the time when the announcement about WMD was made, which was the end of 2003, have now been opened. It is only a beginning, but I think that the visit of Amnesty International to Libya in the middle of last year was regarded as a useful and successful visit and one which opened up some of the human rights issues which had been completely closed before. Indeed, it seems that as a result, the revolutionary courts either are being or possibly even have been abolished. Some prison visiting has begun; not to the most notorious prison, but this is something new which did not happen before and it is genuine, it is actually happening and I know Libyans who have taken part in it. In some sense the political reform agenda is more open now than it was a year ago. Coming to the heart of your question, the Jamahiriya system, the system of popular assemblies so called and the general assembly which is the peak of them, which is fundamentally different in principle from a parliamentary system, is still not being questioned it seems by Qadhafi himself. So reform on that, if it is to come, has not started yet.

Q133 Mr Hamilton: Where is the main opposition in Libya, given there is no formal method of dissent or opposition, that political parties are not allowed? We know that there has been, as we have mentioned earlier, a great deal of suppression of Islamic fundamentalism and that there are people in prisons going back perhaps 30 years. Where is the main dissent coming from? Is it religious, is it political, is it fundamentalist?

Mr Miles: It is very difficult to answer those questions in a country which, until recently, was really pretty closed and remains to a considerable extent closed in terms of expression of opinion and so on. The best answer I can give you is that those essentially religious, if that is the right word, or religious-based opposition elements were far the most serious that Qadhafi has had to face. He has faced them quite intelligently, because he has faced them not only with repression when it has been necessary, but also with provision of alternative outlets for religious sentiment and religious activity in the country, which has been kept under reasonable control. Political opposition in the more conventional sense is not visible; that may be simply because it is kept from our view. However, I do think one needs to bear in mind also that

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Libya before Qadhafi, certainly if you go back to the beginning of the 1960s, and Qadhafi took power in 1969, Libya was one of the poorest countries on earth. So expectations were very low and people's lives now are in many ways much better than they were in their parents' time. I think this has some impact on people's attitudes towards Qadhafi. It is a very young country, the average age, I do not know but one is constantly told that half the population are under the age of 25 or thereabouts. These are people who have never experienced any other kind of state in Libya; many of them may have travelled outside Libya, but they have never seen anything inside Libya except the Jamahiriya system, and it has given them some benefits.

Q134 Mr Chidgey: As you have already indicated, Mr Miles, there is a great deal of renewed business interest in Libya from the West, but it is quite interesting that, as late as November of last year, Colonel Qadhafi was voicing his disappointment that, if I may quote in his words "Libya had not been properly recompensed" for giving up weapons of mass destruction. He noted "This provided little incentive for countries like Iran and North Korea to dismantle their nuclear programmes". He said he was seeking security guarantees from the US, from Europe and Japan as well as "civilian-use technology in return for abandoning military technology". That leads me to the question: do you think that Libya is satisfied with the benefits it is receiving since he gave up its WMD programme? What more would Libya like?

Mr Miles: I think the answer to that is, in general, yes. I do not take those comments by Qadhafi too seriously myself. He does shoot from the hip. One can constantly find things which he says, which—his ministers make no bones about it—are explained away afterwards as, they do not actually say this but, "It's just the old man" is the implication. So I do not think that is to be taken too seriously. What was he trying to achieve? He was trying to achieve some of the obvious things, more benefits for his people, a better life for his people and so on and for himself no doubt and for his family, but one major objective which he had in mind was a better relationship with the United States. That was very slow coming, because the Americans, for good reasons or bad—personally I am rather critical of their reaction—took a long time to respond to the changes in Libya but they have responded now and that, I think, is a source of satisfaction to him and to Libya. It is quite an important factor and rather irritating of course, if you are a British or European company and you suddenly find that all the American companies are getting favourable treatment in front of you; but there it is, that is life.

Q135 Mr Chidgey: On that point actually, may I now turn to Libya and the European Union? I think I am right in saying that Libya is the only

country around the Mediterranean which does not have formal relations with the EU at present; Libya merely has observer status at the Barcelona process.

Mr Miles: Yes.

Q136 Mr Chidgey: Yet the official aim of the EU is for Libya to become a full partner to that process. If you look at the trade figures, it was interesting you made the comment about the US, my understanding is that several of the EU Member States have extensive trade relations with Libya, particularly Italy, Germany, as well as ourselves and France, so can we not see a movement towards better relations, trade relations with Europe perhaps to balance those that Libya has with the US? Do you think Libya, for example, would consider signing up to the Barcelona process?

Mr Miles: Yes. I think I would distinguish between relations with individual countries, and relations with the European Union or with the Barcelona process or whatever. Libya has good trading relations with a number of Mediterranean countries, Italy particularly, France, Germany, not a Mediterranean country, Britain too and these trading relations are long standing and continued quite legitimately throughout the period of UN sanctions because, as I am sure you know, the UN sanctions were not comprehensive, ordinary trade was not affected by them directly. So those are long-standing relationships. The Americans unilaterally withdrew from trade with Libya back at the beginning of the 1980s and this was frustrating for the Libyans. They never wanted to sever relations with the United States, but they found that the United States had severed relations with them including trade relations; not that that prevented the likes of Halliburton and Brown & Root doing big business in Libya under the British or German flag, but, in principle, the American administration said the door was closed. That has changed and that has had a big effect on their attitude towards Britain, for example, because they are not as interested in us as they are in the United States. Coming to the question of the European Union and its various institutions, the Barcelona process and so on, my feeling is that they are not really widely understood or appreciated in Libya and that Qadhafi himself probably does not spend very much time worrying about them and does not in a sense know what the fuss is about. I think he probably looks at the relationship which Tunisia, Algeria, Egypt have established with those European institutions and wonders whether there is really very much in it for him. There is a price to pay. If he chooses to join those institutions, he has to accept the *acquis* which opens a lot of difficult subjects, most obviously perhaps the one we were talking about just now, the question of democratic institutions and so on. Does he really want to sign up, as the Tunisians, and the Algerians and the Egyptians have apparently signed up, to a

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row of undertakings about democratic institutions which he does not believe?

Q137 Mr Chidgey: You have actually half answered my last question. What I think you are saying to me is that Libya does not really see any benefit from treating the EU as a monolithic bloc; it is quite happy with its bi-laterals with the various trading nations. Therefore, there is not really any effective leverage that the EU can use with the United Kingdom to improve human rights and encourage reform.

Mr Miles: I would not go so far as to say there is not any leverage, but I do not think there is much. If I might just add to that, if you were discussing this with Qadhafi or his people, they would say “The proper people to talk to a united Europe are a united Africa, not Libya”.

Mr Chidgey: That is very helpful.

Chairman: Mr Miles, you gave a very helpful memorandum to us, you have answered our questions well. My only regret is that we have again been summoned by bells. May I thank you very much indeed on behalf of the Committee?

Written evidence submitted by Dr Hugh Roberts

POLITICAL ISSUES AND DEVELOPMENTS IN ALGERIA

1. DR HUGH ROBERTS

I am a specialist writer on North African and especially Algerian politics and history, having first visited Algeria in 1972. I carried out fieldwork there in the 1970s for my doctoral thesis on politics in the Berber-speaking region of Kabylia (D.Phil Oxon, 1980). I have visited the country repeatedly since then, including nine visits since 1992, most recently during the presidential election in April 2004. I have published many articles on various aspects of the country’s politics and history, and a book, *The Battlefield: Algeria 1988–2002. Studies in a broken polity* (2003). I have worked both in academia—Universities of East Anglia, Sussex, California (Berkeley), London (SOAS and LSE)—and as a free-lance writer and consultant. From 1997 to 2002 I was Senior Research Fellow of the Development Studies Institute at the London School of Economics. Since October 2002, I have worked full time for the International Crisis Group as Director of the North Africa Project, based in Cairo.

2. ISLAMISM AND ISLAMIST GROUPS IN ALGERIA

Algerian Islamism can trace its internal roots back to the Islamic reform movement which developed in the 1920s and was led from 1931 by the Association of Algerian Muslim ‘ulama¹ (Association des Oulémas Musulmans Algériens, AOMA) founded by Sheikh Abdelhamid Ben Badis (1889–1940). The AOMA rallied to the FLN during the national liberation war (1954–1962) and its brand of austere, scripturalist Islam dominated the “official Islam” of the Algerian state until the 1980s. It then began to be outflanked by a new movement of Islamist preaching and agitation inspired by Middle Eastern fashions—the Wahhabi-dominated Salafiyya movement, the Egyptian Muslim Brothers and the radical Egyptian thinker Sayyid Qutb.

Islamist Political Parties

These currents fed into the Islamic Salvation Front (*Front Islamique du Salut, FIS*), the first Islamist party legalized in Algeria in September 1989. The FIS was thus doctrinally a hybrid; it was also and above all a mix of Islamism, populism and Algerian nationalism. This mixture gave it initial political and electoral dynamism, and underlay its impressive election victories in June 1990 and December 1991, but also made it fairly easy to disrupt and pull apart when the Algerian authorities decided to clamp down on the party in 1991 and suppress it completely in 1992.

Since the banning of the FIS in February–March 1992 and the onset of the violence, several other Islamist parties have remained legal. The main ones were initially two but became three:

- the Movement for an Islamic Society (*Harakat li-Mujtama’ Islami*, known by its Arabic acronym as HAMAS), renamed in 1996 the Movement of Society for Peace (Harakat Mujtama’ al-Silm, HMS; Mouvement de la Société pour la Paix, MSP), founded by Sheikh Mahfoud Nahnah (1942–2003), now led by Bouguerra Soltani; and
- the Movement of the Islamic Renaissance (Harakat al-Nahda al-Islamiyya, Mouvement de la Nahda Islamique, MNI), renamed in 1996 the Nahda [Renaissance] Movement (MN), founded by Sheikh Abdallah Djaballah (b 1956).

¹ ‘ulama (singular: ‘alim) means the scholars or doctors of law who are the religious authorities in Islam.

In 1999 the MN split; Djaballah lost control of the party to its secretary general, Lahbib Adami, and broke away to found:

- the Movement for National Reform (*Harakat al-Islah al-Watani*, Mouvement de Reforme Nationale, MRN).

There are thus three legal Islamist parties, MSP, MN and MRN. All three are offshoots of the tradition of the Muslim Brothers in Egypt, and the MSP is recognised by the Egyptian MB as its Algerian affiliate. All three are non-violent, accept the constitution of the state as the legal framework of their activity and claim to accept modern democratic norms. The main political difference between them is that both the MSP and the MN since 1998 (under Lahbib Adami) have consistently accepted regime cooptation, supporting the government's position in the National Assembly and holding a small number of portfolios in the government itself, while the MRN has held to a consistent opposition stance. In the 1997 legislative elections, the MSP emerged as the largest Islamist party, with 69 seats to the MN's 34. In the legislative elections of 2002, the MRN won 43 seats, the MSP 38 and the MN was reduced to one seat. In the 1999 and 2004 presidential elections, the MSP and MN fielded no candidates of their own and supported the candidacy of Abdelaziz Bouteflika, whereas the MRN's leader Djaballah was a candidate on both occasions. Overall, the Islamist parties' share of the vote has declined fairly steadily in successive elections since 1990, and now represents under 20%.

Islamist armed movements

The armed rebellion which began in 1992 was initially a very complex affair with numerous groups and ideological currents—Islamist-nationalist, Salafist and Qutbist—involved. In 1993–94 a polarity was established between the group initially known as the “Armed Islamic Movement” (*Mouvement Islamique Armé*, MIA) fighting to pressure the state to reverse its ban on the FIS and the rival and very extreme “Armed Islamic Group” (*Groupe Islamique Armé*, GIA) which denounced the FIS and all idea of negotiations with the regime and practiced a wholly indiscriminate form of terrorism. In 1994 the MIA was reconstituted as the Islamic Salvation Army (*Armée Islamique du Salut*, AIS), explicitly announced its allegiance to the banned FIS and its imprisoned leaders. In 1997 it abandoned its objective of persuading the regime to rehabilitate the FIS as unrealisable, announced a nation-wide cease-fire and effectively ended its campaign. Following a kind of amnesty in 2000 it dissolved itself, as did a number of smaller groups which had broken away from the GIA.

The GIA developed around a core of veterans of the Afghanistan war with extremist views. An attempt by elements of the FIS underground to infiltrate the GIA leadership in order to rein it in and bring it under FIS political control failed and hundreds of pro-FIS elements died in internal purges in 1994–96. Thereafter the GIA was controlled by the most extremist elements and oriented by the doctrine of *takfir al-mujtama'* (the condemnation of the entire society as infidel), which was the ideological basis of the indiscriminate massacre of civilians in which the GIA engaged.

This behaviour provoked splits, with less extreme factions dissociating themselves from the GIA in 1997 and 1998. Most of these negotiated cease-fires with the Algerian army and dissolved themselves in 2000. Two, however, kept fighting under new names and are still active. These are:

- The Salafi Group for Preaching and Combat (*Al-Jama'a al-Salafiyya li 'l-Da'wa wa 'l-Qital*; Groupe Salafiste pour la Prédication et le Combat, GSPC), founded by Hassan Hattab in September 1998 and based primarily in the western districts of Kabylia in east-central Algeria but also in the Tebessa district of south-eastern Algeria; in 2003 a section of the Tebessa-based GSPC expanded into the Saharan region and was involved in kidnapping 32 European tourists.
- The Guardians of the Salafi Call (*Houmat al-Da'wa al-Salafiyya*, HDS), also founded in 1998 by Kada Ben Chiha (killed 1999) and based in western Algeria, especially the Ouarsenis mountains in the wilayat (governorates) of Relizane and Tissemsilt.

These movements regard the state as infidel and therefore a licit object of jihad, but do not regard the society as apostate and do not target civilians as a rule. Thus the armed rebellion has been reduced to the jihadi wing of the Salafiyya current in contemporary Sunni Islamism. On the ground it has become very linked to and parasitic on illicit commercial activities, namely long-distance smuggling.

3. GOVERNMENT RESPONSES

The Algerian government has followed a complex strategy in regard to the Islamist movement. There is no doubt it initially sought to exploit and manipulate the FIS as a proxy in a factional struggle within the state power-structure in 1988–90. Since 1992, the policy followed had several features:

- a constant determination not to relegalise the FIS;
- tolerance but also a degree of manipulation of the legal Islamist parties, using them to co-opt elements of the ex-FIS's electoral constituency while also playing them off against one another: ie using Islamists to neutralise Islamists;
- a very brutal military counter-insurgency campaign against the armed movements, combined with

- a willingness to negotiate with the less extreme wing of the rebellion on condition that the civilian wing of Algerian Islamism was not involved in these negotiations and drew no benefit from them.

Between 1993 and 1999, government policy was unable to furnish a proper resolution of the problem in large part because of factional disagreements within the regime expressed in the dichotomy between two policy tendencies, dubbed “the eradicators” and “the conciliators”. Successive presidents (Mohammed Boudiaf, Ali Kafi and especially Liamine Zeroual) were inclined to a conciliatory stance in that they sought political rather than military solutions to the rebellion, but were blocked by the army general staff, whose Chief, Lt. General Mohammed Lamari, was the leader of the “eradicator” tendency.

Since the election of Abdelaziz Bouteflika to the presidency in 1999, government policy has evolved considerably, if slowly at first. Bouteflika committed himself publicly to end the violence by promoting a “Civil Concord Law” in July 1999 which offered terms intended to encourage elements of the rebellion to surrender, and then followed this in January 2000 with a decree offering a strange combination of pardon and amnesty—une grace amnestiante—to the AIS and associated groups which had been observing a ceasefire since 1997; these then dissolved themselves. Thereafter he appeared interested in extending these arrangements to cover the remaining armed movements still active (GIA, GSPC, HDS), but this was very controversial and he was unable to make progress. His re-election with a convincing majority in April 2004 seems to have unblocked the situation. Not only has Lt General Lamari been pushed into retirement, but Bouteflika has been able to mobilise popular support for the idea of a broader amnesty in the name of “national reconciliation”. Moves to translate this into reality are now under way, although there may well still be pitfalls to negotiate.

4. LINKS WITH AL-QAEDA

One pitfall is definitely the question of the remaining active groups’ links to Al-Qaeda. This has repeatedly been invoked by Algerian newspapers known for their hostility to the Islamists in general—and their closeness to the military “eradicator” tendency in particular—as grounds for refusing and denouncing any negotiation with the rest of the rebellion, given in particular Algeria’s participation in “the war against terrorism” and its resulting close ties with the US government. There is no doubt that all three of the groups still active have had some links with Al-Qaeda, since the GSPC and HDS come out of the GIA whose core consisted of veterans of the Afghan war and have therefore had longstanding personal connections with the network run by Bin Laden and his lieutenant, Ayman Al-Zawahiri. Ideologically, the GSPC and HDS share the doctrine of Al-Zawahiri concerning the issue of takfir (denouncing only the state, not the society, as impious). But these groups are primarily rooted in the Algerian national context, and their jihad has been and remains the internal jihad against the Algerian state, not the global jihad proclaimed by Al-Qaeda. The position appeared to change when the GSPC’s founder, Hassan Hattab, was replaced by Nabil Sahraoui in September 2003, since Sahraoui very emphatically proclaimed his allegiance to Bin Laden. This did not subsequently translate into any significant change in the nature of the GSPC’s activities, however, although it certainly tended to block all possibility of a negotiated end to its campaign. The killing of Sahraoui and three of his lieutenants in an ambush in June 2004 may, however, have unblocked the position once more.

5. THE PROBLEM OF DEMOCRATISATION AND HUMAN RIGHTS

This is a longstanding and deep-rooted problem. Human rights violations have occurred on a large scale in the course of the rebellion and the army’s response to it. But underlying this state of affairs is the much older problem that arises out of the fact that the Algerian state is not a state bound by law (un état de droit), but characterised rather by a high degree of arbitrariness at every level of authority.

This fact is partly a legacy of the revolutionary manner in which the state was constituted by the historic FLN in 1962, but it is above all a consequence of the excessive weight of the executive branch of the state and the correspondingly stunted powers of the legislature and the dependent nature of the judiciary. The advent of formal party-political pluralism in 1989 did not seriously modify this state of affairs, since it did not lead to any significant empowerment of the legislative branch at either national or local (region and municipality) levels. Algeria’s own political parties share some of the blame for this, since they have not so far made a serious issue of this question, with the partial exception of the Islamist MRN. But the principal reason for the lack of progress on this issue has undoubtedly been the commanding influence which the Algerian army has exercised over the executive branch and thus over the state as a whole since 1992 if not before (arguably since 1980). It has been entirely unrealistic to expect any substantive democratisation of the Algerian state for as long as the army’s political role continued. In short, the demilitarization of the political sphere has been a necessary condition of its eventual democratisation.

This has now at last begun to happen. There is no doubt that the army’s political primacy entailed the weakness of the presidency of the Republic and that the army commanders knew this and were inclined to keep the presidency weak by destabilising successive presidents at frequent intervals. Senior generals who wanted to maintain this position were accordingly very hostile to Bouteflika’s ambition to secure a second term. His success in outmanoeuvring this element of the army command (headed by Lt. General Lamari) and getting himself re-elected has entailed a dramatic strengthening of the presidency and has accelerated the army’s retreat from the political stage.

In the short run, however, the reinforcement of the presidency has exhibited an emphatic authoritarian aspect, since it has also involved the marginalisation of the political parties. The prospect in the medium term is thus one of strong presidential rule, quite possibly displaying a new-found capacity to address and resolve some of Algeria's most pressing problems, but without any immediate progress towards a substantive democratisation of Algerian political life. However, should this formula succeed in completely ending the violence and thus the premise of the state of emergency (enacted in February 1992 and renewed every year since then), it could well establish some of the conditions of a subsequent resurgence a few years from now of party politics of the kind that is indispensable to effective democratic government.

Dr Hugh Roberts

26 January 2005

Witness: Dr Hugh Roberts, International Crisis Group, examined.

Q138 Chairman: We turn to Algeria and the evidence of Dr Hugh Roberts currently head of the International Crisis Group's North Africa project, which focuses on Algeria, especially the Islamic insurgency and political and economic reform. Dr Roberts you are currently based in Cairo and travel regularly to Algeria, formerly a senior research fellow at LSE, where you ran a research project on Algerian studies. May I one, welcome you, two, thank you for your most helpful memorandum and three, give warning that, alas, again the Committee may have to leave to vote? May I begin on the question of violence? What is your judgment on the level of violence currently in Algeria? It clearly has fallen since the high point of 1999 and so on, but has it ended. To what extent is the violence continuing and who is now responsible?

Dr Roberts: It is very, very greatly reduced. There was already a very clear reduction between, for instance, 1996 and 1999. As early as 1999, when I was there for the presidential elections, there was a much more relaxed feeling in Algiers and in the other parts of the country I was able to visit. That trend has continued and it has been manifested, for example, in the attitude of the Algerian security services towards foreign visitors.

Q139 Chairman: We are in the country next week, so the question has a certain relevance.

Dr Roberts: For example, people such as journalists used to be obliged to have a security escort wherever they went. This is no longer the case. That is an index amongst others one could mention of the extent to which the situation has been brought under control. Clearly at the same time the violence does continue at a much reduced level. There are parts of the country that remain dangerous, there are parts of the country that are certainly dangerous to travel through at night and I would not travel through them.

Q140 Chairman: And who is responsible?

Dr Roberts: There are two main groups. The most important is this group called the GSPC which is a French acronym standing for, in English, Salafi Group for Preaching and Combat (*Groupe Salafiste pour la Prédication et le Combat*). The GSPC was based initially and primarily in the area not far from Algiers the eastern edge of the Mitidja plain, south of of Algiers, (which is the western edge of Kabylia region, also the southern Kabylia

region, so this is, if you like, east-central Algeria, within 100 to 150 kilometres of the capital, a very populated, but also mountainous area. The other main area of the GSPC implantation was near the Tunisian border around the town of Tebessa in the south-east of the country (I am talking about Algeria north of the Sahara). Then, very unexpectedly, two years ago, there was this sudden development of GSPC activity in the Sahara with the abduction of 32 tourists, which was a very remarkable and unprecedented development. So there has been this third front if you like, the Saharan front to the GSPC's activity.

Q141 Chairman: During the savage war of independence, the Kabylia was always the centre of turbulence.

Dr Roberts: Kabylia was certainly one of the main centres of the liberation army, that is perfectly true and it is classic *maquis* country, classic guerrilla country. So there is nothing surprising about the GSPC being implanted there. What I think was surprising was the Saharan dimension. Before I say a little bit more about that, could I just mention the other two groups that are still active? There is a rump of the old GIA, *Groupe Islamique Armé*, the Armed Islamic Group, which was the most prominent and most notorious group in the mid-1990s. It should be explained that the GSPC is a breakaway from the GIA; the GIA ended up splitting because of the controversial nature of the tactics it employed, alienating some of its own commanders who disagreed with indiscriminate terrorism and broke away from the GIA as a result. The rump of the GIA still exists in the area south of Algiers to the south-south-west of Algiers, again within a relatively small radius of the capital. Finally, there is a group further away in western Algeria in the Ouarsenis mountains called the Guardians of the Salafi Call (or Mission), *Houmat Al-Da'wa al-Salafiyya* (HDS). They also are a western fragment of the old GIA that broke away at the same time as the GSPC in 1998 for substantially the same reasons. They are less prominent in their activity.

Q142 Chairman: What are the links between those groups and the informal economy?

Dr Roberts: Very clear in the case of the GSPC. Both in the Kabylia region where it is notorious that they are linked to what is locally known as the

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sand mafia, *la mafia du sable*, which is an occult network which is engaging in predatory activity in relation to the environment, taking sand out of the river beds and the sea shores. They are also known to be involved in money laundering. In the Tebessa area, they were involved in trafficking of containers and of livestock and in the Sahara—this is the connection with the Sahara—there has been a longstanding trans-Saharan smuggling racket, particularly cigarettes, what the Algerians call the “Marlboro Connection”. The person who is regarded as the king of this traffic is linked to and involved in the GSPC, this person called Mokhtar Belmokhtar. There is a nexus which makes one think that in fact this activism for people like Belmokhtar is no longer anything to do with a political project, it is almost a way of life; it is basically criminal banditry.

Q143 Sir John Stanley: Do you think that the present British Government and indeed the previous Conservative British Government should have taken more rigorous measures to check the security background of many people with an Algerian background before giving them rights of entry and residence in this country?

Dr Roberts: It is not an issue which I have personally studied in any depth. I have concentrated my efforts on trying to figure out what is going on in Algeria, rather than debating issues here. At the same time, I think that, as I understand it, there is no extradition arrangement with Algeria. There is therefore a problem. There are at least two different aspects to the problem I think you are raising. One is of course the internal security problem for Britain, which of course has become more visible over the last three years, but there has also been, of course, a problem in British Algerian relations. Whether or not that is something that one attaches a great deal of importance to in the British Government, certainly in Algiers there has been festering resentment over the question of Britain providing some sort of a haven for elements which are involved in movements causing them headaches. My own understanding of this is that one needs to make a distinction in the question of the diaspora in relation to al-Qaeda or similar brands of Islamic terrorism. Quite a lot of the Algerians who came here in the early 1990s were FIS supporters, that is to say sympathisers or supporters of the Islamic Salvation Front which had been banned in 1992, who found that they could not stay in France and they came to the UK as a second resort, as a second best solution. Some of those ended up being involved in, or sympathising or active on behalf of the GIA. Now that is the kind of activism which is over-spill from Algeria, where the orientation is very definitely to the internal Algerian situation. That kind of activism of course did not incline these people to engage in terrorist activity in Britain against British targets. I think one needs to distinguish that category from the quite distinct category of the North African diaspora in Britain and more generally Europe, much more established of course in places like France and Spain, where the orientation is not to an ongoing internal conflict in

their country of origin, but is to this much more ideological doctrinaire brand of activism, of which the example before them is al-Qaeda. That is the category from which this Moroccan Zacarias Moussaoui, who was allegedly the 20th hijacker on 9/11, came from. My point being that I think that in the majority of cases of the Algerians who came here in the 1990s, there was not a very strong reason for the government to fear a security threat to Britain as opposed to an inclination to be active in relation to terrorist movements in Algeria. I think that what is regrettable is not so much that they did not take more rigorous measures, I do not have an assessment of how rigorous those measures were, so I withhold judgment, but what I do think is problematic is the lack of co-ordination or discussion or consultation with Algiers about some kind of co-operative approach or co-ordinated approach to a problem which, after all, has two ends and which is shared.

Q144 Sir John Stanley: I should like to come back to that in a moment, but first of all on the point you made about extradition, is it your own view that there should be a proper extradition treaty between Algeria and the UK? Do you believe that the Algerian judicial system is such that it is a country to which the UK should be willing, be able to take people back to Algeria to face trial?

Dr Roberts: I certainly do not have a rosy view of the Algerian judicial system and this is an important issue in the whole issue of reform inside the country. That might well constitute a reason for being reluctant to remove them. The question is: what is British general policy in these matters? Does one only have extradition treaties with countries whose judicial systems one has full confidence in? I do not know. One might have nonetheless discussed the matter along the lines of if certain improvements or reforms or safeguards or guarantees could be developed at the Algerian end, one might be willing to consider an extradition treaty. My understanding is that this is something which simply has not been addressed and that I think is really quite a strange omission when we think that this issue has been theoretically relevant now for 13 years.

Q145 Sir John Stanley: When you refer to the lack of co-operation and co-ordination between Algeria and the UK, particularly in relation to potential terrorists, are you indicating a lack of co-operation between the intelligence services, or a lack of co-operation politically at high ministerial level? What are you particularly highlighting?

Dr Roberts: From 1992–93 onwards, Algeria found itself in a general position of quarantine, very isolated diplomatically from most of her former, or potential partners. There is no particular reason to single the UK out in that context but, nonetheless, my impression is that there has been to date very little attempt to engage with the Algerians on matters of common concern. It may well be that that is now beginning to change, but certainly it was very, very striking right through the 1990s, that there was virtually nothing happening here. I am simply

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conscious of the degree of resentment that existed at the Algerian end about this. Reading the Algerian press regularly, one very frequently came across quite bitter diatribes about British policy, the point that Oliver Miles made a moment ago about London being a haven of terrorism and so forth. This is something you should be aware of, given that moves are beginning to occur towards improving and developing relations; there is a bit of a track record to live down, so far as Algerian attitudes to the UK are concerned.

Sir John Stanley: Thank you. You have given us some very interesting issues to pursue.

Q146 Chairman: What about links with al-Qaeda? Are there any such links between those groups internally and al-Qaeda?

Dr Roberts: There is no doubt that there are links: link of course is a very vague word. The two groups I mentioned are fragments of the third group; they all come from the GIA. The GIA, as its core, was set up by people who were veterans of the Afghan war and therefore had links, before engaging in armed activity in Algeria, links to the people around Bin Laden. A key personality involved in setting up the GIA was very close to Ayman al-Zawairi, Bin Laden's principal lieutenant, the leader of the Egyptian Jihad group. So there were connections, going right back to the beginning of the violence in Algeria, to the people we now call al-Qaeda. We should be wary of anachronism: al-Qaeda as we speak of it today did not really exist in 1992. Having said that, there are several points which should be made to qualify this question of links. The links do not seem to me to be very significant. First of all, there is no doubt that, when the GIA became most savage and most indiscriminate in its terrorism in the mid-1990s, particularly 1996, 1997, 1998, this involved a break with al-Qaeda because it was operating a doctrine that al-Qaeda did not endorse, a doctrine that considered the entire society as apostate; that is not al-Qaeda's doctrine. That was the doctrine that rationalised the indiscriminate killing of civilians by the GIA. When the GSPC and the other movement, the HDS, broke away it was partly because they were rejecting that doctrine; in so far as they were rejecting that, they were getting back to the doctrinal position of al-Qaeda which regards only the state as impious, as a licit object of Jihad, not the society. Doctrinally you could say that the two main movements, the GSPC and the HDS, have the same outlook as al-Qaeda. What they are not doing is participating in global Jihad activities. Their agenda is inside Algeria. The GSPC has had networks outside Algeria performing support functions, ancillary functions, fund raising, propaganda, arms procurement, but these networks have not engaged in any terrorist attacks outside the country. Its Jihad is a local Jihad, its conflict is with the Algerian state and as such, I think that it is quite striking that the link with al-Qaeda and even statements that imply allegiance to al-Qaeda have been, so far as one can see, lip service, rhetoric, formal allegiance, not actually having any practical translation.

Q147 Mr Chidgey: Picking up from that point if I may, Dr Roberts. It does appear that things have moved on since the appalling atrocities of the previous decade. It does appear that significant progress was made with the 2004 presidential elections. However, it does also appear that serious concerns remain about the legal system. What are the prospects for a genuine process of political reform?

Dr Roberts: It entirely depends on what you mean by reform. My view is, as I think I briefly stated, that what we are seeing at the moment is, in some respects, an authoritarian development, but on the basis of primacy of the civilian wing of the regime and the effacement of the military. The price for this is being paid in part by formal political pluralism; the political parties are being marginalised as part of this process. That is because of the extent to which the political pluralism of the 1990s, from 1989 onwards, was actually linked to the primacy of the military: the military operated through a strategy of manipulation of political parties. With the shift of power from the general staff of the army to the presidency under Bouteflika, Bouteflika is taking control of the political sphere; he is taking it away from the generals and from their proxies in some of the political parties. What we are looking at at the moment has two faces: a very considerable reinforcement of the presidency, which I personally argued throughout the 1990s has been a condition of a resolution of the crisis of the state, that the weakness of the presidency has been one of the premises of the continuing crisis because it has meant that no civilian figure has had the authority to impose any kind of binding arbitration or impose any kind of strategy for resolving the crisis. No-one could do a De Gaulle in this situation. So Bouteflika strengthening the presidency is something I personally think is positive, but it has a cost. Where might this go? My own view is that over the next few years, there will be a change in the political climate in the country as the prospect of *l'après* Bouteflika emerges on the horizon. Bouteflika is 67, soon 68. Under the present constitution he is not allowed a third term and therefore minds will have to be concentrated fairly soon. My own view is that formal pluralism continuing to exist, we can look for some kind of a new development in the party political sphere which might well permit some kind of recovery of a democratic development in the society. In the short run however, what we are seeing is an authoritarian approach which is concerned first to end the violence through a process of national reconciliation, for which Bouteflika feels he has a mandate from the elections, because that was the principal plank in his electoral manifesto and second, an attempt to re-launch the economy, an attempt that is rather *dirigiste* in spirit and may not be very effective, but it is also an important element of strategy of national reconciliation.

Q148 Mr Chidgey: You pose a rather interesting paradox in suggesting, I think I understood you properly, that with the withdrawal, or perhaps

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forced withdrawal of the army from politics, so obviously party democracy has been weakened. It is not something we normally find in a state.

Dr Roberts: I have always argued that the party pluralism which existed in Algeria was really rather phoney, that these were not real political parties, these were relays for the generals operating as representing different positions about identity, Berberism, Islamism and so forth. None of these parties was capable of being alternative governments. None of them had programmes addressing the general range of issues that any Algerian Government should face. None of them actually constituted an alternative to the *status quo* and that is why they were so congenial to the generals. It was a way of organising divide and rule.

Q149 Mr Chidgey: Referring to an earlier answer you gave to Sir John, I think helps me answer my question myself in a way. You always made it clear to us that as far as the war against terror is concerned or, if you like, the international war against terrorism is concerned, in Algeria this has been an inward concept of terrorism, rather than an international concept, so consequently that is not a card for the army to play to restore themselves to any position of power. You need the army involved in politics, in governing the country, to be involved in the international war against terrorism.

Dr Roberts: Well, it has turned out that way, but a couple of years ago it looked as though the army was using the war on terrorism quite effectively to shore up its position.

Q150 Mr Chidgey: International war.

Dr Roberts: Yes, yes, precisely; as a source of legitimacy. The Algerian attitude to the war on terrorism was "Thank you for at last joining *our* war on terrorism". There was an element of a sardonic aspect of the Algerian discourse on this, which reflected the fact that there was a longstanding critical attitude to the West in general, but the US in particular as being originally part of the source of their problem. Everyone in Algeria knows perfectly well that their problem has been, amongst other things, part of the fall-out from Afghanistan.

Q151 Mr Chidgey: Yes, I see.

Dr Roberts: When 9/11 happened, the Algerians immediately declared their position four square alongside the Americans. They saw this very lucidly as an opportunity to consolidate their own emergence from diplomatic purdah and the army, I believe, also saw this as an opportunity to secure external backing and external legitimation for its own position. Surprisingly in some respects, it has not worked to keep them at the front of the political stage and the argument which has prevailed within the Algerian army is a rather different one, that "in order to maximise the benefits from security co-operation with our Western partners, particularly NATO, we need to withdraw from our over-exposed role in the system of government back home". That

is the argument which has prevailed and that has been a premise of Bouteflika's ability to get a second term.

Q152 Mr Chidgey: Does that therefore mean that there is now an opportunity with the backing off of the army, if you like, to make some progress towards improvement in the human rights situation?

Dr Roberts: I think there is definitely an opportunity there. This is a matter in debate. The problem, however, is, as often happens in Algeria, that the debate gets bogged down in extremely septic issues, the most septic at the moment in this context being the issue of the disappeared. We have a number of different organisations beavering away on this issue, we have a state-sponsored organisation which is functioning as the flak catcher on this issue, the cut-out, to moderate the problem and deflect pressures. I am rather pessimistic about this going anywhere and the Algerian Government is past master at deflecting pressure into unproductive avenues, where passions run high. What no-one is really addressing effectively in my view is the underlying problem about human rights, which is linked to the underlying problem of the judiciary, the fact the judiciary is not independent; you do not have a robustly independent judiciary. The Algerian judiciary is in a worse condition than the Egyptian in that respect. Ultimately this is a function of the fact that you have a very, very weak legislature and therefore an unaccountable executive; the judiciary ultimately does come under enormous pressure from the government, from the upper echelons of the executive branch and all of this means that arbitrariness is built into the way things work. Human rights violations are simply the most brutal expression of a general tendency to arbitrariness and it is something that, as at present, a substantially unreformed political system cannot really address except in a superficial way.

Q153 Mr Chidgey: Some commentators argue that there is now a very urgent need for national reconciliation after the years of conflicts in Algeria. In your view, is this being taken seriously by the Algerian Government, by the president?

Dr Roberts: It was the most important reason why people voted for him last year. I was there at the time and I listened to his speeches and they evoked enthusiasm and it was a recovery, at any rate of the level of rhetoric, of the Algerian national idea and people voted for it, they liked it. It was, amongst other things, saying "We are fed up with all this identity politics, Islamism, Berberism, what have you, we are all Algerians, we are all Muslims. What is this?". He is now under some pressure to deliver. He has raised expectations. I also think that as president he has an institutional interest in delivering. He does have an interest in the violence ending. There were grounds for suspecting that the Algerian army did not have an interest in the violence ending, that the Algerian army had a rather cold Machiavellian attitude that a certain level of violence was something that they could live with and it actually had dividends.

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Q154 Mr Chidgey: Just so far as they are involved.

Dr Roberts: Yes. I do not think that that applies to Bouteflika; I think he has a genuine interest in putting an end to it. He also knows that he cannot do this without a degree of political negotiation. It cannot be done by purely military means; there has to be some sort of a deal offered to the GSPC, as was offered to earlier movements which accepted a deal and dissolved themselves. He cannot make that deal if there is not political backing in the society, in the wider political class. There are grounds for giving him at least the benefit of the doubt as to his being in earnest about this and he has made some interesting moves recently, including enlisting Algeria's first president, the very elderly Ahmed Ben Bella, in a key prominent role in organising a national commission on a general amnesty. These are controversial issues, but the signs are some movement is occurring towards making something happen.

Q155 Mr Chidgey: Finally, is there a role for the European Union? What would the role be in improving the socio-economic situation in Algeria and for the Algerians, or would they too look towards the AU rather than the EU?

Dr Roberts: They have signed an association agreement and this is a bit controversial, there is a lot of criticism in Algeria of the implications of the association agreement. On the other hand, there is absolutely no doubt the Algerians know perfectly well that they are locked into an eternal relationship with Europe and they want to make the most of it. In this context there has been a very definite improvement in Algerian-French relations. The government is very concerned to balance the US and the French connection so that they are not in the pocket of either and make each work in a renegotiation of the terms of the other. In relation to the European Union, my own view, and the view that the ICG has argued, is that specifically in relation to the question of terrorism or the security question, the EU can help, should help, or should certainly explore the possibilities of helping the Algerians in relation to the link we have already discussed between terrorist activity and mafia economics; smuggling, illicit movements of goods and money and also, of course, human flows. This is something that the EU really should address and it links up perhaps to a wider and much bigger can of worms, the general question of the Western end of corruption networks. Certainly the EU could help there and we also feel it could help, and should help, in the security sphere. The EU should be concerned with the wider security implications of what may or may not be happening in the Sahel region to the south of Algeria. There is, as you probably know, this American pan-Sahel initiative. The Americans are involved in developing anti-terrorism security capacities in several of Algeria's southern neighbours, Chad, Niger, Mali and Mauritania.

Q156 Mr Chidgey: Francophone Africa.

Dr Roberts: The rationale for this being that there is a major security threat in this area, which in fact has not manifested itself in any real activity and

therefore I am certainly sceptical about this. One should not of course ignore the possibility that they may develop and I personally think that the EU has an interest and could play a role in complementing US assistance in that area. That would be something in which the Algerians would be quite interested, should the EU wake up to that possibility.

Mr Chidgey: That is very interesting. Thank you very much.

Q157 Mr Illsley: Dr Roberts, I wonder whether you could shed some light on an issue which was raised with us a few days ago in relation to Algeria's relations with Morocco regarding prisoners held by the Polisario movement, somewhere in Western Sahara but obviously within the remit of Algeria. We were told that something like 410 of these prisoners have been held for over 25 years and they were referred to as the longest serving prisoners ever held anywhere in the world at the moment. Do you have any information on the relations between the two countries in relation to that?

Dr Roberts: Are these Moroccan prisoners or Algerian prisoners?

Q158 Mr Illsley: Moroccan prisoners held by the Polisario, perhaps with the connivance of Algeria, I am not sure.

Dr Roberts: It would be with Algeria's knowledge and consent or acquiescence. Yes, it is horrifying. I am not sure what I can usefully tell you about this. It is not something that I have made a specialist study of, but clearly there have been these human victims of this terribly blocked situation. The position on the Western Sahara is immobile; we have seen James Baker give up in despair and as a consequence there are these human victims and it is appalling. Precisely why it should be politically impossible to release them, pending any kind of breakthrough on the actual substance of the conflict, I am not sure but I assume that it is simply a cold-hearted political calculus operating here that does not necessarily only operate in one direction. I would not want to encourage you to assume that there are only Moroccan victims of this impasse, but it seems to me that there is a problem. It is very likely to be connected to the general problem of the unwillingness of the Moroccans to treat the Polisario as an interlocutor. That in itself is an inhibiting factor.

Q159 Mr Illsley: Does it affect relations between Algeria and Morocco to any great extent? Is there an acceptance of this situation and a resignation that the thing is going to exist in this state for some more time to come or does it periodically flare up into differences of opinion between the two countries?

Dr Roberts: My view of this is that it is quite impossible for the Moroccan Government to withdraw on the substance of its claim to the Western Sahara. The internal political costs would be enormous; it would quite possibly destabilise it. Therefore, it has no reason to take any chances in moving significantly. On the Algerian side, the Algerians also have little incentive. The *status quo* is

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something that does not cause them any major burden. It has a potential dividend for both sides in that, of course, it is an opportunity to bang the nationalist drum when you need to do so as a distraction from other problems. There is a perfectly understood element in the repertoire of both governments that this is something they can use when it suits them to do so and that there just is not sufficient incentive to move out of the trenches; maybe that is because the nature of the problem has been conceived in a way that has led to the impasse and that a new approach is required, but it is not clear what that might be.

Q160 Chairman: How do you respond to current British policy to Algeria, the Foreign Office, the British Council and the World Service of the BBC? Are there any areas where you think that we are failing, any improvements that you would have in mind?

Dr Roberts: The Foreign Office, British Council and the BBC. I have for a very long time felt mystified by the refusal of the British Council to go back to Algeria and I understand that it maintains this refusal, maybe I am not up to date, but the last I heard was that it was still adamantly refusing to go back.

Q161 Chairman: Because of the security situation?

Dr Roberts: I find it impossible to take that pretext seriously. Other countries are active in the cultural sphere. The British Council had a high reputation in Algeria and it was not an insignificant event when it closed down and pulled out. While you could of course explain that and explain it away for the period of really intense violence in the mid-1990s, since the end of the 1990s, it has been pretty difficult to explain in those terms and it is something which I think vitiates attempts to renew and develop British-Algerian relations.

Q162 Chairman: Are you saying that the Alliance Française and the Goethe Institute are in place?

Dr Roberts: I would not swear to those particular institutions being there, but what is clear is that there are very intense cultural exchanges between France and Algeria in particular, as you would expect, in terms of visits in both directions and so on. The security question is not invoked to justify cold feet at all and I do not think it does justify cold feet. There is that question: why does the British Council refuse to go back? I talk to the Foreign Office from time to time. My feeling is that, had developing British-Algerian relations been a priority for the Foreign Office, it could and would have done other things. My assumption is that the reason why it has not done very much over the last decade or more is because it has attached a very low level of priority to the Algerian relationship. I think that it has allowed a lot of potential opportunities to go begging as a result.

Q163 Chairman: Commercial?

Dr Roberts: Commercial in the long term, yes, although clearly there is a tendency amongst British businessmen to feel inhibited about the Algerian market. That inhibition seems to me to be to do with—it may be self-reinforcing—the feeling that this is a French preserve or culturally alien and so on, but of course those factors do not really prevent British businessmen engaging with the rest of the Arab world. It is as though Algeria is somehow regarded as peculiarly forbidding in cultural terms from the point of view of British business. My point being here that I think that if one had wanted to develop relations, one could have done a lot and that there has not therefore been the will. In that context, I am struck here that there seems to be an element of irresolution in our diplomatic approach, because particularly recent ambassadors have taken a higher profile in Algiers, have given interviews, have articulated a British interest in improving, upgrading and so on relations and yet there has not been follow-through. Interviews of this kind might then be followed by a decision to make it harder for Algerians to go to the consulate over visa applications, things of this kind. It is as though there is no coherence in the British approach to and relating to the Algerians. As a result I think the Algerians feel very, very strongly that this is not a relationship in which they can have any confidence. If one wants to exploit the opportunities that arguably exist—certainly in the business sphere, this is a country which has grown rapidly in population terms and will continue to grow as an important market—one does need to give some consistency over time to the way one approaches the Algerian partners.

Q164 Chairman: Clearly there is a new focus on relations with the Arab world as a whole. I am asking how we can improve matters. How would you advise the Foreign Office in that respect concerning Algeria?

Dr Roberts: I think that I should like to see action I should advise action, on a number of different dossiers. Action first of all to get the British Council back, secondly, action to tackle whatever inhibitions are operating at the level of British business circles. In other words, some sort of initiatives in relation to British business circles about informing, arranging seminars, contacts, breaking the ice, breaking this source of inhibition, supporting the improved knowledge of and familiarity with and that of course means promoting exchanges and links of various kinds. There is a lot of scope in the cultural and academic sphere to promote and encourage exchanges. One should not under-estimate the fact that the Algerians have been convinced for years that they need mastery of the English language. It is as though the British still assume that Algeria is still really *Algérie française*. It is not at all. The Algerians know they have to have English and they are going to the Americans rather than to the British in order to make their entrée into the English speaking world, which seems to be another opportunity we are

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missing. I should be in favour of a sort of multi-level approach which explores the possibilities for activity in these various spheres.

Q165 Chairman: Finally from me on this, the World Service of the BBC, that there is again an enhanced emphasis on the Arab world. What, from the vantage point of Cairo where you live, can you say about the quality, the impact, of the World Service on the North African littoral countries?

Dr Roberts: There is a predisposition in all of these countries to respect the World Service. If you want my own judgment on its performance, I think that radio is far superior to the television in terms of the seriousness of its coverage, especially its political coverage; there is far less cliché in the radio coverage, but even there, there is a certain amount of cliché. On the whole, it is not bad and it is certainly

not something to be worried about. Where Algeria is concerned, I would say this: that I think there has been a tendency in the World Service to rely on people, a rather rapid turnover of people covering Algeria, who do not really know the place. This ultimately suggests a lack of commitment to doing the country justice and it carries with it the implication of a certain indifference to the place, which is a pity. I think that may be the way the BBC World Service actually operates: it distrusts the idea of the specialist or the person who really knows the terrain. That is something which comes across in errors in the discussion, in the coverage they provide.

Chairman: I understand we are about to have a division, but may I thank you for your evidence? May I thank you also for the memorandum, which is most helpful? We know that you have come especially from Cairo and we are delighted.

Witness: **Professor George Joffe**, Centre of International Studies, University of Cambridge, examined.

Chairman: As an old friend of Parliament, Professor Joffe, may I welcome you and introduce you as a former senior research fellow at the School of Oriental and African Studies (SOAS) now at King's College London (KCL), a former visiting fellow at the Centre for International Studies in the Department of International Relations at the London School of Economics (LSE) and a visiting fellow at the Centre for International Studies at Cambridge University. You are also engaged in consultancy work on North Africa and, particularly apposite to the current period, honorary secretary of the Society for Moroccan Studies. I personally visited Morocco last year, at the invitation of the parliament for the state opening by His Majesty King Mohammed VI, therefore I can only chair, but Mr Illsley will be opening the discussion.

Q166 Mr Illsley: Professor, welcome to our Committee meeting. The first question I should like to ask is in relation to international terrorism and to suggest that Morocco perhaps avoided much of what happened in the rest of that part of North Africa in the 1990s in terms of terrorist atrocities until of course 2003 when the bombings occurred in Casablanca. Following that there was a suggestion of a link between the Madrid bombings and the Moroccan ones. Prior to May 2003 had the Moroccan authorities been somewhat complacent about the threat of domestic Islamist terrorism?

Professor Joffe: One needs to distinguish between two separate things. First of all, the events in Madrid in March of last year should be separated out from events inside Morocco itself. The fact was that the Moroccan security services were well aware of the dangers which occurred in Algeria repeating themselves in Morocco and therefore a very strong attempt was made by them to ensure that should not occur. In particular in eastern Morocco, where there certainly had been contacts across the border, they made sure that Morocco was isolated. Indeed in 1994 relations between the two states were broken

off and the border was closed largely for that purpose. There was, in that year, an attempt coming from France to initiate that kind of terrorism in Morocco. To a very large degree Morocco survived the period of the 1990s without any major terrorism incident of any kind. In the wake of that, it is probably true to say at the beginning of the crisis which begins in 2001, the Moroccan authorities did assume that in some way they would escape the problems which had existed elsewhere. Although they were vigilant, they did not pay attention to certain indigenous developments which were actually quite evident to those who wished to look for them. It was clear that the domestic situation had changed from the nature of the Islamic movements which had existed in the 1980s and 1990s, which were fundamentally movements calling for social and political change and were of very long standing, and the growth of increasingly acute and extreme views in some of the poorest parts of cities, particularly of towns like Casablanca, but also Fez and also Tangiers. The authorities assumed that things would not become dangerous and were therefore taken completely by surprise by the events of May 2003. Those events need to be seen in context, that is to say there were certainly people involved in them who had been in Afghanistan over the previous 20 years and to that extent you could argue they had links towards al-Qaeda and similar movements. That should not be over-exaggerated and I would strongly agree with Dr Roberts that those relations were links in the loosest of senses; they did not imply a commonality of ideology or purpose. Again, the events of May 2003 were fundamentally directed at Morocco at the Moroccan state and at attributes of the Moroccan state. Many of the targets were Jewish, but you have to bear in mind that in Morocco the sultanate has always been seen as the protector of the Jewish community, so there was a clear link between the state and the actual targets. To that extent it was a localised, internal matter. The interesting thing is

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that although the networks were mopped up very quickly indeed and although a very powerful anti-terrorism law was introduced, bringing back the death penalty, in fact there has continued to be low level violence in Morocco ever since; certainly up until May of last year there was evidence of networks existing in the countryside and indeed of there having been the use of traditional "musem", which is a kind of pilgrimage, to act as cover for training camps that were used. That has all been stopped, but nonetheless the evidence of the networks still persists. We have to assume that there is somewhere there a kernel of violence, but again it is internally directed, it is not connected with the outside world. It is for that reason I wanted to make a distinction between the situation in Morocco and that actually in Spain in March 2004. The events in Spain do form part of a much wider pattern. I do not think they argue for a conscious and deliberate link with al-Qaeda, however you care to define it, but they do form part of the same ideological approach at a trans-national level. The fact that they occurred in Spain, that they involved Moroccans but were led by an Egyptian, which is quite significant, do suggest two things: one, that they formed part of the generic and general Salafi jihadi ideology of confrontation with the state and its replacement and, secondly, and this is perhaps the important point, they form part of a much wider movement amongst North African communities in Europe, which also adhere to similar values and similar ideas and do not necessarily reflect origins inside their countries of origin.

Q167 Mr Illsley: You have probably answered the second question I was going to ask, about diaspora Moroccans involved in international terrorism and whether they were involved in the domestic situation and links with al-Qaeda. There is a reference to the informal economy, the suitcase trade.

Professor Joffe: Yes, the *tujara ask-shanta*.

Q168 Mr Illsley: Perhaps you could say a few words about that. What is the linkage between these small groups, the suitcase trade and the bombings? What is the rationale behind their involvement?

Professor Joffe: First of all, it is very dangerous to make too clear a distinction between these phenomena, because of course they have contact at some level and maybe links as well. For analytical purposes, however, it is more helpful and more accurate to treat them as being separate. May I just make a comment about the state of the migrant communities in Europe? The danger is that very often their activities may be mistaken as being connected with terrorism when they are not necessarily so or they may only loosely be so connected, because they also involve exactly this element of the informal economy being mixed in with political action and political alienation. One has to be very careful about deciding what the significance of some of these events actually is. I should point out that amongst the 612 arrests carried out in this country under anti-terrorist legislation, only 17 people have actually been accused or tried for terrorist offences. That is quite striking, indicating the way in which it is very dangerous to

assume that the whole gamut of offences which are committed and for which people are arrested necessarily relates to a common terrorist cause. As far as the situation in Morocco is concerned, and here there is a parallel to that in Algeria or indeed in Libya, there is a vast informal economy. It is the essential component which soaks up surplus labour and guarantees a degree of social peace. It is therefore, although disliked by government, because it cannot be controlled and cannot be taxed, tolerated and to some extent encouraged. It is not necessarily a mechanism by which you achieve economic efficiency. I should point out, because very often it operates with the formal economy lying on top of it and it therefore carries additional cost. It is in effect a fourth sector economy. The point about that trade is that what it does is build up networks and the networks can communicate inside the country and outside it and as such it becomes a very useful vehicle on which you can piggyback political movements. Therefore it is very often connected, in some way, with movements linked with political violence or political opposition. That has been true in part in Morocco, but not in the same way perhaps as has been the case in Algeria. If you look at the movements which have been identified in Morocco, they are located in certain quarters of certain towns. They are related often to the presence of charismatic preachers, often people who have been involved in events outside Morocco, but they are then localised and there are linkages between them around the country, between, for example, Casablanca and Fez, Fez and Tangiers, but they are not necessarily the same links as you will find through the informal economy. Having said that, the fact of the informal economy, the implication of social and economic deprivation that it implies, is of crucial importance in explaining why there is, as it were, a background against which terrorism and violence can exist. One needs to bear in mind that none of these movements can survive if there is not a generalised sympathy in some way with their wider objectives and that is certainly true in Morocco.

Q169 Mr Illsley: You may have heard me ask Dr Roberts the question about the prisoners in the Western Sahara. I just wondered whether you had any view on that.

Professor Joffe: Yes, I do have a view on that. First of all, one should bear in mind that there were over 1,000 a year ago and the Polisario Front has, as a gesture, released the majority. That already indicates that the prisoners represent a diplomatic and political opportunity for the Polisario Front. They use them as a mechanism to try to engage the Moroccan Government in direct negotiation. The Moroccan Government has engaged, and it did do so through the Houston agreement and through the good offices of James Baker, but it does not like doing so. It argues that the real responsibility for the crisis in Western Sahara rests with the Algerian Government because it is the Algerian Government which gives the Polisario Front use of territory. The Algerian Government, in a sense, provides the facilities for the Front to continue to operate and therefore it

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[Morocco] should be talking directly to the Algerian Government. The Algerian Government rejects that and argues that this is a matter to be settled in accordance with the United Nations and the Organisation of African Unity resolutions and in turn the Polisario Front points out that there are 400 Moroccan prisoners being held in the Western Sahara by the Moroccan authorities. What you are seeing is the use of these pawns in a wider political game.

The Committee suspended from 4.53pm to 5.07pm for a division in the House

Q170 Mr Mackay: I want to move on, following Mr Illsley's comments about counter-terrorism, to the political situation in Morocco. We try to follow it, but clearly nowhere near as closely as you do. We have noted that there seems to have been quite a number of democratic reforms, from 1996 onwards in particular. We watched the 2002 parliamentary election, the 2003 local elections, both of which observers appear to say were broadly free and fair. Could you give us a quick overview as to where you think the political process is now and whether it is continuing to move forward?

Professor Joffe: Yes, I should be very happy to do that. To understand the political changes in Morocco you need to go back to 1990, which is when King Hassan II, made a conscious decision that Morocco had to develop a more constitutionalised form of government and indeed that human rights formed an important part of that agenda. Although the progress during the remainder of his reign was perhaps not as certain or as determined as one might have anticipated or heard there was undoubted improvement. Freedom of the press began to develop and by and large it was possible to express an opinion, except on the monarchy and over the Western Sahara, without threat of any kind. The king made it clear that he recognised that he would not be able to bring in full democratic reforms, but that he thought that would be something left to his son. That turned out by and large to be the case. The result has been that since his death in 1999, a spate of reforms has been taking place, often against considerable local opposition; I think there particularly of reforms of family law which were brought in at the beginning of last year. Initially, when they were proposed in 2000, they were rejected by public demonstration by a large part of the political spectrum, but they have now been brought in giving women in Morocco virtually the same rights as exist in Europe. This is a quite remarkable achievement. It is also quite clear that the security services were reined in, issues of ill treatment of prisoners by and large disappeared, political prisoners were released, except in the context of the Western Sahara, and a process of confronting the past also began. This has been very impressive. Not only were those who have been in prison been paid compensation, but at the end of last year the Moroccan Government engaged in a process which in North Africa is completely unique by publicly confronting what

had occurred. A series of public investigations was broadcast on radio and television on some of the most notorious abuses of human rights, with those involved actually stating their cases, stating what was done to them and the issue being confronted in public. This was quite remarkable. From that point of view it looks very good, but it is not quite as good as it looks. There is a fundamental problem and the problem revolves around the operations of the royal palace. Traditionally in Morocco the royal palace has run a parallel system of government alongside formal government, to which it has been superior. That system has not been dismantled, in other words the king still rules quite directly, he does not simply reign. One of the purposes of the reform should have been to transform his position into a constitutional one of reigning rather than being directly involved in the process of government on a day-to-day basis. That means that there is still an element of arbitrariness inside the political system and the danger there is that at moments of crisis that can always be enlarged. That of course was the danger faced in May 2003, when it appeared as though the security services were to be unleashed again and thereby reverse many of the democratic reforms. That did not happen and the Moroccan Government and the royal palace deserve credit for being restrained enough for that not to have occurred. It does mean, however, that the potential is always there. The most hopeful thing recently was the passage at the end of December of a new bill outlawing torture and prescribing very severe penalties indeed for its use. All in all, even though I do not think Morocco is yet a fully democratic state, I would consider that it is the most advanced state inside the Middle East and North Africa by far in the progress it has made. The evidence seems to be that that progress will continue.

Q171 Mr Mackay: That is very helpful. We have informally heard from another source, who suggested that the king was backsliding a little and that there is a view in Morocco in some circles that he is not pursuing his father's objective and is only going through the motions. What you are saying is that that is not true, but there is still this inevitability about a structure where the royal household operates separately from the main source of government and is more powerful than it.

Professor Joffe: Yes, I think that is correct. May I just comment on those views because they are quite often expressed? It is certainly true that if you take a very hard line over the question of what in fact represents democratic governance, there are still many defects in Morocco. It is also true that the king has on occasion shown himself to be more hesitant than might have been expected. In part that reflects the actual political situation in the wake of the events of May 2003, which were a tremendous shock. They also reflect something else which one needs to bear in mind, which is that there is a tradition in Morocco that the son of a monarch is never as good as his father. Although it sounds trivial to say it, it actually is quite a significant fact,

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because it means that until he has confronted the first major crisis he does not carry the prestige and credibility that his father would have done. Mohammed VI has suffered from that problem in part. There is a further problem too. You need to bear in mind that Mohammed VI's first moves were to dismantle the system of control his father had created, particularly around one leading figure, Driss Basri, who was the Minister of the Interior. Mr Basri was removed from office—with great care it should be said; it was not a violent transition at all—and his departure from office meant that the king had to reconstitute the type of apparatus that Mr Basri had run. He did this in part through the army, which was a break with his father's tradition, in part through his appointment of a new security head, General Hamidou Laanigri. That caused some anxiety because these were figures from the old regime and therefore it was argued that he was actually engaging in backsliding. I do not think the evidence really supports that except possibly over the Western Sahara issue.

Q172 Mr Mackay: Returning to the backsliding phase which seems to crop up quite often for the critics and moving on to human rights which you have already largely covered in answer to my first question, you presumably would by and large refute that following the Casablanca bombings there has been a backsliding on human rights and there was an overreaction to an inevitably very difficult crisis.

Professor Joffe: I do think there was a backsliding on that occasion. The security services were given a degree of freedom which perhaps they should not have been given. That has now been corrected and I would quote in support simply the latest Amnesty International report which goes out of its way to congratulate Morocco on its progress on human rights, despite its anxieties about certain specific areas.

Q173 Mr Mackay: Earlier in your replies to Mr Illsley you touched upon the growing number of slums on the edge of many big cities; you mentioned Casablanca, Fez, Tangiers. Would you agree that a more serious problem is the socio-economic policy which is probably going backwards, whereas you paint a quite positive picture in the political and human rights field?

Professor Joffe: Yes, I am afraid I would have to agree with that almost completely. The evidence is, not just in Morocco but elsewhere in North Africa and the Middle East, except perhaps Tunisia, that by and large the economic restructuring programmes which have been proposed have not succeeded in their objective. That objective was really very simple: it was simply to provide employment through economic development. That was the crucial consideration. By and large, despite very great efforts at economic restructuring, none of the countries concerned, and particularly not Morocco, have succeeded in overcoming that particular problem. One of the reasons for this is that they do not have the kind of comparative

advantage which would attract foreign capital in the way say, for example, you will find in South East Asia. That is a major problem. Another reason has been that in many cases legislation has not been appropriate to attract foreign capital. The third reason is that no questions have ever really been asked as to whether the methods by which economic restructuring was supposed to occur and produce the desired outcomes were appropriate or not. To a very large extent the evidence seems to be that they were not really very appropriate. Let me give you one very small example. One of the consequences of Morocco's acceptance of the removal of tariff barriers under the Barcelona agreements and the World Trade Organisation requirements has been that a large part of government revenues has simply disappeared. They were to be replaced by indirect taxation, value added tax, which was introduced four years ago. The evidence seems to be—and here I quote the IMF—that countries which have done this have rarely been able to replace lost customs revenue by additional indirect taxation. That means that government cannot provide the services it requires and therefore it cannot create the conditions which will attract foreign investment. You are caught in a vicious circle. Although the Moroccans have tried since 1983 to achieve effective economic reform, they still have not achieved it and the evidence is the growth in poverty around the main cities.

Q174 Mr Mackay: Would you like to comment on another potential burden to economic and social growth, that is the huge increase in the population?

Professor Joffe: It is true that the population has increased dramatically, as it has again in Algeria in particular; the two countries have populations of more or less the same size. Actually, however, since 1990 both rates have dropped and therefore the growth in population has declined. What we are seeing now is that birth rate bulge up to the labour market and that is exactly the same problem as in Saudi Arabia or anywhere else in the Middle East. That produces an enormous challenge for government and it is a challenge, which quite frankly, it is unrealistic to think they can meet.

Q175 Mr Mackay: Finally, relationships with the EU. What more can the EU do? We have heard from official Moroccan sources that they would of course like more to be done. They vaguely seem to talk—or perhaps I have failed to understand what they are saying—of some half-way house between full EU membership and the current association agreement which they find inadequate. Could you comment or help me on that at all?

Professor Joffe: Yes, I can indeed. What they are actually talking about is a policy introduced by the Commission in 2003 at the instigation of Romano Prodi. This is the European Neighbourhood Policy, as it is now known, which is meant to operate alongside the Barcelona Process; indeed it is supposed to operate within the Barcelona process because it is a bilateral arrangement between particular countries and the European Union. The

1 February 2005 Professor George Joffe

European Neighbourhood Policy proposes to offer the same economic advantages to countries which engage in it as are offered by membership of the European Union, but no membership of the institutions and therefore no participation in decision-making powers. The problem is that these are based on access to economic advantage through positive conditionality, which implies political change. The one thing which is lacking is that, unlike the situation inside Europe, there will be no cohesion funding, there will be no structural funding and those of course were absolutely key to the success of countries like Ireland, Portugal, Spain and Greece. One has to ask the question: to what extent are these countries going to have to suffer considerable short-term pain before any benefits of these policies might then emerge? That is what Morocco is looking for: closer association.

Q176 Mr Hamilton: May I ask whether there are any links at the moment with the UK through, for example, the British Council and whether the World Service is active in Morocco?

Professor Joffe: Yes. The British Council has long been active in Morocco and has continued to be active. It is very highly respected, it competes with the American equivalent; it competes too with the French and the Germans. It represents for Moroccans—and this is exactly the same as in the case of Algeria—a mechanism for access to the wider world. English is recognised in Morocco now to be perhaps the most important foreign language. The British Council's language services are very highly respected indeed. They are vastly over-subscribed and it is an irony to have to say that the British Council has cut back the funding it provides. I would argue that should be immediately increased and it would be money very well spent. As far as the World Service is concerned, it is a great pity that the World Service has not been prepared to locate its correspondent for North Africa in Morocco; he is actually located in Tunis, which is a long-standing arrangement but it is a pity because it means Morocco gets neglected. I think that one hears far too little about North Africa in general and Morocco in particular, not just on the World Service main services, but also on the Africa service. If you compare it with, say, French international radio, coverage on North Africa is much better. It is a pity because this is part, in effect, of the European periphery and it is directly connected to interests in this country. We have a growing Moroccan community in Britain which has been here for quite some time. We have an interest therefore in knowing what is going on. I have to say that the Moroccan embassy here has gone out of its way to try to promote cultural exchange and contact, but there has been very little support for that from the British side.

Q177 Mr Hamilton: Why do you think that is? Is the Foreign Office not interested in Morocco or North Africa or the Maghreb countries?

Professor Joffe: Without wishing to tell any tales in court, as it were, I did note that I was once told by the Foreign Office that the Barcelona Process was a very good idea, but whether its time had come or not was not yet clear, which for a policy which is actually in being I thought was quite amazing. That does seem to me to indicate that there is not a general interest in North Africa generally or in Morocco. We have other areas which seem to us to be more important, they are much larger trade partners of course, so you can understand that sense of immediacy, but it is missing out on an area of potential importance and an area with which we are connected by the Barcelona Process, by the nature of the migrant communities in Britain and by the nature of the migrant communities in Europe. It is also a question of what you do with restricted resources. The Foreign Office has limited resources, it has to choose where it is going to make its focus and it has not chosen North Africa in particular or Morocco for that purpose yet.

Q178 Mr Hamilton: What do you think this parliament, the United Kingdom itself, the British Government through the Foreign Office can do both to encourage further democratic development—you have already outlined the developments which have taken place and they are very encouraging—and to help Morocco provide a model to other Arab countries in North Africa and the Middle East of democratic pluralism?

Professor Joffe: I think there is a much greater need for cultural and political exchange, that is to say Morocco may well desire to create a democratic political system, it may have put in place the legislation for that purpose, it does not yet necessarily have the habits of mind by which that can be achieved. Local administration for example is often inept, the political parties often do not fully appreciate their responsibilities inside the political system and therefore much greater contact at those sorts of levels will be immensely useful in building an infrastructure which would operate an effective political system.

Q179 Mr Hamilton: Is there a lot of corruption?

Professor Joffe: Oh, yes, there is a lot of corruption in Morocco, but, again, it is reduced in the demands it makes. That also reflects two things: one, generalised poverty; two, the way in which entrenched elites preserve their own interests and preserves.

Chairman: There being no other questions, Professor Joffe may I thank you very much indeed on behalf of the Committee for renewing your long links with parliament.

Written evidence

Letter to the Secretary of State for Foreign and Commonwealth Affairs from the Chairman of the Committee, 22 July 2004

The Committee has asked me to write to you putting four questions. We hope that your answers will enable us to tie up remaining loose ends from the Committee's work on the decision to go to war in Iraq.

- (a) On 17 July 2003, the Chief of SIS informed the Intelligence and Security Committee that two pieces of intelligence on Iraq's WMD capability dating from the previous September had been "withdrawn". Why were you not informed then? When were your officials informed?
- (b) When you were eventually informed of the "withdrawal" of the two pieces of intelligence, on 8 September 2003, were you also informed that the source had denied providing the information in the reports (Butler, para 405)? What steps did you or your officials take to ensure that the fact of the "withdrawal" of these pieces of intelligence was communicated to the Prime Minister or to Number 10? If none, why?
- (c) Aware as you were of the Foreign Affairs Committee's continuing interest in the accuracy and reliability of the information presented to Parliament by the Government in the period leading up to war in Iraq (Ninth Report of Session 2002–03, published on 7 July 2003, response due on 7 September 2003), why in September 2003 did neither you nor FCO officials ensure that the fact of the "withdrawal" of these pieces of intelligence was communicated to the Committee?
- (d) Why in September 2003 did neither you nor FCO officials ensure that the fact of the "withdrawal" of these pieces of intelligence was communicated to Lord Hutton?

The Committee meets next on 7 September, when it will wish to consider your reply to these questions, alongside a paper which it has asked its Clerks to prepare, comparing evidence given to the Committee by the FCO last year against facts which have subsequently become known as a result of the Butler Review.

Rt Hon Donald Anderson MP
Chairman of the Committee

22 July 2004

Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs, 23 August 2004

Thank you for your letter of 22 July putting the four questions to tie up the remaining loose ends from the Committee's work on the decision to go to war in Iraq. My answers are as follows:

(a) I was asked about this in the Commons' debate on 20 July. Please see *Hansard* cols 280–285; and *Lords Hansard* cols 97–100 (extracts enclosed)¹.

(b) The memorandum withdrawing the two reports included the information that, after the war, SIS interviewed the alleged sub-source for the withdrawn intelligence, who denied ever having provided the information in the reports. As the Secretary of State responsible for intelligence matters I took the appropriate decisions on the memorandum of withdrawal (ie informing the ISC). The Prime Minister was not informed as there was no pressing operational reason to do so.

(c) Neither I nor my officials informed the Foreign Affairs Committee about the withdrawal of these reports because, as I made clear when I appeared before you on 27 June last year, and in the Government Response to your Report on the Decision to go to War in Iraq, it is the ISC that is charged by Parliament with the oversight of the work of the intelligence Agencies. I authorised the reports to be passed to the ISC at the same time as I heard that they had been withdrawn. I am writing to you separately in response to your letter of 14 July about the relationship between the ISC and FAC.

(d) Neither I nor my officials informed Lord Hutton about the withdrawal of the intelligence because his terms of reference did not include looking at the wider intelligence picture. As Lord Hutton himself said, in para 9 of his report: "The issue whether, if approved by the Joint Intelligence Committee and believed by the Government to be reliable, the intelligence contained in the dossier was nevertheless unreliable is a separate issue which I consider does not fall within my terms of reference."

Rt Hon Jack Straw MP
Secretary of State for Foreign and Commonwealth Affairs

23 August 2004

¹ Not printed.

Letter to the Parliamentary Relations and Devolution Department, Foreign and Commonwealth Office, from the Clerk of the Committee, 25 November 2004

The Committee wishes to receive a supplementary memorandum, setting out the process and procedures envisaged for January's elections in Iraq. Any other information you are able to give us relating to the proposed elections would be welcomed.

It would be particularly helpful if the supplementary memorandum could reach us not later than Tuesday 14 December.

Steve Priestley
Clerk of the Committee

25 November 2004

Written evidence submitted by the Foreign and Commonwealth Office

IRAQ ELECTIONS—FAC MEMORANDUM

Further to your request of 25 November, I enclose a memorandum setting out the preparations for the forthcoming elections in Iraq.

Annex 1

ELECTORAL SYSTEM

In May 2004, on the recommendation of the UN, the Iraqi Governing Council adopted the Single Constituency Proportional Representation Closed List system for the elections to the Transitional National Assembly (TNA). This means that Iraq is considered as one constituency and that the 275 seats in the TNA will be awarded to candidate lists based on the proportion of the vote won.

In June 2004, with the assistance of the UN, the Independent Electoral Commission of Iraq (IECI) was established and Commissioners appointed. The IECI is responsible for preparing for elections. It now has a staff of 600 in its headquarters and regional offices who work closely with a team of international experts under UN auspices in Baghdad. Two of these experts are funded by the Department for International Development; three have been provided by the European Commission.

The IECI announced in November that elections will be held on 30 January 2005. The IECI and the UN confirm that technical preparations are on schedule.

VOTER REGISTRATION

In recent months the IECI have made good progress on a range of technical issues. A voters roll was drawn up in October, based on the food rationing distribution system, and sample testing shows that there is a high level of accuracy (at least 80%). From this voters roll, registration forms were produced and distributed with the November food rations. The registration process was launched on 1 November and will run until 15 December. If the registration forms are correct, voters need do nothing. However, if there are errors or omissions these can be addressed during this period at one of the 542 registration offices throughout the country.

The IECI are developing contingency plans to deal with those areas where it has not been possible to distribute registration forms—Al Anbar and Ninawa provinces.

In order to publicise the elections the IECI have launched a voter education campaign to explain the IECI's role and the mechanics of voting.

OUT OF COUNTRY VOTING

In November, the IECI took the decision to allow Out of Country Voting (OCV) and have contracted the International Organisation for Migration (IOM) to conduct polling in 14 countries. Estimates vary, but it is thought that there could be 1.5 million eligible voters living outside Iraq. The IOM are in the process of developing their plans for diaspora voting in the UK. They estimate that the results of OCV will be ready to announce on 11 February.

 ELECTION SECURITY

For some months a Joint Working Group (JWG) made up of representatives of the Iraqi Interim Government and the Multi-National Forces has been developing a security plan for the elections.

ELECTION OBSERVATION

Observing the elections will primarily be in the hands of Iraqis trained by the ILCI and the UN. The Canadian Government have agreed, however, to co-ordinate a small international observation mission to complement Iraqi efforts. A conference of election experts, which is due to take place in Ottawa on 18 December, will develop a proposal.

POLITICAL PARTIES

The registration period for political parties began on 1 November. To date, 228 political parties have been certified. This covers participation in both the provincial and national elections. Latest figures show that 48 parties have registered to contest the national elections.

Although some groups remain outside the political process, the Iraqi Interim Government (IIG) continues to make efforts to encourage all elements of society to participate in the elections.

The parties have been negotiating hard in recent weeks to form joint candidate lists for the elections. The deadline for registering lists is 15 December.

Chris Stanton

Parliamentary Relations and Devolution Team
Foreign and Commonwealth Office

14 December 2004

Letter to the Clerk of the Committee from the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office, 26 November 2004

Thank you for your letter of 28 October² asking for clarification of a number of points arising from your discussion of the Government's response to its Seventh Report of Session 2003–04, Foreign Policy Aspects of the War Against Terrorism. To take your questions in turn.

1. The FAC asked for a complete list of all states contributing to the Multinational Force-Iraq (MNF-I). In total, including UK (8,500) and US forces (138,000), there are forces from some 30 nations on the ground. These are Italy (2,857), Netherlands (1,368), Denmark (485), Portugal (124), Lithuania (131), Czech Republic (93), Romania (747), Japan (539), Bulgaria (411), Hungary (295), Mongolia (160), Poland (2,500), Slovakia (105), Ukraine (1,589), Albania (74), Kazakhstan (29), Georgia (72), Macedonia (34), Azerbaijan (150), Moldova (12), Estonia (42), Latvia (124), El Salvador (380), South Korea (3,700), Australia (312), Armenia (50) and Tonga (44). Norway retain four staff officers in Multinational Division South East.

The idea of an Islamic Protection Force for Iraq was discussed by Arab States and the Iraqi Interim Government earlier in the year between a number of Arab states, with Saudi Arabia playing a lead role. Thus far, we have not seen any indications that Muslim states are prepared to contribute to such a force. The UK would welcome any further contributions to assisting the stabilisation efforts in Iraq through participation in the MNF in its UN mandated role in supporting the IIG.

2. We are not aware of any such waivers of immunity being issued under CPA Order 17 by the UK, US or any other sending state.

3. Ali Hassan Al-Majid and Abid Hamid Mahmud Al-Tikriti were detained as prisoners of war and were transferred to US physical custody in June 2003. We retained our responsibilities as the Detaining Power. Our legal authority to hold these two prisoners of war expired on 28 June. At this time we arranged for their transfer to the Iraqi criminal justice system, which has legal jurisdiction. They remained in US physical custody during this time (and will continue to do so until such a time as the Iraqi authorities have adequate facilities). They were charged in the Central Criminal Court of Iraq on 1 July and are being held as criminal detainees by the Iraqi criminal justice system.

4. The Committee asked for a progress report on what the Government is doing to ensure that there is a sufficient body of expertise in the United Kingdom to enable better communication with the Arab and Islamic World. Efforts are being made across government to improve communication with the Arab and Islamic world and to ensure that there is a sufficient body of expertise in the UK to deepen cross-cultural understanding.

² Ev 161

DfES have recognised the need for some alignment of higher education priorities with UK international priorities. The Secretary of State for Education and Skills consulted Cabinet colleagues on the subject in July and the importance of Arabic studies was one of the areas identified in response. The Secretary of State plans to contact the Higher Education Funding Council for England to consider ways of promoting this and other key languages. From 2006, DfES will also include Arabic as part of the new national voluntary recognition scheme—the Languages Ladder—which will recognise existing mother tongue and newly acquired competence in a particular language.

There are also many practical links between UK universities and those in the Middle East. For example, UK Universities have been established in Egypt and Dubai and the British Universities Iraq Consortium are currently supporting improvements in the Iraqi higher education system. Through the FCO's Chevening Scholarships scheme for 2003–04, over 400 students from predominantly Islamic countries have been awarded funding to study in UK institutions.

In the last two years the Foreign and Commonwealth Office have significantly increased the number of staff being trained in Arabic to reflect the increased demands resulting from events in Iraq. They have also established a dedicated Engaging with the Islamic World Group combining efforts to support reform in the Arab world with programme work and work promoting dialogue across the broader Islamic world. The FCO will launch an Arabic language web-site at the beginning of 2005 to help inform Arab audiences about the UK.

The British Council continue to build relationships between the people of the UK and the Arab world—they have organised a number of Youth Forums encouraging mutual understanding, learning and respect amongst young people in Egypt, Iran, Libya and Gulf states amongst others.

The British Hajj Delegation this year is a well established partnership between the Foreign Office and the British Muslim Community. In 2005 we will again be sending the British Hajj Delegation to Saudi Arabia to provide consular, medical and pastoral assistance to British Pilgrims. This year the FCO has committed £30,000 of core funding to the project. In addition, a great deal of staff time has been warmly received by the British Muslim community and by the Saudi government.

This year's Delegation again will be led by Lord Patel of Blackburn and will include two staff from our Consulate in Jeddah, eight Doctors and two counsellors. The delegates are all volunteers. Many of the doctors have funded their employers in the form of locums covering their absence in order for them to volunteer for the delegation.

Another key area of the FCO's work is engagement with British Muslims on foreign policy issues. FCO and Home Office Ministers have held a series of meetings with Muslim groups. A cross-Whitehall group is currently considering how it might better engage with and address the needs of the British Muslim community.

5. The UK have given over £13 million to the election process in Afghanistan: £10.4 million towards voter registration and £2.7 million for the elections themselves. DFID expects to make another US\$5 million payment towards the parliamentary elections. The UN have not yet issued a formal budget or request for resources for the parliamentary elections, although we estimate that the total cost will be of the order of US\$50–60 million. About US\$12 million of this will come from a reduction in the final expenditure on presidential elections, which have proved less expensive than estimated. The only donor not to disburse all the resources that they had pledged for the presidential elections were the Dutch, who pledged US\$3.4 million but who only disbursed US\$2.5 million.

6. The countries which currently provide equipment and troops to ISAF are: Albania, Austria, Azerbaijan, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, the Former Yugoslav Republic of Macedonia, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom, the United States of America.

NATO still requires further contributions of personnel, air assets and logistical support to carry out Stage 2 of ISAF expansion and NATO is continuing the force generation process to address these shortfalls. But all support pledged has been delivered.

7. Pakistan has made significant steps towards the restoration of democracy over the last few years. In December 2003 President Musharraf pledged to step down as Chief of the Army Staff (COAS) by the end of 2004. He has not yet announced that he will not do so, but the passage through Parliament of legislation enabling him to continue to hold the offices of President and COAS indicate that he is unlikely to step down.

The UK Government continues to believe that it would be best for Pakistan for President Musharraf to fulfil his commitment and step down as head of the army. This would develop a tradition of military answerability to civilian control. However, any decision needs to be seen in the wider context. Pakistan itself and Musharraf's government remain vulnerable to terrorism and extremism. As President Musharraf continues his successful campaign against these scourges he becomes an increasingly likely target. He has already been subjected to a number of assassination attempts. He may judge that retaining his position as head of the army best protects him.

We hope that President Musharraf will take steps to reaffirm his commitment to furthering democracy in Pakistan and not jeopardise the reforms and progress that have been achieved to date. Musharrafs use of the Parliamentary process to approve his continuing role as COAS is an important signal that he continues to act within the Constitution of Pakistan. This will be a significant factor as the Commonwealth Ministerial Action Group (CMAG) consider the implications of his decision. He has also engaged positively with the Commonwealth Secretary General when he visited Pakistan on 23 October. If Musharraf does not step down as COAS he must expect some criticism from other CMAG members, as this was a pledge to which they referred when Pakistan was readmitted to the Councils of the Commonwealth in May 2004. We continue to welcome Pakistan into the Commonwealth councils.

Musharraf is a key ally in the war on terrorism. He is ahead of traditional thinking in his approach to the Kashmir question. He is also directing policy in a way that contributes significantly to a number of key HMG strategic priorities (counter-terrorism, counter-proliferation and regional security) which we would not want to see jeopardised. Musharraf will visit London on 6 December for high level bilateral meetings when we will go over these points with him.

8. Russia has a key role to play as a member of the IABA Board of Governors, of the G8 and also as the most credible supplier of nuclear fuel for Iran's Bushehr nuclear power plant. Ministers and officials from the United Kingdom, France and Germany have been in regular contact with Russian counterparts. These discussions have aimed at ensuring the Russian government is kept informed of the progress of our discussions with Iran, and at seeking the support of the Russian Government for the United Kingdom, France and Germany, both in its public statements and in its private contacts with Iran. During Russian Foreign Minister Sergei Lavrov's visit to Tehran from 10-12 October, he urged Iran to reach agreement with the United Kingdom, France and Germany. Our delegations to the IAEA in Vienna have also worked together throughout the period of IAEA attention on Iran's nuclear programme, and this will continue in the run-up to the meeting of the Board of Governors commencing on 25 November.

9. The UK's work to dismantle the Russian Federation's V/MD surplus is carried out as part of the Global Partnership against the spread of weapons and materials of mass destruction. The G8, the EU and other countries working on a bilateral basis contribute to work towards fulfilling the aims of the Global Partnership.

The FCO, MOD and DTI will publish in early December the Second Annual Report on our work under Global Partnership to make safe, secure and dismantle the weapons legacy of the former Soviet Union. This will provide a comprehensive updated account of what the Government is doing to help dismantle the Russian Federation's V/MD surplus. A copy will be sent to Clerk of the Committee, and another copy will be made available to the Library of the House.

10. The UK is working with both sides and the international community to ensure disengagement is a success and leads to further positive steps. We believe the Ad Hoc Liaison Committee (AHLIC) meeting scheduled for 8 December in Oslo will be an opportunity to help both sides in their preparations. Specifically, the UK wishes to encourage maximum withdrawal by Israel and maximum preparation by the Palestinian Authority (PA).

We have discussed with Israel what is needed to ensure a Gazan economy after withdrawal could be viable. This includes access to export markets, as well as international and, ideally, private sector investment.

The UK Government has been working for some time with the PA Interior Ministry and security chiefs to improve Palestinian capacity on security in Gaza and the West Bank. This includes technical assistance and provision of equipment. We have helped the Palestinians set up a Central Operations Room in Ramallah, to co-ordinate and systematise security work in the West Bank. We are now also working with the Palestinians to set up a Central Operations Room in Gaza. By working to enhance the PA's capacity to meet its responsibility to tackle terrorist groups we help maximise the chance of disengagement leading to sustained progress.

The UK has also been working on support for Palestinian civil police, through the presence of a senior UK police adviser in the Occupied Territories since April 2004. We are also supporting the rebuilding of a Police Training Centre in Jericho. Improving law and order would have real benefit for Palestinian people, and help to reduce crime and insecurity. It would also boost PA visibility and credibility among the Palestinian public. And it is part of the PA's Roadmap commitments.

Our work with the Palestinians on security is not dependent on the disengagement plan. But the prospect of the PA taking on full responsibility for security in Gaza and the north of the West Bank makes it even more important they have the capacity and determination to act effectively.

The UK is also working, both bilaterally and in the EU, to support credible Palestinian municipal and legislative elections. Elections could help re-legitimise and reinvigorate Palestinian institutions.

Chris Stanton
Parliamentary Relations and Devolution Team
Foreign and Commonwealth Office

26 November 2004

Letter to the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office from the Clerk of the Committee, 8 December 2004

Thank you for your letter of 16 November,³ attaching a report on a visit by an FCO official to Guantanamo Bay.

The report attached to the letter is unclassified, but you asked for it to be treated as being in confidence. We have done this by circulating your covering letter with the report and by drawing FAC Members' attention to your request.

Donald Anderson now wishes to send a copy of the report to his counterpart, the Chairman of the Constitutional Affairs Committee, Alan Beith MP. I am sure that Mr Beith and his Committee will respect the status of the document, as we have, and I hope that you will be able swiftly to agree to this step.

Steve Priestley
Clerk of the Committee

8 December 2004

Letter to Alan Beith MP, Chair, Constitutional Affairs Committee from the Chairman of the Committee, 13 December 2004

GUANTANAMO BAY

Further to our conversation last week about Guantanamo Bay, I enclose some extracts from recent Reports of the Foreign Affairs Committee and from the Government's Responses thereto which I believe illustrate the extent to which the FAC has been exercising oversight of this issue, and which clearly demonstrate where departmental (and therefore select committee) responsibility lies. FAC has also received a series of classified written briefings as part of its scrutiny of Guantanamo Bay.

I had hoped to be able to send you today a copy of a recently received unclassified but confidential FCO memorandum on Guantanamo Bay, but as yet it has not been possible to secure FCO agreement to this. As soon as such agreement has been secured, I will ask the Clerk of FAC to forward the paper to your Committee's Clerk. Meanwhile, you may assure your colleagues that the FAC remains fully engaged on this issue and that it is likely to be raised at its evidence session with FCO Minister Bill Rammell on 11 January.

Rt Hon Donald Anderson MP
Chairman of the Committee

13 December 2004

Letter to the Secretary of State for Foreign and Commonwealth Affairs from the Chairman of the Committee, 18 November 2004

At its meeting yesterday, the Committee discussed your written statement of 15 November on the Butler Review of Intelligence on Weapons of Mass Destruction.

The Committee trusts that you will be prepared to keep it informed of the progress of any work carried out by the FCO to implement the recommendations of the Butler Review. I and my colleagues may also have specific questions to put to you, as part of our ongoing inquiry into Foreign Policy Aspects of the War against Terrorism.

Rt Hon Donald Anderson MP
Chairman of the Committee

18 November 2004

Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs, 9 December 2004

Thank you for your letter of 18 November about the progress of work carried out by the FCO to implement the recommendations of the Butler Review.

Please assure your Committee colleagues that, whilst the majority of the Butler recommendations do not apply specifically to the FCO, we are committed to participating fully and actively at senior level in the Whitehall process led by Sir David Omand who has established a Committee of senior officials on which Michael Jay sits. Another senior member of the FCO has been seconded to the Cabinet Office to lead a Study

³ Not Printed.

Team reporting on the current organisation and practice of intelligence analysis. They will report to Sir David's committee by the end of January. We will look very carefully at the results of the Study Teams work and its consequences for the FCO.

Rt Hon Jack Straw MP
Secretary of State for Foreign and Commonwealth Affairs

9 December 2004

Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs, 9 December 2004

During your recent visit to Vienna, you mentioned that the Committee would like to receive greater detail of our agreement with Iran over its development of uranium enrichment and reprocessing technology. This forms part of the agreement negotiated in Paris on 5–6 November 2004, which took effect on 15 November 2004. A copy of the agreement is enclosed.

Under the agreement Iran has undertaken to suspend “all enrichment related and reprocessing activities, and specifically:

- the manufacture and import of gas centrifuges and their components;
- separation, or to construct or operate any plutonium separation installation; and
- all tests or production at any uranium conversion installation”.

This goes beyond the Joint Statement made in Tehran on 21 October 2003 (copy enclosed), in which Iran undertook to suspend “all uranium enrichment and reprocessing activities as defined by the IAEA”, in that it explicitly includes enrichment-related activities, and identifies a number by name, including in the area of uranium conversion. Crucially, in the new agreement Iran has also undertaken to sustain the suspension while negotiations proceed on mutually acceptable long-term arrangements.

The IAEA has now verified that the agreed suspension is in place. This opens the way for negotiations on a long-term agreement to begin.

The Paris agreement makes clear that the long-term arrangements will provide “objective guarantees” that Iran's nuclear programme is exclusively for peaceful purposes. There will also be firm guarantees on nuclear, technological and economic co-operation and firm commitments on security issues.

The UK, France and Germany (“the E3”) have not agreed that Iran should eventually resume enrichment-related or reprocessing activities. The E3 have made clear to Iran that at present we can envisage no “objective guarantees” which could give us the necessary confidence that do not include cessation of all activities which could help Iran produce weapons-grade fissile material. This would include enrichment-related, reprocessing and uranium conversion work. We recognise that it would in principle be possible to develop mechanisms for monitoring enrichment or reprocessing work that would give a high degree of confidence that declared nuclear materials were not being diverted. This would be effective as long as those monitoring mechanisms remained in place. However, such monitoring mechanisms would not provide objective guarantees that Iran could not use enrichment-related or reprocessing technology to produce fissile material for nuclear weapons in the future. Once the technology has been mastered, even for civilian purposes, it would be possible in future to use it, or adapt it, to produce fissile material. Given the history of Iran's failure to meet its safeguard obligations, we believe that monitoring alone would be inadequate to give us the assurance we need.

We are now working with E3 and EU partners to develop proposals in other areas which would accompany the guarantees. We have indicated to Iran our willingness to offer political assurances of access to the international nuclear fuel market at market prices, in line with measures at present being developed in various international fora, with spent fuel to be returned and reprocessed outside of Iran. We have also indicated our willingness to support Iran's acquisition of an alternative to its planned heavy water research reactor which does not present the same proliferation-related concerns. We will first need to establish with Iran its needs for research reactors, and how they could most appropriately be met. Other areas where we might potentially work with Iran include nuclear safety and the physical security of nuclear installations and material. In non-nuclear areas, the working groups set up by the Paris agreement are due to consider technology and co-operation, and political and security issues. We look forward to an early discussion with Iran about the agenda for these working groups.

Rt Hon Jack Straw MP
Secretary of State for Foreign and Commonwealth Affairs

9 December 2004

Annex 1

The Government of the Islamic Republic of Iran and the Governments of France, Germany and the United Kingdom, with the support of the High Representative of the European Union (B/EU), reaffirm the commitments in the Tehran Agreed Statement of 21 October 2003 and have decided to move forward, building on that agreement.

The E3/EU and Iran reaffirm their commitment to the NPT.

The E3/EU recognise Iran's rights under the NPT exercised in conformity with its obligations under the Treaty, without discrimination.

Iran reaffirms that in accordance with Article II of the NPT, it does not and will not seek to acquire nuclear weapons. It commits itself to full cooperation and transparency with the IAEA. Iran will continue to implement the Additional Protocol voluntarily pending ratification.

To build further confidence, Iran has decided, on a voluntary basis, to continue and extend its suspension to include all enrichment related and reprocessing activities, and specifically:

- the manufacture and import of gas centrifuges and their components; the assembly, installation, testing or operation of gas centrifuges;
- work to undertake any plutonium separation, or to construct or operate any plutonium separation installation; and
- all tests or production at any uranium conversion installation.

The IAEA will be notified of this suspension and invited to verify and monitor it. The suspension will be implemented in time for the IAEA to confirm before the November Board that it has been put into effect. The suspension will be sustained while negotiations proceed on a mutually acceptable agreement on long-term arrangements.

The E3/EU recognize that this suspension is a voluntary confidence building measure and not a legal obligation.

Sustaining the suspension, while negotiations on a long-term agreement are under way, will be essential for the continuation of the overall process. In the context of this suspension, the E3/EU and Iran have agreed to begin negotiations, with a view to reaching a mutually acceptable agreement on long term arrangements. The agreement will provide objective guarantees that Iran's nuclear programme is exclusively for peaceful purposes. It will equally provide firm guarantees on nuclear, technological and economic cooperation and firm commitments on security issues.

A steering committee will meet to launch these negotiations in the first half of December 2004 and will set up working groups on political and security issues, technology and cooperation, and nuclear issues. The steering committee shall meet again within three months to receive progress reports from the working groups and to move ahead with projects and/or measures that can be implemented in advance of an overall agreement.

In the context of the present agreement and noting the progress that has been made in resolving outstanding issues, the E3/EU will henceforth support the Director General reporting to the IAEA Board as he considers appropriate in the framework of the implementation of Iran's Safeguards Agreement and Additional Protocol.

The E3/EU will support the IAEA Director General inviting Iran to join the Expert Group on Multilateral Approaches to the Nuclear Fuel Cycle.

Once suspension has been verified, the negotiations with the EU on a Trade and Cooperation Agreement will resume. The E3/EU will actively support the opening of Iranian accession negotiations at the WTO.

Irrespective of progress on the nuclear issue, the E3/EU and Iran confirm their determination to combat terrorism, including the activities of Al Qa'ida and other terrorist groups such as the MeK. They also confirm their continued support for the political process in Iraq aimed at establishing a constitutionally elected Government.

14 November 2004

Annex 2

Joint statement at the end of a visit to the Islamic Republic of Iran by the Foreign Ministers of Britain, France and Germany

1. Upon the invitation of the Government of the Islamic Republic of Iran, the Foreign Ministers of Britain, France and Germany paid a visit to Tehran on 21 October 2003. The Iranian authorities and the Ministers, following extensive consultations, agreed on measures aimed at the settlement of all outstanding JABA issues with regard to the Iranian nuclear programme and at enhancing confidence for peaceful cooperation in the nuclear field.

2. The Iranian authorities reaffirmed that nuclear weapons have no place in Iran's defence doctrine and that its nuclear programme and activities have been exclusively in the peaceful domain. They reiterated Iran's commitment to the nuclear non-proliferation regime, and informed the Ministers that:

- (a) The Iranian Government has decided to engage in full co-operation with the IAEA to address and resolve, through full transparency, all requirements and outstanding issues of the Agency, and clarify and correct any possible failures and deficiencies within the IAEA.
- (b) To promote confidence with a view to removing existing barriers for cooperation in the nuclear field:
 - (i) Having received the necessary clarifications, the Iranian Government has decided to sign the JABA Additional Protocol, and commence ratification procedures. As a confirmation of its good intentions, the Iranian Government will continue to cooperate with the Agency in accordance with the Protocol in advance of its ratification.
 - (ii) While Iran has a right within the nuclear non-proliferation regime to develop nuclear energy for peaceful purposes, it has decided voluntarily to suspend all uranium enrichment and reprocessing activities as defined by the IAEA.

3. The Foreign Ministers of Britain, France and Germany welcomed the decisions of the Iranian Government and informed the Iranian authorities that:

- (a) Their Governments recognize the right of Iran to enjoy peaceful use of nuclear energy in accordance with the NPT.
- (b) In their view, the Additional Protocol is in no way intended to undermine the sovereignty, national dignity or national security of its States Parties.
- (c) In their view, the full implementation of Iran's decisions, confirmed by the IABA Director-General, should enable the immediate situation to be resolved by the JALA Board.
- (d) The three Governments believe that this will open the way to a dialogue on a basis for longer-term co-operation, which will provide all parties with satisfactory assurances relating to Iran's nuclear power generation programme. Once international concerns, including those of the three Governments, are fully resolved, Iran could expect easier access to modern technology and supplies in a range of areas.
- (e) They will cooperate with Iran to promote security and stability in the region, including the establishment of a zone free from weapons of mass destruction in the Middle East in accordance with the objectives of the United Nations.

21 October 2003

**Letter to the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office
from the Clerk of the Committee, 26 January 2005**

As you know, the Committee will be hearing oral evidence from the Secretary of State on Tuesday 22 February as part of its ongoing inquiry into foreign policy aspects of the war against terrorism.

It would be helpful if, in preparing for that session, the Committee could receive a memorandum or series of memoranda of evidence, covering the following points, most of which arise from the Committee's previous Reports and the FCO responses thereto, or relate to forthcoming visits.

IRAQ

The Committee would like a report on the post-election political situation in Iraq, nationally and regionally.

The Committee wishes to receive an update on the present security situation in Iraq, including information on the current strength and capability of Iraqi security forces; their projected strength; the timetable for handing over to them responsibility for security in Iraq; and protection for UK nationals and for UN staff in Iraq.

The Committee seeks a note on the progress of the inquiries into allegations of corruption in the Oil-for-Food programme and on any involvement by UK nationals or entities.

LIBYA

The Committee wishes to receive a full note on Libya's role in the war against terrorism and its dismantling of WMD programmes, with additional information on the United Kingdom's bilateral relations with Libya, including measures to help improve the human rights situation in Libya and to facilitate prison reform and a note on the UK's policy towards proposals for immigration centres in Libya and EU co-operation with Libya on the immigration issue.

ALGERIA

The Committee wishes to receive a full note on Algeria's role in the war against terrorism, with additional information on the United Kingdom's bilateral relations with Algeria, including measures to help improve the human rights situation in Algeria and to assist reform of the police and prison system.

MOROCCO

The Committee wishes to receive a full note on Morocco's role in the war against terrorism, with additional information on the United Kingdom's bilateral relations with Morocco, including measures to assist economic development in Morocco, both bilaterally and through the EU.

ISRAEL/PALESTINE

The Committee wishes to receive a note on the prospects for the forthcoming London conference and an update on the peace process more generally, with a description of any assistance the UK is giving to facilitate Israel's withdrawal from Gaza and the Palestinian Authority's assumption of power there.

COUNTER-PROLIFERATION

The Committee wishes to know what work the United Kingdom is undertaking, either bilaterally or through the G8's global partnership, to help retrain Iraqi and Libyan scientists.

The Committee also seeks a note on the United Kingdom's goals for the forthcoming review of the Nuclear Non-Proliferation Treaty.

I would be grateful for a response on the above points not later than 16 February, so that the Committee may take account of it in preparing for the oral evidence session.

Steve Priestley
Clerk of the Committee

26 January 2005

Letter to the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office from the Clerk of the Committee, 4 February 2005

Further to my letter of 26 January, in which I requested, *inter alia*, a note on the progress of the inquiries into allegations of corruption in the Oil-for-Food programme and on any involvement by UK nationals or entities, I am writing to request that that note include a full discussion of the role of the UK in the Oil-for-Food programme as set out in the Volcker Report and that it deal with each of the assertions made in that Report about the role of the UK.

Steve Priestley
Clerk of the Committee

4 February 2005

Letter to the Clerk of the Committee from the Parliamentary Relations and Devolution Department, Foreign and Commonwealth Office, 16 February 2005

Thank you for your letter of 26 January requesting memoranda as part of the Committee's ongoing inquiry into the War against Terrorism.

I attach memoranda covering Iraq, Libya, Algeria, Morocco, Israel/Palestine and Counter-proliferation. I would draw your attention to the fact that all but one are classified confidential.

The memorandum on Iraq includes the supplementary information requested in your letter of 4 February on the oil for food programme.

Chris Stanton
Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office

IRAQ

This memorandum explains the United Kingdom's view on the post-election situation in Iraq, nationally and regionally, on the present security situation in Iraq, the current strength and capability of the Iraqi security forces, their projected strength, the timetable for handing over to them responsibility for security in Iraq; and protection for UK nationals and for UN staff in Iraq. It also explains [the United Kingdom's view on] progress of the inquiries into allegations of corruption in the Oil for Food programme and on any involvement by UK nationals or entities. The Clerk subsequently requested, in his letter of 4 February, that "the note include a full discussion of the role of the UK in the Oil-for-Food Programme as set out in the Volcker Report and that it deal with each of the assertions made in that Report about the role of the UK".

National and Provincial Elections on 30 January

1. We are encouraged by the national and provincial elections that took place in Iraq on 30 January, in accordance with the political timetable set out in UN Security Council Resolution 1546. 8,000 candidates stood for the Transitional National Assembly (TNA) and 11,000 for Provincial and Kurdish elections. The Independent Electoral Commission of Iraq (IECI) have said that over 100,000 domestic election observers monitored the elections. In addition, 600 international monitors were accredited to the IECI (many more than in Afghanistan) including three MPs and two MEPs who monitored elections in the South. The Canadian-organised International Mission for Iraqi Elections has issued a statement describing the process as meeting international standards. There has been a low number (220) of complaints submitted to IECI. The IMIE has said they are impressed with IECI handling of complaints and confident that they are being dealt with properly.

2. These elections were not perfect. They were, however, a significant step forward in the transitional process set out in UNSCR 1546. International reactions, including from the EU and the region, have been very positive. As Kofi Annan said following the elections, "the success of the election augurs well for the transition process".

3. The IECI published provisional final results of national elections on 13 February. After redistribution of redundant votes, the top three parties performed as follows: United Iraqi Coalition 48.2% of votes gaining 140 seats; Kurdistan Alliance 25.7% of votes gaining 75 seats; and Iraqi List 13.8% of votes gaining 40 seats. Nine other entities each won a handful of the remaining seats. From publication of the results, the IECI will allow three days for submission of complaints about the electoral process (not the results). After addressing any complaints, the results will be confirmed. The IECI also said that 8.45 million Iraqis voted, equating to 58% of the electorate. This level of participation, less than two years after the fall of Saddam's regime, is a clear sign that the majority of Iraqis support the political process and reject violence. It is clear that turnout in Sunni majority areas was lower. This is not surprising given the levels of insurgent intimidation. But where Sunnis were able to vote freely they did so, eg in the South.

Next Steps; Way Ahead

4. The Transitional National Assembly's (TNA) first task is to elect a three man Presidency who must appoint a Prime Minister. The PM will appoint a Cabinet that must be approved by the TNA and the Presidency. At this point the Iraqi Transitional Government (ITG) will be sworn in and the Interim Government will dissolve. We expect the new government to be formed by the end of February or early March. The TNA will then begin work on drafting the constitution. UNSCR 1546 gives the UN a supporting role in the constitutional process, if requested by the TNA. We and other members of the international community, such as the EU, also stand ready to offer support if asked.

5. The major challenges that will face the incoming Transitional Government include improving security, ensuring an inclusive political and constitutional process in 2005 and addressing urgently Iraq's various economic and reconstruction needs. It will be important that the political and constitutional processes include the full diversity of Iraqi society. Iraqi political and religious leaders, including Ayatollah Sistani, have all said that they want to include Sunnis in the process. In a major address on national unity on 31 January Prime Minister Allawi said "Iraq needs a national dialogue that guarantees that all Iraqis have a voice in the next government".

6. Although Sunni participation was less than that of other communities, it is encouraging that Sunni political groups like the Iraqi Islamic Party and other groups, who did not participate in the elections, have said that they want to be involved in the constitutional process. The international community must now rally behind the Transitional Government, its institutions and, working with the UN and other international organisations, do all it can to support the political and reconstruction processes and help develop the Iraqi Security Forces.

Present security situation

7. In the run up to elections on 30 January, insurgents stepped up their campaign of intimidation against, and targeting of, people and infrastructure involved in the election process. On election day itself, there were a total of 44 fatalities including 10 people killed by eight suicide bombers. But although there were attempted attacks on some polling stations, the security plan for the elections was a success, with suicide bombers intercepted by Iraqi police at the perimeter. It is widely perceived the Iraqi police did a good job in preventing further bloodshed promised by insurgents, and this has boosted their self-confidence. Indeed, police remained at their posts during and immediately after the election, and there were many individual acts of great bravery by Iraqi Security Forces (ISF) personnel on the day.

8. It is important to bear in mind that violence is concentrated in a minority of Iraq's provinces. In other parts of the country the situation is more secure. In the past three months, four provinces with 41% of the population have accounted for 83% of attacks: Salah ad-Din, Anbar, Ninawa and Baghdad. By contrast 10 provinces, mostly in the centre-south and north, with 34% of the population had 1.2% of attacks.

9. The insurgent groups are disparate in nature and range from Baathists to religious extremists. We judge the insurgents' goals to be to disrupt the political process, undermine the Iraqi Government's legitimacy and force the departure of the Multi-National Force (MNF). They will continue their attempts to create an insecure environment and prevent the build up of the ISF. They will also take opportunities to create ethnic and religious friction. Their tactics are now familiar: stand-off attacks, intimidation, corruption, infiltration and propaganda.

10. We believe that most attacks in Iraq are the work of Iraqi insurgents, particularly former regime elements. However, Islamic terrorists, some belonging to Al Qa'ida-associated groups, have been involved in terrorist attacks in Iraq, including a number which have caused serious loss of life. There is evidence of low-level co-operation between these foreign fighters and elements of the former (Saddam) regime, but foreign terrorists such as Abu Musab al-Zarqawi are deeply unpopular with all sections of the Iraqi population. Abu Musab al-Zarqawi made clear his intentions when he said that he was at war with democracy.

11. ISF are taking an increasing role in tackling the insurgency. In 2004, Iraqi security forces fought alongside the MNF in Najaf, Samarra, Fallujah, Baghdad, North Babil, Mosul and a number of other locations. The largest operation was in Fallujah where 3,000 ISF were involved last November, supported by the US military. Over 500 weapons caches, containing ammunition, small arms, rockets and mortars, as well as some 600 improvised explosive devices (IEDs), were discovered. Buildings containing the insurgents' instruments of torture were also found. The operation denied the insurgents the use of Fallujah as a safe haven for the launching of attacks elsewhere in Iraq. However, insurgents in Mosul used the opportunity to temporarily seize police stations there and US reinforcements were needed to restore order. Elsewhere, Ramadi, Tikrit and Baqubah also saw insurgent activity.

12. We do not expect the levels of violence to decrease significantly in the short term. Following the elections, attacks have continued against ISF and Iraqi police stations. Prior to the elections, there was an increase in high profile attacks, including the assassination of the Baghdad Mayor on 4 January, the Deputy Chief of Police on 10 January and a senior representative of Ayatollah Sistani, Sheikh Mahmoud al-Madaini, on 12 January.

Iraqi Security Forces

13. The UN-mandated MNF's principal role is helping Iraq to provide the security conditions for reconstruction and political development. We are focused on developing the capability and capacity of the Iraqi Security Forces. Twelve EU states are contributing to this with troops through the MNF, others through personnel as part of the NATO Training Mission and others through police training programmes in Jordan and UAE. 130,000 Iraqi security personnel are now trained, equipped, and operating across Iraq with over 220,000 on duty.

14. The Iraqi Police Service (IPS) performance is improving, but progress still needs to be made in developing leadership and specialist skills, with the ultimate aim of being able to operate independently from the MNF. There are five academies operational across the country, training 4,000 officers per month. Police stations are being hardened and more weapons provided. Quick reaction forces have been activated with five provincial SWAT teams trained and 15 more scheduled in the next six months. Six public order battalions are operational with six more planned. Iraq's mechanised police brigade begins its operations in mid January with 50 Armoured Personnel Carriers (APCs).

15. The better-trained and led units have been able to deal with confrontations with criminal gangs and public disturbances, but there is a good deal more to do. Moreover, the picture across Iraq is variable. Current manning stands at some 95,000 of which 59% are described as trained, equipped and capable. The approved increase to 135,000 IPS officers will see some 5,600 trained and equipped by July 2005 with training complete by May 2006.

16. Members of the Iraqi National Guard conduct internal security operations, including support to Ministry of Interior Forces and constabulary duties. There are currently 36,500 personnel trained, equipped and operational. The current requirement is for 56,000 personnel to be fully trained and equipped by September 2005. There are currently 42 battalions who are increasingly well equipped. More will be formed over the next six months. Lt Gen Jassim, who successfully led ISF in the Fallujah operation (Al Fajr), was recently announced as the new land forces commander. The Iraqi National Guard was recently incorporated into the army.

17. The Iraqi Intervention Force, a component of the Army, is at the forefront of the counterinsurgency. It has performed well in Najaf, Sadr City and Fallujah despite taking some casualties.

18. The required establishment for the Iraqi Army is for 25,000 personnel and the current recruited figure stands at just over 9,000. The target is for completion of training and equipping by March 2005. The first two brigades now have operational capability. Special forces/commandos have been formed into a counter-terrorist force. They have conducted dozens of operations. Iraq's first mechanised battalion is also operational.

19. The Department for Border Enforcement covering the Border Police, Immigration, and Customs services, currently has 17,500 with approval to recruit to 28,000 personnel. They will be fully trained and equipped by August 2006.

20. The Facilities Protection Service protects Iraq's major strategic infrastructure. The current strength is 74,000 personnel.

21. The Iraqi Navy, formerly The Iraqi Coastal Defence Force (ICDF), is based at Umm Qasr and has achieved operational capability with five patrol boats and five rigid inflatables.

22. In accordance with UNSCR 1546, we will continue to assist Iraq deal with its security for as long as required and requested by the Iraqis. We will continue to help develop the Iraq Security Forces through support for training as well as direct military support, when this is called for by the Iraqis.

Protection for UN staff in Iraq

23. Under the provisions of UNSCR 1546, there is a distinct force under MNF command providing security to the UN presence in Iraq. Protection is formed by three concentric rings m(a) an inner ring comprised of a Fijian guard force (155 troops) and personal security details for the Special Representative of the UN Secretary General, Qazi (b) a middle ring UN protection force providing convoy protection and perimeter security to UN facilities and (c) outer ring security provided by the Multi-National Force (MNF). The UK and US are currently providing middle ring protection while UN protection forces deploy. President Iliescu announced in November that Romania would provide an infantry company of 100 troops for UN protection. Similarly Georgia has also agreed to increase its troop commitments from 159 to 850 with the additional troops being deployed for UN protection.

The Independent Inquiry Committee's Interim Report

24. In April 2004, the UN Secretary General established an Independent Inquiry Committee (IIC) to investigate corruption allegations in the operation of the UN's Iraq Oil-for-Food Programme. The IIC published an interim report on 3 February 2005, its first such report addressing the substance of some of the allegations. The IIC expects to issue a further interim report within the next few months, possibly with other reports to follow. It is not yet known when the IIC plans to issue its final report.

25. The interim report focuses on four specific areas. Firstly, the initial procurement in 1996 of three UN contractors for the provision of services relating to oil export inspections, humanitarian goods import inspections and the holding, in an escrow account, of proceeds and payments within the Programme. Secondly, the internal audits conducted during the Programme. Thirdly, administrative expenditure for the operation of the Programme. Lastly, the report also addresses allegations regarding the involvement of the Executive Director of the Programme, Benon Sevan. The IIC notes that, while its investigations of the above areas are well advanced, and certain recommendations and findings are made, work will continue where certain questions remain.

26. The IIC has made it clear that other elements of its inquiry, not included in the interim report, continue. These include the procurement procedures relating to another contractor (Cotecna); the operating performance of contractors; the validity of UN audit findings; activities of the UN agencies in Iraq; oversight by the Sanctions Committee and Security Council; and allegations made about the illicit or corrupt activity by around 3,500 private companies that participated in either the purchase of oil from Iraq or the sale of humanitarian or other goods to Iraq.

Interim Report Findings

27. The report says that Benon Sevan (former Executive Director of the UN's Office of Iraq Programme) repeatedly solicited allocations of oil from Iraq on behalf of African Middle East Petroleum (AMEP). It comes to the view that Iraq gave the allocations in the hope of buying Sevan's political influence eg his objections to Security Council holds on "humanitarian" contracts of oil spare parts. The IIC states that Sevan "created a grave and continuing conflict of interest. His conduct was ethically improper, and seriously undermined the integrity of the United Nations."

28. The IIC found that the "procurement" of three UN contractors in 1996 BNP Paribas (the OFF bank), Saybolt (oil export inspectors), and Lloyd's Register (goods import inspectors) did not conform to established financial and competitive bidding procedures or meet standards of fairness and transparency. The report assesses that motivations were unclear and/or inconsistent, but in part spurred by the need to expedite implementation of the Programme. The report states that decisions were also based on political interests of Member States. One example cited was Iraq's decision not to allow US or UK banks to administer OFF funds being balanced against US concerns with Swiss banks being used, resulting in BNP Paribas being awarded the contract. There is also criticism, by implication, of former UN Secretary-General Boutros Boutros-Ghali, who made the ultimate decision on BNP.

29. The interim report found no evidence of systemic financial mismanagement (with only isolated violations) and says that budgeting had been careful. It says that the accounting trail was adequate. However, the report also comes to the view that the funding and staff committed to the auditing of the OFF Programme were insufficient, the planning process lacked comprehensive risk assessment, and important programme areas were not reviewed (such as pricing and quality of goods). The IIC has recommended that independence and reporting lines need strengthening and greater transparency and accountability are required.

Lloyd's Register/Stephanides/UK role

30. The IIC criticises Joseph Stephanides (former Head of the UN Sanctions Branch, now Director of the Security Council Affairs Division) on the procurement of both Saybolt and Lloyd's Register's services. The report says that Stephanides unduly influenced the competitive bidding processes in favour of his preferred bidders (and against the views of the UN Procurement Department). In respect of Lloyd's Register, a UK company, it says that the active participation of Stephanides "prejudiced and pre-empted the competitive process in a manner that rejected the lowest qualified bidder in favour of an award to Lloyd's Register". It also found that "the regular competitive bidding process was tainted by Mr Stephanides's contacts with a member state mission [the UKI and pre-empted for political reasons by the Iraq Steering Committee, and—contrary to fairness and transparency—these reasons were not adequately disclosed."

31. The Government continues to examine the 246-page report, which in itself is only an interim report. The Government is not therefore in a position to offer a detailed response to the findings of the IIC. It notes that the IIC continues its inquiry and that this may involve further information being revealed which will help elaborate upon some of the information in the report. Since the information in the report comes from a variety of sources, such as UN member states, interviews with individuals involved in the operation of the programme and UN internal documentation, much of it has not been seen previously by the UK Government. The interim report therefore merits careful examination over the coming period, including in the light of any further information provided by the IIC.

32. The UN Secretary-General has announced disciplinary proceedings against two UN officials. The Government will therefore refrain from commenting upon the findings of the interim report on these individuals or the details of their contacts with the Government. We would not want, in any circumstances, to prejudice any proceedings.

33. On a general point, the Government was concerned throughout, as a policy objective, to promote the effectiveness and integrity of the Oil for Food Programme. It was also concerned, where possible, to provide support to UK businesses which wished to bid.

34. With regard to any possible involvement of UK companies or entities in corrupt practices, the Government notes that this will be addressed by the IIC in a future report and awaits its findings.

35. The Government is also aware that there are several other inquiries ongoing relating to the Iraq Oil for Food Programme, including investigations in the United States, but is not aware that they have yet reached any definitive conclusions.

Letter to the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office, from the Clerk of the Committee, 25 February 2005

The Committee has noted with concern recent reports in the British, American and other media of a practice described as “extraordinary rendition”.

The Committee wishes to receive a memorandum setting out the Government’s policy with regard to this practice, with particular reference to the following points:

- Has the United Kingdom used “extraordinary rendition” or any other practice of sending suspects to third countries for interrogation? If so, what use has it made, where, when and in relation to whom?
- Has the United Kingdom allowed any other country to use its territory or its airspace for such purposes? If so, which countries, how and when?
- Has the United Kingdom received information which has been gained using these methods? If so, what use has it made of that information?
- Does the Government regard the use of such methods as (a) legally and (b) morally acceptable? If not, what representations has it made against their use?

In view of the very tight timetable for production of the Committee’s forthcoming Report, I hope that it will be possible for you to send us the memorandum on or, preferably, before 8 March.

Steve Priestley
Clerk of the Committee

25 February 2005

Letter to the Clerk of the Committee from the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office, 11 March 2005

Thank you for your letter of 25 February. You asked for an explanation of the Government’s policy towards “extraordinary rendition” and posed a number of specific questions.

Has the United Kingdom used “extraordinary rendition” or any other practice of sending suspects to third countries for interrogation? If so, what use has it made, where, when and in relation to whom?

Does the Government regard the use of such methods as (a) legally and (b) morally acceptable? If not, what representations has it made against their use?

The British Government’s policy is not to deport or extradite any person to another state where there are substantial grounds to believe that the person will be subject to torture or where there is a real risk that the death penalty will be applied. Whether rendition is contrary to international law depends on the particular circumstances of each case. We encourage all members of the international community to respect international law and human rights standards.

Has the United Kingdom allowed any other country to use its territory or its airspace for such purposes? If so, which countries, how and when?

The British Government is not aware of the use of its territory or airspace for the purposes of “extraordinary rendition”. The British Government has not received any requests, nor granted any permissions, for the use of UK territory or airspace for such purposes.

Has the United Kingdom received information which has been gained using these methods? If so, what use has it made of that information?

As you will be aware, this issue was the subject of a comprehensive inquiry by the Intelligence and Security Committee, whose report (CM6469) has just been published. Ministers have also answered a number of Parliamentary questions on this.

Chris Stanton
Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office

11 March 2005

Letter to the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office, from the Clerk of the Committee, 28 February 2005

Following cancellation of last week's planned evidence session with the Secretary of State, and the subsequent postponement of this week's replacement session with the Minister for the Middle East, the Committee has asked me to request written evidence from the FCO, in order that it might proceed as planned with its Report on Foreign Policy Aspects of the War against Terrorism before Easter. The Committee's questions are as follows:

North Africa

1. What plans does the Government have to expand the United Kingdom's presence in Algeria?
2. What is the United Kingdom's position towards reform of the Barcelona Process, in particular as it relates to the countries of North Africa?
3. What is the United Kingdom's position towards the conflict in the Western Sahara and the UN peace plan?
4. What outstanding areas of difficulty are there in the United Kingdom's bilateral relationship with Libya?

Afghanistan

5. What is the current NATO presence in Afghanistan, broken down by contributor and by role? What further resources are expected to be contributed by NATO member states; and what NATO requirements remain unmet?
6. What is the timetable for placing the NATO and other international forces in Afghanistan under a unified command; and what obstacles will have to be overcome for this process to succeed?
7. What progress is being made on training Afghan military and police units, on achieving DDR and on reducing the role of "warlord" commanders in Afghanistan?
8. How many Provincial Reconstruction Teams are now operating in Afghanistan; what have been their achievements; and what further plans there are for their development?
9. What assistance is the Government giving to the Afghan authorities for the holding of parliamentary elections? What is the UK's involvement in the UNDP's Support to the Establishment of the Afghan Legislature (SEAL) project?
10. What is the latest situation with regard to opium poppy cultivation and the National Drug Control Strategy in Afghanistan?
11. What is the role of the Prime Minister's Special Envoy to Afghanistan, Lieutenant General John McColl? What practical arrangements are in place for Lt Gen McColl to liaise with the FCO and to ensure that his work is fully complementary to that of the British Embassy in Kabul?

Proliferation

12. What is the Government doing to aid states with their reports to the UNSCR 1540 Committee and what are the Committee's current priorities?
13. What steps towards disarmament, in compliance with Article VI of the Non-Proliferation Treaty, might the United Kingdom propose at the May NPT review conference?
14. Does the Government support making withdrawal from the NPT more difficult?
15. What is the Government doing to support the Organisation for the Prohibition of Chemical Weapons 2003 Action Plan?
16. Does the Government support the introduction of a verification mechanism as part of the Biological and Toxin Weapons Convention?
17. What developments on the G8 Global Partnership are expected to emerge from the Gleneagles Summit?

In order that the Committee may be in a position to follow up some of these points with the Minister when she gives oral evidence on 17 March, I would be grateful for a response to as many as possible of the questions not later than 15 March.

Steve Priestley
Clerk of the Committee

28 February 2005

**Letter to the Clerk of the Committee from the Parliamentary Relations and Devolution Department,
Foreign and Commonwealth Office, 14 March 2005**

Thank you for your letter of 28 February, seeking information about North Africa, Afghanistan and proliferation.

I enclose a memorandum which sets out detailed answers to each of your questions.

Chris Stanton

Parliamentary Relations and Devolution Department, Foreign and Commonwealth Office

14 March 2005

Annex 1

NORTH AFRICA

1. What Plans does the Government have to expand the United Kingdom's presence in Algeria?

Levels of staffing in Algiers have increased in recent years; the Government expects that they will continue to increase in 2005. In his letter of 4 March to the Chairman of the FAC, Sir Michael Jay, Permanent Under Secretary of the Foreign and Commonwealth Office, confirmed that the Government expects a Defence Attache and a Commercial Secretary to arrive at Post before the end of 2005.

The Government is aware of calls to re-open the British Council's office in Algiers. The British Council is currently reviewing this issue.

2. What is the United Kingdom's position as regards reform of the Barcelona Process, in particular as it relates to the countries of N Africa?

The United Kingdom supports greater EU engagement with the North Africa and seeks to shape EU policy, including the Barcelona Process, to promote greater economic, political and social reform in the region.

A review of the Barcelona Process was launched in November 2004 to examine the first 10 years of the Barcelona Process and make recommendations on its future development. The Government welcomes this review and considers that it is a unique opportunity to shape the future of the EU's engagement with the Mediterranean region in the next decade. The Government has called for a more strategic approach to the Barcelona Process, focussing on a limited number of objectives in the areas of governance, economic reform and education.

3. What is the United Kingdom's position towards the conflict in the Western Sahara and the UN peace plan?

In common with most other countries, the Government regards the sovereignty of Western Sahara as undetermined pending United Nations efforts to find a solution to the dispute over the territory. The United Kingdom seeks a just, lasting and mutually acceptable solution to the dispute that provides the people of the Western Sahara with an opportunity to exercise their right to self-determination.

The Government has consistently supported the efforts of the UN Secretary-General to find a solution to the conflict in the Western Sahara and believes that it is important that the UN process is maintained. The Government fully support Alvaro de Soto (UN Secretary General's Special Representative) in his efforts to take negotiations forward.

4. What outstanding areas of difficulty are there in the UK's bilateral relationship with Libya?

Libya's decisions formally to accept responsibility for the Lockerbie bombing, renounce terrorism and take action to dismantle its Weapons of Mass Destruction development programmes are important and welcome developments. As the Prime Minister said when he visited Libya in March 2004, we are aware of Libya's past record, but should acknowledge and support change where we judge that it is real. The Government is committed to developing the bilateral relationship with Libya and widening co-operation into new areas eg education and health.

The Metropolitan Police Service and the Libyan authorities have set up a joint investigation into the murder of WPC Yvonne Fletcher. Work on the investigation is ongoing. A Scottish criminal investigation into Lockerbie remains open but the FCO understands that in the absence of new information the Lord Advocate is not currently planning to pursue enquiries.

The Government is concerned by the human rights situation in Libya. Through the Global Opportunities Fund, the FCO is supporting Libyan work on prison reform. And the Government continues to look for other ways in which we can work with the Libyan government to improve Libya's human rights record.

AFGHANISTAN

5. *What is the current NATO presence in Afghanistan, broken down by contributor and by role? What further resources are expected to be contributed by NATO member states; and what NATO requirements remain unmet?*

We commend to the members of the Committee the latest NATO update (attached). It gives a snapshot of the overall force level, but the Committee should be aware that individual contributions are constantly changing. The current figures include contributions to ISAF in Kabul and to the PRTs and Forward Support Base (FSB) in the north run by the UK, Germany and the Netherlands. The following nations currently contribute to the PRTs and FSB under NATO command: Belgium, Denmark, Finland, France, Hungary, the Netherlands, Norway, Romania, Spain, Sweden, Switzerland, United Kingdom, United States of America. The Czech Republic has announced that it will be contributing 40 personnel to the German-led PRT in Feyzabad later this year.

Under Stage 2 of ISAF expansion, the US, Italy, Spain and Lithuania will run PRTs under ISAF in Western Afghanistan. Denmark and Iceland have offered support (as has non-NATO Sweden). Italy and Spain will also provide a FSB.

These commitments mean that NATO's statement of requirements for Stages 1 and 2 have now been met.

6. *What is the timetable for placing the NATO and other international forces in Afghanistan under a unified command; and what obstacles will have to be overcome for this process to succeed?*

Following discussion by Defence Ministers at Nice 9–10 February and the declaration by Heads of State and Government on 22 February, NATO military authorities have been tasked to “develop for Council consideration a plan to increase synergy and better integrate the two operations.” The plan will take into account continued ISAF expansion in accordance with the current operational plan.

There are many potential obstacles, both political and military. These include the risk that some Allies will view a single mission as a precursor to a US troop withdrawal and resist it. NATO will need to generate sufficient forces to set up PRTs additional to those absorbed from the Coalition, and to take account of any slowdown in the envisaged build-up of the Afghan National Army and Afghan National Police. Some Allies have expressed the view that a single mission will require substantial changes to the NATO Operational Plan for the ISAF mission, and a new UN mandate. We do not believe that this is the case.

7. *What progress is being made on training Afghan military and police units, on achieving DDR and on reducing the role of “warlord” commanders in Afghanistan?*

Around 22,000 soldiers have been trained for the Afghan National Army (ANA), and some 30,000 police for the Afghan National Police (ANP). Over 42,000 personnel have now passed through the Disarmament Demobilisation and Reintegration (DDR) process. These, and other measures designed to build the capacity of the central government, in particular those within the broad field of Security Sector Reform, will have a positive impact on the centre-regions power dynamic.

The Afghan government has taken strong legal and constitutional measures to prevent militia infiltration of the electoral process. For example, candidates for the Presidential election were required to have no link to armed militia. Article 16 (clause 3 (a)) of the Electoral Law (2004) states that candidates shall not “have non-official military forces or be part of them”. Candidates for the Parliamentary elections face exactly the same stipulation (Article 20, clause 3 (e)). Likewise the Political Parties Law (2003) Article 6 (clause 5) stipulates that political parties shall not “have military organisations or affiliations with armed forces”. Article 17 (clause 1) of the same law notes that the dissolution of a political party shall not be ordered unless, *inter alia*, “the party uses force, or threatens the use of force, or uses force to overthrow the legal order of the country, or the party has a military organisation or affiliations with armed forces.”

8. *How many Provincial Reconstruction Teams are now operating in Afghanistan; what have been their achievements; and what further plans there are for their development?*

19 PRTs are currently established throughout Afghanistan. PRTs have operated in Afghanistan under the control of the US-led Coalition since December 2002. ISAF has run PRTs in the north since December 2003 and is now establishing teams in the west.

PRTs have successfully introduced a measure of stability to the areas in which they operate through patrolling, monitoring and mediation, thereby facilitating the reconstruction and development efforts of other members of the International Community and allowing extension of the influence of the Government of Afghanistan. In areas where, for various reasons, other agencies have been unable to operate, PRTs have participated in the reconstruction effort themselves. PRTs help provide enhanced security assistance during the Presidential election in October 2004 and some are also involved in the process to demobilise and disarm regional militias.

Stage 3 of NATO planning for ISAF expansion will involve establishing PRTs in the south. This may involve taking over some existing Coalition PRTs. Canada has declared that it will run a PRT in the south from August 2005. The UK has indicated that it intends to shift its non-Kabul based military effort from the north to the south over the next 12–18 months.

9. *What assistance is the Government giving to the Afghan authorities for the holding of parliamentary elections? What is the UK's involvement in the UNDP's Support to the Establishment of the Afghan Legislature (SEAL) project?*

HMG hopes to provide assistance to the Afghan authorities for the holding of parliamentary elections as we did for last year's presidential elections.

The Independent Electoral Commission and the UN are currently discussing technical issues and election needs. The UK stands ready to help ensure that these elections are conducted as successfully as the presidential election. We again plan to provide support to the EU and OSCE election support missions.

Primary responsibility for security during the parliamentary elections will lie with the Afghan security forces, with ISAF and the Coalition again in support. Precise requirements cannot be determined until the election date is set. We expect international support will be in line with that provided for the presidential election ie additional NATO forces in country with others on standby.

The UK has given considerable support to the UNDP SEAL project. Our Embassy in Kabul is an active member of the informal strategic committee established to ensure dialogue between major donors. The UK will be represented at the French/UNDP donor conference to be held in Paris on 29 March 2005. We hope to provide expert assistance to the French/UNDP proposal to assist the establishment of a new Afghan Parliament. We have for example contributed advice on how to set up a Parliamentary Secretariat.

10. *What is the latest situation with regard to opium poppy cultivation and the National Drug Control Strategy in Afghanistan?*

We refer the Committee to the Written Ministerial Statement by Bill Rammell on Thursday 10 March—a copy is attached.

In addition, Gareth Thomas visited Afghanistan on 2–3 March in follow-up to the visit of Hilary Benn in January. Mr Thomas called on President Karzai and had meetings with the Finance, Agriculture, Counter Narcotics (CN) and Rural Rehabilitation Ministers as well as other Ministers. He also had round table meetings with major donors (World Bank, European Commission, USAID and Germany) and implementing partners on alternative livelihoods.

There was agreement on the need for the UK and other donors to continue to support community-based, so-called “quick impact” projects eg “cash for work” schemes to renovate rural roads and to build wells, delivered through the National Priority Programmes and despite the continuing security and capacity constraints. The focus should also continue on longer-term investment and development. This includes Afghan proposals to work up a longer term (five year) strategy on counter-narcotics and to develop more comprehensive “investment plans” to underpin the working of the new CN Trust Fund, which donors will be asked to support at the Afghan Development Forum (4–6 April).

11. *What is the role of the Prime Minister's Special Envoy to Afghanistan, Lieutenant General John McColl? What practical arrangements are in place for Lt Gen McColl to liaise with the FCO and to ensure that his work is fully complementary to that of the British Embassy in Kabul?*

As the Prime Minister's Special Envoy to Afghanistan, Lieutenant General John McColl has an important role designed to cover the full span of the UK's engagement with Afghanistan. His broad remit is to maintain and develop the UK's relationship with President Karzai and other senior Afghan interlocutors in pursuit of HMG's strategic interests in Afghanistan and the region; to report to the Prime Minister on developments in Afghanistan with recommendations on areas in which the UK can make a critical difference; to add value to all key areas of the UK/Afghan bilateral relationship; to trouble-shoot when problems arise; and to offer advice to President Karzai.

He will visit Afghanistan 2–3 times in the next year in order to engage with President Karzai and the Afghan authorities across a range of issues vital to the bilateral relationship including reconstruction, security sector reform, the democratic process and counter-narcotics work. General McColl will be in a position to offer advice and encouragement to President Karzai and other key players through telephone contact at other times.

The British Ambassador to Afghanistan, Dr. Rosalind Marsden will continue to take forward the substance of our bilateral relations. General McColl's remit will be to act as a high-level contact with President Karzai and carry out the remit I have already described. The FCO has arranged to give General McColl access to all the relevant diplomatic reporting. He will also be regularly briefed on developments in Afghanistan by the Whitehall Afghan Strategy Group and on a Departmental basis as appropriate.

 PROLIFERATION

12. *What is the Government doing to aid states with their reports to the UNSCR 1540 Committee and what are the Committee's current priorities?*

The UK was approached by a number of states seeking advice on the structure and scope of national reports under United Nations Security Council Resolution 1540. In response to these approaches, the UK circulated widely its own draft report on 13 August in order to provide a possible model for others to follow. Many States welcomed this circulation. The UK then formally submitted its national report to the 1540 Committee on 29 September, and the Foreign Secretary made a Statement (Official Report, 11 Oct 2004: Column 4WS) at that time.

The UK has taken every opportunity to promote the importance of compliance with UNSCR 1540 to non-reporting States, both during bilateral discussions, and through the delivery of an EU demarche in some countries where we are acting as Local Presidency. All approaches have made further offers of assistance to States to complete their reports.

The Committee appointed the first four of probably seven experts in January this year. These experts have now begun work in New York. They will analyse the reports that have been received from UN Member States, and advise the Committee on their content.

The Committee currently has two main priorities. The first is to encourage all States to report as required by the Resolution. Over 100 States have now done so, but many countries have not. The Committee is contacting the Permanent Representatives of these States in New York to reinforce the importance of compliance. The second priority is the analysis of the reports that have been received. These vary in the amount of detail supplied, and so we expect that the experts working for the 1540 Committee will request further information from a number of States in order to reach a comprehensive judgement of how appropriate and effective each State's measures are. This is likely to take some time, given the complexity of the subject and the volume of material to process. Once these judgements have been reached, the Committee will consider ways in which States might be assisted in introducing any additional measures required to bring their regulations, laws and measures up to an appropriate, effective standard.

The UK is working closely with the experts and other Committee members, in its capacity as one of three Vice Chairs, to ensure that this substantial amount of work progresses speedily and comprehensively.

13. *What steps towards disarmament, in compliance with Article VI of the Non-Proliferation Treaty, might the United Kingdom propose at the May NPT review conference?*

The United Kingdom is committed to the ultimate goal of general and complete disarmament enshrined in Article VI of the NPT. Ever since we ratified the Treaty we have recognised our disarmament obligations as one of the nuclear weapon States and we have led by example.

Since the end of the Cold War we have reduced the explosive power of our nuclear forces by 70%. Much of this was accomplished during the 1990s, when we withdrew our maritime tactical nuclear capability and the Royal Air Force's WE177 nuclear bomb, making the United Kingdom the only nuclear weapon State to reduce its capability to a single weapons system. We now have a stockpile of fewer than 200 operational warheads, as a minimum deterrent and the ultimate guarantor of our national security.

At the 2000 Review Conference the UK played an important role securing agreement on a Final Document which we continue to support and which included 13 practical steps towards nuclear disarmament.

The UK itself had fulfilled many of these priorities before 2000. As part of the Strategic Defence Review in 1998, we reduced the operational status of our nuclear weapons. Only one Trident submarine is normally on patrol at any one time and its missiles are not targeted at any other state.

We ratified the Comprehensive Nuclear Test-Ban Treaty (CTBT) in 1998 and continue to call on other states to sign and ratify the Treaty. We continue to observe a moratorium on nuclear explosive testing and have not conducted an explosive nuclear test since 1991. Our continued commitment to the CTBT is demonstrated by our support for the CTBT Organisation.

The United Kingdom announced in 1995 that it had stopped the production of fissile material for nuclear weapons and other nuclear explosive devices. We also announced that fissile material no longer required for defence purposes would be placed under international safeguards. We support a Fissile Material Cut-off Treaty (FMCT) as a global ban on the production of fissile material for nuclear weapons. The 2000 Final Document called on the Conference on Disarmament in Geneva to agree a Programme of Work and commence negotiations on an FMCT. We have proposed that States remove impediments to these negotiations, such as linkage between this and other issues and, more recently, debate on whether an eventual FMCT could be verified. The UK proposes commencing negotiations, without preconditions, to facilitate progress at the Conference on Disarmament before the review conference.

We value all reductions in nuclear weapons levels, whether achieved through unilateral, bilateral or multilateral means. We have welcomed reductions in nuclear weapons by the US and Russia through the Strategic Offensive Reductions Treaty and the Treaty of Moscow, which will make a significant contribution to the reduction of nuclear stockpiles and fulfillment of Article VI.

Since the 2000 Review Conference, the United Kingdom has made particular progress on disarmament measures outlined in the Final Document in addition to the measures already carried out. For example, we have dismantled all our remaining Chevaline warheads. And we have undertaken a three-part programme of work, studying methodologies for the verification of nuclear disarmament. We will be presenting the findings of these studies at the Review Conference.

The UK's nuclear deterrence policy is long-standing and remains unchanged. Nuclear weapons are useful only as a deterrent and their role is political. At the Review Conference we will report, with confidence, on the progress we have made to fulfil our disarmament obligations under Article VI and the proposals we support for further progress towards the ultimate goals set out under the NPT, which remains the cornerstone of the international non-proliferation and disarmament regime.

14. *Does the Government support making withdrawal from the NPT more difficult?*

The UK supports universalisation of the NPT and is not in favour of any State leaving the Treaty. Withdrawal can constitute a threat to international peace and security when it happens in the context of nuclear proliferation. We believe that a State should be held responsible for violations committed while a Party to the NPT even after it has withdrawn. Nor should it be allowed to benefit, after withdrawal, from nuclear materials, facilities, equipment and technologies acquired from a third country under the peaceful uses articles of the Treaty.

The UK has, with other States Party to the NPT, been examining the scope for making withdrawal from the Treaty a more costly and disadvantageous option. We believe there are strong arguments for doing so, provided that the process of securing agreement does not undermine the international consensus underlying the NPT as a whole. We expect there to be a wider exchange of views during the Review Conference in May.

15. *What is the Government doing to support the Organisation for the Prohibition of Chemical Weapons 2003 Action Plan?*

The Government attaches a high priority to the Chemical Weapons Convention (CWC) and the Organisation for the Prohibition of Chemical Weapons (OPCW), the organisation responsible for overseeing its implementation. The Action Plans on National Implementation and Universality of the Convention, adopted by the Conference of States Parties in 2003, receive our continued strong support.

The UK played a significant role in brokering the Action Plan on National Implementation. We believe national implementation is essential to the effectiveness of the convention, and support the deadline in the Action Plan for all States Party to have full and complete national implementation in place by the 10th Conference of States Party (November 2005). A recent progress report, issued by the OPCW, indicates there has been limited progress with national implementation since the adoption of that Action Plan. As the 10th Conference approaches, promotion of this Action Plan will continue to be a focus of our work. We shall be pressing those countries that have not made relevant progress to complete their national implementation obligations as soon as possible.

We strongly support the Action Plan for Universality, adopted by the Executive Council in 2003, which aims to accelerate the rate of accession to/ratification of the CWC and urges States Party to strengthen efforts to achieve universality through bilateral contacts with, and provision of assistance to, non States Party.

We have participated in assistance visits, both bilaterally and in conjunction with the OPCW, to promote the objectives of these Action Plans. The UK frequently delivers demarches, along with other EU partners, to States not Party to promote Universality and the benefits of membership of the CWC. As an EU Member State, we also offer assistance in these areas through the EU Joint Action in support of OPCW activities. We will continue to work closely with our international partners and the OPCW to achieve a Convention with universal adherence, which is effectively implemented.

16. *Does the Government support the introduction of a verification mechanism as part of the Biological and Toxin Weapons Convention?*

HMG continues to believe that the Biological and Toxin Weapons Convention would be strengthened by a verification mechanism. After the failure of the negotiations on this in July 2001, the Government issued a Green Paper on the strengthening of the BTWC. It set out a range of practical measures that attracted support from other States Party.

We remain ready to take part in negotiations of such a mechanism. The Government will work closely with other States Party including EU partners, ahead of the 2006 Review Conference, to consider whether we can strengthen the convention in ways that can be collectively supported.

17. *What developments on the G8 Global Partnership are expected to emerge from the Gleneagles Summit?*

Counter-proliferation is an established and important part of G8 work. As G8 Presidency, we will build on the mandate agreed by G8 Leaders in the Sea Island Action Plan on Non-Proliferation, although this not a headline theme of the UK G8 Presidency. The Global Partnership, along with enrichment and reprocessing and combating biological threats, is one of three key areas of focus.

The Global Partnership has already achieved substantial success. Many programmes are now underway. A number of projects have been completed, and the pace of implementation is increasing. As Presidency, we will build on this success under the theme “pledges to progress”, aiming to iron out obstacles to progress and promote faster implementation to deliver on the promises made at Kananaskis in 2002. We have circulated a questionnaire on implementation to G8 partners and those countries which, while formally outside the G8, are fully associated with this initiative. In this respect, we also want the Global Partnership to be more inclusive and make better use of contributions from non-G8 donors such as the Netherlands and Norway.

Looking to the future, we expect the Global Partnership to develop in a more forward-looking way. The FSU will remain its primary focus, but the Partnership will also need to evaluate the scope for new projects to respond to challenges elsewhere. We want to encourage the inclusion of countries such as Kazakhstan and Georgia, which have made clear they are ready to take on the commitments in the Kananaskis declaration to join the Partnership.

The work of the GP also needs to be co-ordinated with other non-proliferation initiatives, such as the US Global Threat Reduction Initiative, which aims to encourage the conversion of reactors world-wide from HEU to LEU. In order to achieve this, we have begun a detailed discussion with G8 partners and other stakeholders to review priorities and look.

Foreign and Commonwealth Office

March 2005

QUESTION 5

NATO in Afghanistan: Factsheet: 21 February 2005

Background

NATO took command and co-ordination of the International Security Assistance Force (ISAF) in August 2003. ISAF is NATO's first mission outside the Euro-Atlantic area. ISAF operates in Afghanistan under a UN mandate and will continue to operate according to current and future UN Security Council (UNSC) resolutions. ISAF's mission was initially limited to Kabul. Resolution 1510 passed by the UNSC on 13 October 2003 opened the way to a wider role for ISAF to support the Government of Afghanistan beyond Kabul.

What is the aim of the operation?

ISAF's role is to assist the Government of Afghanistan and the International Community in maintaining security within its area of operation. ISAF supports the Government of Afghanistan in expanding its authority to the rest of the country, and in providing a safe and secure environment conducive to free and fair elections, the spread of the rule of law, and the reconstruction of the country.

What does this mean in practice?

ISAF conducts patrols throughout the 18 police districts in Kabul and its surrounding areas. Over a third of these patrols are carried out jointly with the Kabul City Police. There are also presence and patrol activities conducted within the Provincial Reconstruction Team areas of operation.

ISAF co-ordinates Civil Military Cooperation (CIMIC) projects throughout its area of operations. The CIMIC objectives are to assist the Commander of ISAF in his effort to support the Government of Afghanistan in maintaining and expanding security throughout the country, to support stabilisation, reconstruction and nation-building activities, and to co-operate with the International Organisations and Non-Governmental Organisations (NGOs). The CIMIC teams work in close co-operation with the local population and authorities and assess the situation concerning education, health, water, sanitation and internally displaced persons and returnees. They also initiate and monitor projects funded by either national or international donors.

On a political level, ISAF works closely with the Afghan authorities, the United Nations Assistance Mission in Afghanistan (UNAMA), UN agencies, international organisations, non-governmental organisations and the US-led coalition (Operations Enduring Freedom—OEF). ISAF has Liaison Teams that co-ordinate issues directly with the Government of Afghanistan, with UNAMA and other international players.

ISAF also supports the Government of Afghanistan in its security sector reform efforts.

How is ISAF structured?

ISAF is structured into four main components:

- ISAF Headquarters: provides operation-level direction and planning support to the Kabul Multinational Brigade (KMNB) and conducts operational tasks in its area of responsibility. It liaises with and assists in the work of UNAMA, the Afghan Transitional Government and governmental and non-governmental organisations;
- The Kabul Multinational Brigade: ISAF's tactical headquarters, responsible for the planning and conduct of patrolling and CIMIC operations on a day-to-day basis;
- Kabul Afghan International Airport: ISAF assists the Afghan Ministry of Civil Aviation and Tourism in the overall operation of the airport;
- Provincial Reconstruction Teams (PRTs): PRTs are arranged as civil-military partnership to facilitate the development of a secure environment and reconstruction in the Afghan regions. As of 31 December 2003, the military element of the German-led Provincial Reconstruction Team in Kunduz became subject to the ISAF chain of command as a pilot project. Additional PRTs under ISAF command are being established (see below).

How does NATO manage the ISAF mission?

The North Atlantic Council (NAC), NATO's highest decision-making body, provides the political direction and co-ordination for the mission. The NAC works in close consultation with non-NATO nations taking part in ISAF and special meetings with these nations are held on a regular basis.

Based on the political guidance provided by the NAC, strategic command and control is exercised by NATO's main military headquarters, the Supreme Headquarters Allied Powers in Europe (SHAPE) in Mons, Belgium, led by the Supreme Allied Commander Europe (SACEUR). The Joint Force Commander (JFC) based at the Joint Force Command in Brunssum (The Netherlands), is responsible at the operational level for manning, training, deploying and sustaining ISAF.

In January 2004, NATO appointed Minister Hikmet Cetin, of Turkey, to the post of Senior Civilian Representative (SCR) in Afghanistan. Minister Cetin is responsible for advancing the political-military aspects of the Alliance's engagement in Afghanistan and receives his guidance from the NAC. The work carried out by the SCR is crucial to the success of NATO's mission of assisting the Afghan Transitional Government in fulfilling the Bonn Agreement commitments. He works in close co-ordination with the Commander of ISAF (COMISAF) and the UNAMA as well as with the Afghan authorities and other bodies of the International Community present in the country.

Which countries are contributing?

ISAF currently numbers around 8,000 troops from 36 NATO, nine partner and two non-NATO/non-partner countries. ISAF tracks individual contributions by each country but those numbers change on a regular basis due to the rotation of troops. Please contact the specific countries for their contributions.

ISAF contributing nations (as of 21 February 2005)

NATO NATIONS

Belgium 616
 Bulgaria 37
 Canada 992
 Czech Republic 17
 Denmark 122
 Estonia 10
 France 742
 Germany 1,816
 Greece 171

Hungary 159
 Iceland 20
 Italy 506
 Latvia 9
 Lithuania 9
 Luxemburg 10
 Netherlands 311
 Norway 313
 Poland 5
 Portugal 21
 Romania 72
 Slovakia 16
 Slovenia 27
 Spain 551
 Turkey 825
 United Kingdom 461
 United States 89

PARTNER NATIONS

Albania 22
 Austria 3
 Azerbaijan 22
 Croatia 45
 Finland 61
 Former Yugoslav Republic of Macedonia (1) 20
 Ireland 10
 Sweden 85
 Switzerland 4

NON-NATO/NON-EAPC NATIONS

New Zealand 5

What other tasks does ISAF carry out in support of the Government of Afghanistan and the International Community?

From 14 December 2003 until 4 January 2004, ISAF successfully supported the conduct of a major political event in Kabul, the convening of a Constitutional Loya Jirga, a grand council specific to Afghanistan, which adopted a new constitution for the country. ISAF assisted the Afghan authorities in providing security throughout the process.

In September and October 2004, ISAF also assisted in providing security for the historic presidential election (see below).

ISAF leads the operation and control of the Kabul International Airport in support of the Afghanistan government. At this time, the Airport receives both military and civilian air traffic. The end-state goal is to have the airport transition to an Afghan-led, 24-hour, 7-days-a-week operation. The rehabilitation of the airport and the opening of Afghan airspace by providing effective air traffic control capability will contribute to the economic and social development of Afghanistan. mAir traffic through Kabul International Airport has been steadily increasing. It now averages more than 3,000 air movements per month, an increase of 42% over 2003.

ISAF has been helping to train and build up future Afghan security forces. This has involved assisting individual Allies in the training and development of the new Afghan National Army and national police.

As a result of the Heavy Weapons Cantonment, the regions of Jalalabad, Kandahar, Gardez, Herat, Parwan, Konduz, Mazar-e-Sharif, Bamyan and Kabul are now free of all working or repairable heavy weapons. ISAF has completed the cantonment of 751 heavy weapons in the Kabul area. Around Kabul ISAF has reached the landmark that 1,000 weapons have been placed in one of the four-cantonment sites

on the outskirts of the city. In total, 3,304 heavy weapons (operational and repairable) 78% have been cantoned in sites that are under the control of the ANA. They remain the property of the Ministry of Defence.

The redeployment and cantonment of heavy weapons is an initiative of the Afghan Ministry of Defence. Under the terms of the Military Technical Agreement between ISAF and the Government of Afghanistan, signed on 9 December 2003, ISAF has been supporting the Afghan Ministry of Defence in its efforts to carry forward the cantonment of heavy weapons outside Kabul city limits. The cantonment of heavy weapons constitutes an important step towards the further development of a capable Afghan National Army (ANA), as it is likely that most of these weapons will eventually be used to equip ANA units.

ISAF works closely with the Government of Afghanistan and the United Nations in support of the Disarmament, Demobilisation, and Reintegration (DDR) process. The DDR process was initiated with a pilot project in October of 2003 and is aimed at the disarmament and demobilisation of former combatants prior to their reintegration into Afghan society. The DDR process is run by the Government of Afghanistan with the assistance of UNAMA and ISAF. To date, more than 22,000 men have started the DDR programme, and almost 13,000 light weapons have been collected. The DDR completion now has achieved 26% throughout the country.

The Heavy Weapons Cantonment programme and the DDR process are complementary and will lead to the increased security and enhanced rule of law in Afghanistan, which is particularly important in the lead up to this year's elections.

What is the state of play in ISAF's expansion to other parts of Afghanistan?

ISAF's mandate was initially limited to security assistance to Kabul. Resolution 1510 passed by the UNSC on 13 October 2003 opened the way to a wider role for ISAF to support the Government of Afghanistan beyond Kabul.

Following the UN decision (UNSCR 1510), NATO last year decided to expand further its assistance for stability and security throughout Afghanistan on the basis of Provincial Reconstruction Teams and temporary deployments for specific purposes and events. This progressive expansion, starting in the North of the country, is now underway.

Where are ISAF's new PRTs?

Following the establishment of a NATO pilot PRT in Kunduz under German lead last December, ISAF established permanent PRT presences in Mazar-E Sharif (UK), Meymana (UK), Feyzabad (GER) and Baghlan (NETH). Together with a Forward Support Base (a logistics hub) near Mazar-E-Sharif and temporary satellite presences in Sar-e-Pol, Samangan, Sherberghan, ISAF is thus be able to influence security in nine northern provinces of the country.

NATO is currently in the process of filling the requirements for expansion of ISAF to the West, with a view to establish new PRTs, as well as to incorporate existing PRTs, currently under the command of the US-led Coalition (Operation Enduring Freedom).

What are Provincial Reconstruction Teams for?

PRTs are structured as a civil-military partnership and they demonstrate the commitment of the International Community to the reconstruction of Afghanistan.

Only the military elements of PRTs are integrated in the ISAF chain of command. The primary purposes of PRTs are:

- to help the Government of Afghanistan extend its authority;
- to facilitate the development of a secure environment in the Afghan regions, including the establishment of relationships with local authorities; and
- to support, as appropriate, security sector reform activities, within means and capabilities, to facilitate the reconstruction effort.

How is the location of NATO's PRTs determined?

The composition and geographical extent of PRTs is determined on recommendation by the PRT Executive Steering Committee, in consultation with SACEUR, the Afghan authorities, the Joint Force Commander and framework nations in light of the specific situation in the provinces in which they operate. Factors such as the security situation, the status of reconstruction, governance and the presence of other international agencies will play a role in defining the specific objectives of individual PRTs.

What support did ISAF provide for the October presidential elections this year?

Interim President Karzai requested ISAF assistance in securing the proper environment for the conduct of free and fair elections. In response, while the Allies stressed that the primary responsibility for the overall security during the electoral process rests with the Afghan security forces, NATO supported the electoral process in its area of operations.

The North Atlantic Council approved on 23 July 2004 detailed military advice on ISAF support for the presidential election, which was held on 9 October 2004.

ISAF support for the presidential elections was configured to provide additional forces at two levels in theatre. A first level was located at the NATO-led Provincial Reconstruction Teams (PRTs). Augmentation of PRTs was matched to the local security situation, as determined by lead nations, in consultation with the ISAF Commander.

A second level in theatre consisted of one battalion provided by Spain and one battalion provided by Italy, with supporting elements. The Spanish battalion provided the ISAF Quick Reaction Force and the Italian battalion provided the in-theatre Operational Reserve Force. The Italian battalion was an element of NRF 3.

These additional forces deployed to Afghanistan in September and remained for about eight weeks, covering the election period.

How did the operation evolve?

ISAF was created in accordance with Agreements resulting from the Bonn Conference, December 2001, after the ousting of the Taliban regime. Afghan opposition leaders attending the conference began the process of reconstructing their country by setting up a new government structure, namely the Afghan Transitional Authority (ATA).

The concept of an UN-mandated international force to assist the newly established ATA was also launched to create a secure environment in and around Kabul and support the reconstruction of Afghanistan. These agreements paved the way for the creation of a three-way partnership between the ATA, UNAMA and ISAF.

ISAF is not a UN force, but it is deployed under a mandate of the UNSC (four UNSCRs—1386, 1413, 1444 and 1510—relate to ISAF). A detailed Military Technical Agreement between the ISAF Commander and the Afghan Transitional Government provides additional guidance for ISAF operations.

Initially, individual nations volunteered to lead the ISAF mission every six months. The first ISAF mission was run by the United Kingdom, Turkey then assumed the lead of the second ISAF mission. The third ISAF mission was led by Germany and the Netherlands with support from NATO.

NATO has led the ISAF mission since 11 August 2003 and financed by common funding and the troop-contributing nations. The Alliance is responsible for the command, coordination and planning of the force. This includes providing the force commander and headquarters on the ground in Afghanistan.

NATO's role in assuming the leadership of ISAF in August 2003 overcame the problem of a continual search to find new nations to lead the mission and the difficulties of setting up a new headquarters every six months in a complex environment. A continuing headquarters also enables small countries, which find it difficult to act as lead nations, to play a strong role within a multinational headquarters.

QUESTION 10

Written Ministerial Statement (10 March 2005)

Afghanistan: Counter Narcotics

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The United Kingdom, as lead nation, salutes the determination of President Karzai and his Government in implementing the 1384 (2005) Counter Narcotics Implementation Plan. The Plan is a framework for action to accelerate all our efforts over the coming year and sets out counter-narcotics (CN) activities ahead under eight pillars:

- building institutions;
- information campaign;
- alternative livelihoods;
- interdiction and law enforcement;
- criminal justice;
- eradication;
- demand reduction and treatment of addicts;
- regional cooperation.

The adoption of this Plan follows the successful holding by President Karzai in December 2004 of the first Counter Narcotics National Conference in Afghanistan. At that Conference and since then, President Karzai has delivered powerful messages to reinforce his strong determination to act against all aspects of the narcotics trade.

The UK welcomes this renewed commitment and joins with the wider international community in pledging our collective, increased support for the 2005 Plan. There are some early signs that this year may see an overall reduction in opium poppy cultivation levels. However, as it is still early in the harvest cycle, we need to wait for the UN assessments later in the year on levels of cultivation and on how much of the crop in the fields has been destroyed.

The UK has increased its spending to US\$100 million this year on counter-narcotics activities in Afghanistan. Specifically, we are stepping up activity in support of the 2005 Plan in the following ways:

On creating alternative livelihoods for farmers who currently grow opium poppy, following the visit of my Rt hon Friend the Secretary of State for International Development to Afghanistan in January 2005, the UK has pledged US\$125 million of support for alternative livelihoods in 2005–06; our alternative livelihoods commitment has more than doubled annually from 2002–03 to 2005–06. The UK is also leading the way in pressing some of the larger multilateral donors, such as the World Bank, to include counter narcotics objectives in their programmes. Activities include:

- substantial support to activities to bring short term, visible impact in 2005, building on the US\$5 million already made available for “cash for work”;
- support to a wide range of agricultural and off-farm income generating activities in poppy growing provinces;
- increasing access to credit to rural areas, and developing products to address the specific problem of opium debt;
- assessing opportunities to promote alternative products to opium poppy, and more favourable terms of trade for those products;
- improving the co-ordination and implementation of development and counter narcotics programmes in Badakhshan, where the UK has already committed more than US\$7.5 million.

On law enforcement, the UK has mapped out and is coordinating the development of the Counter Narcotics Police of Afghanistan (CNPA), working with other lead nations to establish the counter narcotics capacity of all Afghan law enforcement institutions. As part of the CNPA development plan, the UK establishing a further nine mobile detection teams (over 100 officers) in the next 18 months, capable of interdicting drug traffickers in Kabul and the provinces. We are also providing mentoring for intelligence and investigation units. We are looking to international donors to contribute to the CNPA development plan. We also welcome the recent results of the Afghan Special Narcotics Force (ASNF), for which the UK has provided advice and funding. The Force has seized over 75 tonnes of opiates, destroyed 80 drugs labs and disrupted two drugs bazaars during the last year;

On developing the criminal justice system, the UK, working with the UN, has set up and completed the first phase of training and mentoring of the Counter Narcotics Criminal Justice Task Force of investigators, prosecutors and judges. The Task Force will be 80 strong by mid-2005. We have also funded UNODC (nearly US\$2 million) to establish a secure court and prison facility for counter narcotics;

On eradication of the opium crop, this will be carried out in 2005 by the US-supported Central Poppy Eradication Force (CPEF) and by Governors and Police Chiefs at local level. The UK is working closely in both these areas and has established a Planning and Monitoring Cell to ensure that eradication by CPEF is targeted in a way which takes account of alternative livelihoods. We are also helping CPEF with salaries and equipment and are the major donor for verification and assessment of the eradication campaign to ensure it is carried out: over US\$1 million to establish 30 ground-based verification teams (240 people) and satellite imagery. The first 15 verification teams should produce preliminary results by March.

On building the institutions necessary to support long-term Afghan commitment, the UK is helping to build central and provincial capacity in a number of key government institutions, including the new Counter Narcotics (CN) Ministry under Minister Qaderi, the counter narcotics function within the Ministry of the Interior, the Rural Reconstruction Ministry, the Office of the National Security Adviser, the Civil Service Commission and the Cabinet Secretariat;

On lobbying, my Rt hon Friends the Foreign Secretary and the Development Secretary have now launched a substantial lobbying campaign to encourage international partners, including the G8, the EU, the US, neighbouring countries of Afghanistan and other Berlin Conference participants, to support the Plan and help establish the new Counter Narcotics Trust Fund. The aim of this Fund will be to pull together donor support for the Afghan government’s counter-narcotics priorities. The April 2005 Afghan Development Forum will be an important opportunity for the Afghan government to seek additional support for alternative livelihoods;

The UK is also working with Afghan and international partners:

- to raise public awareness of the risks to Afghanistan of the drugs trade and the dangers to health from addiction associated with growing opium poppy through proactive and comprehensive information campaigns and drug treatment activities;
- to increase regional co-operation to tackle the drugs trade across borders through implementation of the April 2004 Berlin Declaration on Counter Narcotics Within the Framework of the Kabul Good Neighbourly Relations Declaration of December 2002. In 2004–05, the UK provided around US\$2.5 million of assistance to increase counter narcotics capacity on Afghanistan's borders with Iran, Pakistan and Tajikistan, the three main routes for opiates being smuggled out of Afghanistan. Further such assistance is planned for financial year 2005–06.

My Rt hon Friend the Foreign Secretary (Mr Jack Straw) visited Kabul on 16 February, the day President Karzai launched the 2005 CN Implementation Plan. They agreed on the crucial importance of working together in support of the Plan to mobilise international assistance so that narcotics does not destroy Afghanistan's potential for stability, reconstruction and a thriving licit economy. The 2005 Plan therefore represents an important opportunity. We share the resolve of the Afghan government to achieve the sustainable elimination of opium poppy cultivation in Afghanistan in 2005 and beyond.

I am placing copies of the Plan in the Library of the House.

Letter to the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office, from the Clerk of the Committee, 11 March 2005

Following cancellation of the evidence session with Baroness Symons, Donald Anderson has asked me to write with a few questions to which the Committee hopes it will be possible to give a swift response.

Iraq

What steps has the United Kingdom taken to engage with Iran and Syria on their role in relation to Iraq, and with what results?

What steps has the United Kingdom and the international community taken to prevent a serious escalation in tension in Kirkuk?

Has the United Kingdom provided Turkey with assurances over the territorial integrity of Iraq?

North Africa

What progress has been made towards a memorandum of understanding to allow extraditions from the United Kingdom to countries in the Maghreb?

I look forward to hearing from you as soon as possible. As you know, the Committee intends in the present circumstances to proceed with its Report before Easter. A reply by the middle of next week would allow us to make use of your answers in the Committee's Report.

Steve Priestley
Clerk of the Committee

11 March 2005

Letter to the Clerk of the Committee from the Parliamentary Relations and Devolution Team, Foreign and Commonwealth Office, 15 March 2005

Thank you for your letter of 11 March, with questions about Iraq and North Africa. Our answers are as follows:

What steps has the United Kingdom taken to engage with Iran and Syria on their role in relation to Iraq, and with what results?

The UK continues to discuss Iraq with its neighbours, including Syria and Iran. We have repeatedly stressed to both countries the need for a peaceful, prosperous and secure Iraq able to determine its own future through the ballot box.

The Foreign Secretary met Hassan Rouhani, Secretary General of the Iranian Supreme National Security Council on 13 December 2004 and Foreign and Commonwealth Office Director-General John Sawers met Foreign Minister Kharrazi and other senior figures in Iran's Government on 2 February 2005. In all those meetings Iraq was discussed. The Foreign Secretary raised Iraq with Syrian Foreign Minister Shara'a in October 2004. Our ambassadors in Damascus and Tehran raise the issue of Iraq on a regular basis.

We continue to underline the importance we attach to ending Syrian support for the insurgency. To this end, we welcome the steps Syria has taken to prevent infiltration across its border. But Syria remains the main point of entry for jihadists aiming to reach Iraq, and the Syrians could do more to tackle this. Likewise Syria could do more to stop jihadist groups and individuals operating inside Syria who facilitate the training and the transfer of insurgents to Iraq. We welcome the handing over by Syria of Saddam Hussein's half brother Sabawi Ibrahim al-Hassan, but there are other insurgency leaders who the Syrian regime continues to harbour (Iraq has passed details of individuals it wants to see action on to the Syrians). It is in neither the Syrian or Arab world's interests that Iraq is subject to continuing violence.

What steps has the United Kingdom and the international community taken to prevent a serious escalation in tension in Kirkuk?

We have a British Embassy Office in the North of Iraq located in Kirkuk to represent UK interests in northern Iraq. One of its roles is to facilitate dialogue among the different communities and to help develop constructive ideas to build inclusive political institutions in this most ethnically diverse part of the country.

Our staff in Kirkuk regularly lobby Kurdish and other political leaders through meetings with local religious, political and business groups. The message that political participation has to include all groups has frequently been delivered via the British Office. Frequent access to key Kurdish leaders such as Barzani and Talabani has enabled us to convey the message that this has to be reflected in the final constitutional settlement.

We supported the creation of an IDP Committee in Kirkuk and are now encouraging the establishment of an Iraqi-led Kirkuk Article 58 Committee (relating to Article 58 of the TAL which focuses on Kirkuk) to take forward decisions on the status of Kirkuk. Both the British Ambassador and the US Ambassador sent letters to the Kurdish leaders noting support for implementation of the TAL and particularly Article 58.

Prior to the elections the British Office in co-operation with the US office successfully persuaded the Kurds not to boycott the Kirkuk elections. Our Consul General monitored the elections closely, visiting a number of polling stations in and around Kirkuk.

The Global Conflict Prevention Pool is a potential source of funding to support Kirkuk's conflict prevention efforts. It has already provided £38,000 to support the creation of an Independent Media Resource Centre in Kirkuk, led by an ethnically mixed Media Commission.

Has the United Kingdom provided Turkey with assurances over the territorial integrity of Iraq?

We have a regular dialogue with Turkey and all of Iraq's neighbours on a bilateral basis and through the Sharm El-Sheikh process. The UK has reaffirmed the imperative of the territorial integrity of Iraq on many occasions, including in its support for UNSCR 1546.

What progress has been made towards a memorandum of understanding to allow extradition from the United Kingdom to countries in the Maghreb?

We have had discussions with a number of countries at both Ministerial and official level. The negotiations are inevitably complex, but are now moving into a more detailed phase.

Chris Stanton
Parliamentary Relations and Devolution Team,
Foreign and Commonwealth Office

15 March 2005

Written evidence submitted by the Office of the Representative for the United Kingdom, United Nations Office of the High Commissioner for Refugees (UNHCR)

UNHCR SUBMISSION ON THE SITUATION IN IRAQ

The United Nations Office of the High Commissioner for Refugees (UNHCR) is a non-political humanitarian organisation charged with leading international efforts to protect and assist refugees. Some 17 million people worldwide are currently of concern to UNHCR, including refugees, asylum seekers, recent returnees and other persons of concern.

As you are no doubt aware, since the start of the hostilities in Iraq early last year UNHCR has issued regular advice to all States not to forcibly return any Iraqis to their homeland until the situation stabilises. Because of recent developments both in Iraq and in some host countries, the updated UNHCR advisory has been issued to governments strongly reiterating this advice.

The advisory notes that the situation in Iraq is still extremely unstable and dangerous, characterised by a general lack of law and order and the erratic provision of basic services. The update, issued to governments in late October, says no part of Iraq can be considered safe, although it is clear that at any given time, some areas of the country are more stable than others and some people continue to return voluntarily. It notes with concern that in the past six months, there has been a growing trend to target Iraqi civilians working for international organisations, as well as people associated, or perceived to be associated, with the Interim Iraqi Government, including government officials themselves, a number of whom have been killed. Members of the Iraqi police forces, but also doctors, journalists, artists and intellectuals, have all become frequent targets of both harassment and violence by non-state agents.

The advisory notes that while the security situation in Baghdad is widely recognised as volatile, there has been a degradation of the security situation in many other cities, including Diala, Erbil, Falluja, Kirkuk, Mosul and Sulaymaniyah. Fewer NGOs are operating in Iraq and UNHCR has no permanent international presence in the country, making it impossible for us to monitor possible cases of persecution on the ground. Furthermore, the Iraqi Ministry for Displacement and Migration is still in the process of building up its own operational capacity.

In such circumstances, no parts of Iraq can be considered definitely safe for return, according to the latest advisory. With this in mind, the advisory asks States to continue to suspend all forcible returns to Iraq and insists that governments should not introduce any measures providing an incentive to repatriation—be it financial grants to encourage departure, or punitive rules as a deterrent to stay in the host country.

In the current climate of increasing violence, the advisory also requests that States pay particular attention to asylum claims from Iraqi nationals. Despite the regime change in Iraq, people targeted by non-state agents because of their political affiliations, religious beliefs, or other motives, may be in need of international protection and thus merit the status of refugees. This is particularly so since the authorities in Iraq are currently unable to ensure the safety of all Iraqi citizens.

As you may recall from the report in *The Financial Times*, of the some 6,400 Iraqi applicants in the UK during the year ending June 2004, only five were granted asylum, a 99.9% rejection rate. It may be that the guidelines for determination being used by the government's first instance decision makers were drawn up in 2003 at a time when the situation was seen as "optimistic" and do not reflect the realities on the ground today.

Those rejected are for all practical purposes denied legal assistance. They are also denied financial/material assistance unless they apply to IOM for "voluntary" repatriation. Thus, although the UK authorities would in principle like to start with voluntary repatriation to the north as soon as this becomes logistically feasible, one has to question the nature of the voluntariness if rejected asylum seekers are being left destitute.

It appears that the UK approach is not isolated but is similar to those in Sweden and Germany, whereas other countries (the US/ Canada/Hungary/Romania are applying a very different set of policies with higher recognition rates).

UNHCR's chief of mission for Iraq (based in Amman) will be coming to London the first week of December together with a senior legal officer. We plan to hold a briefing session for Peers and Members of the House of Commons, tentatively on the afternoon of Thursday, 9 December, and will be in contact with you concerning that visit.

Should you need any further clarifications please do not hesitate to contact this office, and thank you for your strong advocacy on this matter.

*Office of the Representative for the United Kingdom United Nations Office
of the High Commissioner for Refugees*

10 November 2004

Written evidence submitted by Neil Partrick, Senior Analyst, Economist Intelligence Unit

SUMMARY OF MAIN POINTS OF SUBMISSION

1. THE CAUSES OF IRAQ'S SECURITY PROBLEMS

Iraq's security problems are today and for the foreseeable future primarily a function of a formerly politically dominant Sunni Arab minority's sense of dispossession. Having been denuded of weight and influence under an interim political process led by exiled and opposition groups, among which the majority Shia and minority Kurdish groups predominate, Iraq's Sunni Arabs have provided an angry and politically disenfranchised source of revolt. They bring together disparate and overwhelmingly Iraqi groups under a nationalist flag of convenience for sectarian interests. The elites of the former military and intelligence networks provide a degree of organisation for a resistance that, apart from Baghdad, is largely confined to

individual Sunni Arab towns and to relatively small numbers of active fighters. Their attachment to Sunni Islamism varies in degrees, but is an identifying factor reflecting in part the shift in the political environment under the latter period of the Saddam Hussein regime.

2. THE CURRENT POLITICAL PROCESS

The interim government is not popular, however its relatively powerless and temporary status is popularly understood as prelude to a political transition which the majority Shia community are anxious to see fulfilled according to the agreed timetable. Any slippage of the January 2005 date for elections to the transitional legislative assembly runs the risk of alienating of important Shia leaders, including Grand Ayatollah Ali Sistani. As such it is likely to be adhered to. While opinion polls suggesting a popular groping toward ideas of pluralistic governance with religious overtones, not domination, there are a number of key differences between the present political partners in the interim government. These prospective tensions are targeted by insurgents in the hope of encouraging civil strife, however for the most part Shia and Kurds remain co-operative. A key difficulty over the longer term will be in resolving their differences over such constitutional issues as federal arrangements, although giving meaning to promised decentralisation, including over central revenues, will be an important step forward.

3. REGIONAL RELATIONS

Iraq enjoys improved relations with neighbours who, while able to frustrate internal Iraqi relations, are not, and have not, driven the insurgency. However, security is preventing many neighbouring diplomats from being present in the country. Co-operation on security is constrained by neighbouring countries' internal as well as strategic interests, and their calculations of relative advantage should the political process in Iraq collapse. In the case of Syria and Iran, their poor relations with the US encourage a perception of Iraq as a stage on which to complicate Washington's feared wider regional ambitions. Iraqi-Turkish relations will probably be manageable, depending on how internal Iraqi relations vis-à-vis the Kurdish minority play out. Co-operation over debt and UN compensation payments can be achieved, but may be time-consuming.

4. ECONOMIC RECONSTRUCTION

Unemployment remains a major problem, one that US and other countries' aid projects are barely impacting upon. Security is the primary issue setting back aid projects as well as infrastructure development undertaken by the Iraqi government. There will be a development funding shortfall, even if security improves, as there are limits to aid commitments, let alone disbursement, and Iraqi oil revenues are likely to increase only modestly over the medium term, given investment and infrastructure constraints.

1. THE CAUSES OF SECURITY PROBLEMS

1(a) *Is the insurgency home-grown?*

The violence currently being seen in Iraq is overwhelmingly being conducted by a variety of Sunni Arab groups organised locally in relatively small cells, and with only an ad-hoc organisation connecting them. The mainstay of attacks, whether guerrilla assaults on troop convoys, or those characterisable as terror strikes on static targets, military or civil, are being conducted by Iraqi Sunni Arabs. Anecdotal evidence drawn from differing sources inside Iraq emphasises that the role of active foreign insurgents is exaggerated. The US military's latest estimates for the total number suggests that the number of "hard core insurgents" is now between 8–12,000, which when added together with the estimated number of "covert accomplices" gives a total of 20,000. This is likely to be a rough estimate, however notably it is a marked increase on the "few thousand" insurgents suggested previously by senior US officers on the ground. It still remains a relatively small number. Our impression from local sources and, given the ability of insurgents to openly operate throughout a number of Sunni Arab towns, is that the number of "covert accomplices" at least is liable to be markedly higher than US figures suggest. The Pentagon's latest tally does not attempt to differentiate between foreign and Iraqi nationals, although it is admitted that some 5% of those suspected insurgents being held are foreign, and that in Fallujah the total of those detained was put at 2%.³ Aside from indications from disparate sources locally that the primary role in the insurgency is being played by Iraqis, it is reasonable to assume that what the US military has in mind as "covert accomplices", those providing safe houses, logistical support etc are overwhelmingly locals.

³ According to press reports, including *Kansas City Star*, "Few Foreigners Among Fallujah Rebels", 11 November 2004.

1(b) *Where is the resistance being conducted?*

Official Iraqi statements have normally emphasised three provinces (see also 1f, below) as the primary focus of the insurgency. The three main “rebel provinces” are the large, western and mostly desert province of al-Anbar, in which Falloujah, Ramadi, Hadithah and other primarily Sunni Arab cities are situated on the Euphrates river; the north-western province of Nineveh, whose capital Mosul in November 2004 saw an increasing number of attacks in addition to its long standing sectarian tensions since the fall of the former regime; and the centrally located province of Salahedin, which runs north of Baghdad (the province, and capital), and contains the cities of Samara and Tikrit among other rebellious, predominantly Sunni Arab towns and cities running north along the Tigris river. However, there are some towns outside of these provinces that have seen marked and increasing levels of insurgency, including in Babil province running just south of Baghdad, where anti-insurgency campaigns were being conducted at the time of writing. Other predominantly Sunni Arab areas either prone to insurgency or which have been the source of insurgency are obviously the city of Baghdad and its environs, as well as towns such as Baqoubah within the province of Diyala, situated in the north-east of the country. The latter is a mixed province containing a sizeable Kurdish population as well as Sunni Arabs and Christians. Babil is about 60% Sunni Arab, while the rest of the population are mainly Shia. It is where the Sunni Arab towns of Lattifiyah, Mahmudiyah, Suwayrah and Iskandariyah, the focus of a recent upsurge in insurgent activity, are located. These towns are in the northern half of Babil, which was where more elite, Sunni Arab officered, military units used to be based in order to guard the southern approaches to the capital.

1(c) *Which Iraqis are responsible and why?*

There is no one “address” for the resistance in these areas. Their organisations range from amalgams of people within a specific town willing to carry out attacks against foreign troops, sometimes with fairly crude devices; to those with more specific skills requiring considerable planning in order to conduct major assaults on target sites outside of their locality, sometimes requiring very definite and precise intelligence.⁴ Such attacks have been portrayed as the work of skilled outsiders, however at the very least such fighters would need the logistical back up and local knowledge of Iraqi insurgents.

There is a key characteristic that unites Iraqi fighters: communal dispossession. Prior to the change of regime in 2003, the Sunni Arab minority (representing around 20% of the total population) had been the principle beneficiaries of a system which, since the inception of the state in 1921, had relied on building clients, whether by family, tribe, town or sect. Under Saddam Hussein’s leadership of Iraq from 1979, one sub-clan (the al-Majid) in Tikrit, who belonged to a tribe (the Albu Nasir), who in turn were members of a tribal federation (the Beijat), which itself was disbursed throughout the Sunni Arab-dominated provinces, sat atop what was to become an increasingly narrow system of clan and tribal privilege. Having begun as the formation of wide patronage networks based on oil largesse by the central party leadership, the system developed as a means to advance and simultaneously co-opt tribal interests amongst which an increasingly narrowly drawn family and clan interest was predominant. For all the resentments that this narrowing of the patronage network created, Sunni Arabs continued to be advantaged over the Shia, Kurds and other distinct religious or ethnic groups within Iraq, and thus the broad bias of the Iraqi state since its inception was maintained. All of this changed when the regime of Saddam Hussein was overthrown. This does not mean that the community as a whole is in revolt, however. The active Iraqi insurgents could be as few as 1% of the adult males in this community. However there is a resentful base insurgents can draw on. While this was apparent as soon as the removal of the regime of Saddam Hussein was accomplished, a number of policy decisions, such as “de-Baathification” and the disbanding of the former Iraqi Army, proved to be very effective in building widespread Sunni Arab resentment as some of the key pillars of their influence were removed. Sunni Arab political, religious and tribal organisations, while far from united behind the armed resistance, have proven extremely difficult for an interim Iraqi government lacking organisation, resources and credibility to penetrate. Sunni Arabs have thus rallied to a version of Iraqi nationalism that is fuelled by communal dispossession. The difficulty for Sunni Arabs in being persuaded that an elected majority Shia government upheld by US-led coalition forces can be of benefit, is key to the insurgents’ ability to organise.

The disparate groups of insurgents are sometimes recruited and, to a degree, led within particular towns and cities by the more elite of the intelligence networks of the former regime. Many of the recruited insurgents, as well as those who do the recruiting, come from a background that is “secular” Arab nationalist in political orientation. However, they will often advocate ideas coloured by Islamic as well as a more sectarian interest tending toward chauvinism. This Sunni Islamisation is partly a reflection of the shift in the language and symbols of political identification in the latter period of the former regime. However, there are also many insurgents whose political orientation is wildly different from those whose networks were developed by former regime intelligence operatives.

⁴ In the latter category are the attacks on the UN headquarters and the Jordanian embassy in Baghdad or on the senior Shia political figures and worshippers at the Imam Ali Mosque in Najaf, all conducted in August 2003.

1(d) *What do they believe in?*

There is a significant “salafi” element among the resistance, ie those of a puritanical Sunni Islamist orientation, incorporating a number of different trends. These are often even more simplistically characterised as “wahhabi” to reflect their sometimes Saudi adherents.⁵ There were a number of reports of both Saudi and Syrian clerics and financial streams influencing religious networks during the last two years or so of the former regime. This ran in tandem with Saddam’s so-called Islamisation campaign in the Ba’ath Party, and thus allowed Sunni Islamist fundamentalist ideas to proliferate prior to the influx of actual armed fighters in the immediate run up to the war. The result is that there is an unwieldy collection of fighters and their supporters united in a kind of “Islamism-nationalism” that is for the most part a vehicle for Sunni Arab sectarian interests. With its strong sense of communal dispossession and sometimes religiously driven hostility toward the Shia and Kurdish communities, who have periodically been the object of attempts to promote internecine conflict, this political hybrid of Islamism and nationalism is constrained in its ability to reach out to Shia Islamists. One previous exception was Shia Arab radical Moqtada al-Sadr who spoke the language of pan-Arab nationalism as well as Islam and who collaborated tactically with Sunni Arab insurgents in August. However, his primary political focus is likely to continue to be the Shia community.

1(e) *Tribal connections of resistance*

The degree of organisational connection between towns and cities in the insurgency appears to be aided by some clan networks and in some instances the practical abilities of fighters to move between that towns situated reasonably close together. Hence the disbursement of fighters from Fallujah saw fighters move to other Euphrates towns such as nearby Rammadi as well as Hit and Hadithah. The importance of tribal elements are sometimes overplayed, but the re-emergence of predominantly Sunni Arab ones as a force of social control and patronage in their own right was positively encouraged after the 1991 Gulf war when arms and money gave greatly renewed authority to local sheikhs. In the context of a weakening of state control and periodic US/UK military assault, the regime decided to empower a much broader swathe of tribal organisation than those who had previously been co-opted as instrumental of regime power. That said, there were limits to this officially encouraged assertion of tribal power, until the state itself disappeared. When the US-led coalition invasion in 2003 occurred, these tribes were a leading basis for resistance in some Sunni Arab towns. On the other hand, there are plenty of examples of senior as well as charlatan tribal figures who have sought roles with the coalition authority structures as much as the resistance. However tribes, especially those reinvigorated in the 1990s, constitute residual patrilineal networks that in that in the absence of authority and, armed with munitions and money under the former regime, provide a basis around which resistance can be organised, especially in the numerous cases where honour has been besmirched by killings or abuses by coalition troops. At the same time, there is clearly an ability for the resistance to work with people from differing trends, tribes and towns, even those who are from neighbouring countries. In some instances these individuals have tribal connections, but very often they do not. The policies of the former regime helped provide a base for revolt from among tribal elements, but also allowed the spread of ideological affinities which are proving a powerful form of mobilisation, enabling Islamist ideas to meld with those of “secular” fighters who have been organised by, but whose numbers are not confined to, elite military and intelligence operatives from the former regime.

1(f) *Political (“non-violent”) opposition*

One Sunni Arab association of clerics, the Muslim Scholars Association (MSA), has sought to position itself to provide a political leadership of Iraqi Sunni Islamism, and as such has found itself in the position of mediator between the government and hostage takers, and was engaged by the government prior to the coalition-led campaign in Fallujah to see if it could “hand over” the foreign fighters resident in the town. However, the MSA largely represents a more pragmatic trend within Iraqi Sunni Islamism, to the extent that some of its leading figures are seeking to build a broad political front of non-violent opposition to the coalition and have expressed opposition to attacks on Iraqis.⁶ Some of the clerics associated with the MSA are seen highly suspiciously by the interim government and coalition, and some individuals have been arrested as a consequence. Some of their rhetoric clearly cannot be disassociated from attacks on coalition forces, and some of their supporters could in some instances be implicated in these attacks. However, their relative pragmatism, being drawn largely from Sunni Arab clerics supportive of the regionally and historically rooted Muslim Brotherhood—rather than the more puritanical, more absolutist, brand of “salafi” belief of those Islamists who are a central to the insurrection—makes them an important tendency that provides a window on at least aspects of Sunni Arab resistance thinking. The MSA is trying to provide a Sunni leadership as a counterpoint to the formal structures of Shia Islam in Iraq. As such efforts to try to

⁵ Ibn Abdul Wahhab, was the founder of the highly conservative stream of Sunni Islamic thinking that is prevalent in Saudi Arabia and is effectively a partner in the system of governance with the ruling family, the al-Saud.

⁶ The Iraqi Constituent Conference is an amalgam of some 42 mainly Sunni Arab groups in which secular political figures (including exiled Baathist figures often resident in Syria prior to the war) are seeking to coalesce opposition to the political transition with the Muslim Scholars Association and other smaller political groups. In late October 2004 they announced a joint commitment to boycott the planned January 2005 election out of opposition to what is regarded as a US-overseen transition process and to the military campaign being waged in Sunni Arab towns.

win their support for the transitional political process would be an important part of efforts to win over the Sunni Arab community. However, they cannot deliver the “salafis”, much less the more secular (in origin) members of the armed resistance.

2. THE CURRENT POLITICAL PROCESS

2(a) *Support for political pluralism*

Opinion polls have been conducted in Iraq in extremely difficult circumstances and their results are often reported in the international, regional and local media as evidence for very different claims about popular attitudes. However, a number of polls published by both Iraqi and non-Iraqi organisations since the fall of the regime of Saddam Hussein do suggest discernible trends. These have included strong support for a pluralistic political system, while support for Saddam Hussein or the Ba’ath Party is almost statistically insignificant⁷. The contradiction, at least to western liberal versions of democracy, lies in some evidence for support for multi-party systems co-existing with expressions of support for vaguely defined notions of an Islamic political system/state or government by Islamic leaders⁸. These elements are not necessarily in total contradiction, however. While there is more support in the “pro-coalition” Kurdish areas for secularism, support for a religious role in governance as well as democratic values is fairly widespread across the country. Attempts to draw a parallel with the current democratically elected and moderate Islamist government in Turkey or even to Christian Democrats in Europe are plainly difficult, however. The new Iraq is, by definition, a very immature political system, and such developed party political identities would take some considerable time to mature. However it is possible to see the foreshadowing of a pragmatic form of governance in the opinions of many Iraqis. Polls addressing these questions more recently, such as one conducted in June this year by the UK company, Oxford Research International, have suggested a clearer differentiation between, on the one hand, the more popular options of “broadly-based decision-making” and “democracy”, and the much smaller numbers favouring systems based on “religious ideals” or government by “religious leaders”. The more fundamental point is that Iraq has a very limited experience of a representative polity, although some recent efforts at consultation over the choice of delegates to a national conference in June 2004 proved reasonably successful in very difficult circumstances.⁹ While this does not mean that there is much support for an authoritarian polity, it does mean that new democratic traditions such as power-sharing and the political neutrality of the civil service will take a long time to build.

2(b) *Support for voting*

Polling in Iraq shows wide support for elections to a national legislature at end January 2005. Up to early October 2004, the period covered by most recent available polling data, commitment to participation among Iraqis remained strong among different sects and ethnic identities. That said, there is some evidence of a drop in enthusiasm since June¹⁰, although polling commissioned by the International Republican Institute (IRI) showed that support for participation had only dipped slightly and, at 85.5% (as measured in late September/early October 2004) was very strong. Of course, by being conducted before the US-led military campaign in Fallujah that began in early November, and subsequent ones currently being conducted in other areas where Sunni Arabs predominate, then the negative trends in these polls could be extended, or be more regionally distorted. Sunni Arab support for voting, at 72.9%, was found by the IRI to be, perhaps surprisingly, very high. Although this is likely to have declined as a result of the current “counter-insurgency” campaign, it still represents a significant base on which greater political support for the process might be built. At the same time this will depend on popular reaction to the current military campaign and the ongoing power of the insurgents within this community.

2(c) *Opposition to US troops and interim Iraqi government*

However, public opinion polls also suggest strong popular scepticism about a number of the key props underpinning the current, planned political transition process. Among Iraqis there is increasing support for the immediate withdrawal of foreign troops, albeit that this remains a minority opinion. One local polling body, the Baghdad-based, Iraq Centre for Research and Studies (ICRS), found that 40% supported this notion as of early October, as opposed to 30% in June. The ICRS also found that 51% said that if foreign

⁷ The former ruling Ba’ath Party received 1.1% support according to the poll conducted in late June/early July 2004 by the UK organisation, Oxford Research International. However, this was more than al-Wifaq, the party of premier Allawi, and may negate an attachment to Baathism that has an appeal among some within the resistance and parts of the Sunni Arab elite who have little respect for Saddam Hussein.

⁸ The Office of Research, US State Department, conducted a poll in August and September 2003 showing equal support for “multi-party democracy” and a “Islamic state”, with the latter a clear preference in those areas that today are associated with strong support for Shia religious leaders or the Sunni-led insurgency.

⁹ Although approval of the one list whose members make up the existing legislative assembly was on a disappointing “take it or leave it” basis, there were genuinely open public meetings up and down the country to choose the conference delegates who voted on the list in the first place.

¹⁰ A US news centre, Common Dreams, reported in October that a poll of Iraqis had revealed a drop in support for participating in the election, from 88.8% in June to, a still impressive, 66.8% in September.

troops were to leave Iraq they would feel “more safe”; up from 41% in June. The Oxford Research Institute found in June that the number supporting immediate departure was 33.5%, but that the proportions backing their presence, until at least the time of election of sovereign government scheduled for January, was over 50%.

The level of support for the head of the interim government, prime minister Ayad Allawi, is clearly falling. According to the most recent poll conducted by the International Republican Institute, Prime Minister Allawi is regarded as “very effective” by 13.6%, down from 30.6% in July, while his party was favoured by 0.6%, placing it on a par with supporters of the movement to restore the Hashemite monarchy. While only a few overtly political leaders and their parties have reached double figures in recent polling, this puts Mr Allawi some way behind leading Shia clerical radical Moqtada al Sadr and even further behind the only predominantly Sunni Arab party that (until it withdrew in protest at the Fallujah campaign) sat in Mr Allawi’s government, the Iraqi Islamic Party.

Iraqis’ apparent commitment to some form of democracy does not co-exist with any pronounced attachment to the person whose government is supposed to oversee the transition to elected government. At the same time Iraqis’ consent to the presence of the US-led military force that is intended to guarantee the political transition, is markedly declining. Given that under the national list electoral system that will operate in the scheduled January 2005 election, Mr Allawi could remain prime minister, such a re-appointment might be politically ill-advised. On the other hand, as far as can be gauged from these polls, there is no clear majority in favour of abandoning either the political transition or in favour of a rapid exodus by foreign troops this side of an election.

Limited support for a prime minister whose government has prevailed over a worsening security situation, is perhaps unsurprising. There has been an increased number of attacks following the handover at the end of June this year¹¹. This has sapped the support Mr Allawi initially enjoyed. The extent of the security and economic challenges, combined with scepticism about a government that is by definition interim and is popularly conceived of as approved, even if not appointed by, the US, ensures that it does not enjoy any deep attachment on the part of the Iraqi people. Even unequivocal Kurdish support for the US-led war—their leaders played a pronounced part in the US backed opposition movement from 1992—is no longer translating into automatic support for the interim government, despite their involvement in it. This is principally about representation and distrust over territorial disputes (see 2(i), Longer term tensions).

2(d) *The powers of the interim Iraqi government*

The interim government is not permitted to agree fundamental questions affecting the country’s “destiny”, according to UNSCR1546, and thus its authority on structural economic reform, or territorial claims, is negligible. However it does control Iraqi fiscal revenues, albeit that the predominant income from oil sales is held in an account in New York, subject to international monitoring. The interim government’s decision making authority over coalition security forces is ambiguous, but subject to a formal understanding agreed as an appendix to UNSCR1546 that attempts to differentiate between strategic and tactical matters. In practice the interim Iraqi government has been firmly led by a prime minister whose choice was largely a result of behind the scenes manoeuvring by the US and as such he largely shares the perspectives on security issues in Iraq as the US administration. Thus the decision to seek to destroy Mr al-Sadr’s radical Shia Islamist militia in August 2004, and to crush the Sunni rebellion throughout the north west of the country now, is signed off on by the premier but reflects a shared view. Opposition publicly expressed by members of the Iraqi government over these decisions is generally a functional attempt by figures to play to their political and or sectarian constituencies, and is of little threat to the current, interim government’s government stability. It does, however, emphasise the fault lines within any longer term attempt at power sharing and more broadly within Iraq itself.

2(e) *Postponing the election—who decides?*

In deciding whether security challenges are already so pronounced that the end January 2005 election date should be changed, the US, by virtue of its dominant military role against the insurgency or in maintaining order during the poll itself, will have considerable weight. In theory this should be a decision for the interim government, however its clear implications for the deployment of military forces and their use, would make it a matter of joint strategic military decision making. It is also arguable that the transitional administrative law (TAL), agreed by the former Iraqi Governing Council and the US-led coalition prior to the appointment of the interim government, and, most particularly, the international recognition given to the transitional political process and its scheduled election deadlines by UNSCR1546, obligates the interim government to consult more widely, including with the designated UN electoral assistance mission.

¹¹ As measured by US military casualties—no other source reliably charts fatalities over specific time periods. Up to 10 November this year, these averaged 64 a month, compared to an average of 52 over the nearly 14 months from when President Bush declared “Mission Accomplished” on 1 of May 2003 to the handover to the interim government on 29 June 2004.

In November 2004 there were reports that the Iraqi government was considering whether the poll should be delayed. It is almost inevitable that if the current counter insurgency campaign fails to reduce violence and provokes further attacks, options on the election will be reviewed. However the desire to maintain the broad quiescence of the Shia majority, not least the desire to avoid serious risk of a condemnation of any delay by the most senior cleric Grand Ayatollah Ali Sistani, is likely to make both the Iraqi government and the US determined to go ahead. Contingency plans in the event of ongoing major instability in the predominantly Sunni Arab area have been prefigured in the suggestion by prime minister Allawi in October that the election could be held, even if some provinces were not able to take part. (Present indications are that the military campaign is failing to prevent the insurgency operating across Sunni Arab dominated areas.)

2(f) *Some provinces are likely to be excluded*

The US-led anti-insurgency campaign will concentrate on the most pronounced security threats emanating from towns and cities within the provinces of the northern provinces of Al-Anbar, Salahedin, and Nineva, and Babil, just south of Baghdad, with some operations liable in Baqoubah in Diyala province. However, the limited recruitment and capability of Iraqi security forces, which have been subject to constant terror attack in an effort to render the emergent new state structures meaningless, and the ability to aggravate sectarian tensions by attacks within the multi-confessional city of Mosul for example, will provide a means for the insurgency to weaken the election's security and credibility, especially among ordinary Sunni Arabs if the latter lack sufficient security to participate. Interestingly, opinion polling does not suggest that domestic insurgents are popularly seen as primarily responsible for security problems, rather coalition forces or foreign insurgents are being identified among those who see the 45% or so who see the country's problems getting worse¹². This suggests that the "legitimacy" of resistance is deeply rooted among ordinary Iraqis, and clearly goes beyond Sunni Arabs, as was seen in popular support for radical Shia cleric Moqtada al Sadr's leadership of revolts against coalition forces in April and August this year. While the majority Shia community may support the coalition-overseen political transition, their support for it could be threatened if the timetable is set back. While options are being considered, the interim Iraqi government and US-led coalition know that they risk alienating the mainly accommodating Shia leadership if they put back the election date.

The depth of support for "national" resistance is likely to be at its strongest among Sunni Arabs. This is reflected in the fact that there is little or no prospect of an imminent political breakthrough with credible Sunni Arab political representatives. Those Sunni Arab-dominated political groups supportive of the process are a minority trend among this community, although they are likely to have reflected the concerns of ordinary Sunni Arabs when, in late November, they sought an extension of the election date. However, two or three months postponement may make little difference to the legitimacy of the election among this community, given the hostility likely to have been generated by the US-led military campaign and the limited electoral involvement of Sunni Arab leaders. An election that is not viable in the Sunni Arab areas, and has to be guarded elsewhere by largely US and other coalition forces, given the limit numbers, training and reliability of Iraqi forces, will be a propaganda gift to implacable opponents of the government within the Sunni Arab community. The result could be that the parts of even all of the Sunni Arab dominated provinces are excluded from the poll. With elections intended to divide up the seats in the national assembly according to votes cast for national lists, then some provision for allocating a proportion of the 275 seats for those provinces absent from the poll, may be made¹³.

2(g) *Election method is alienating*

Even if there was a dramatic turnaround in the security situation in the near term, accompanied by an extension of the registration deadline, the national list election system proposed for the January 2005 election would be alienating for the Sunni Arab minority. Iraqi voters will be presented with competing national lists, with the whole of Iraq counted as one national constituency. This was recommended by the UN electoral assistance commission for the sake of simplicity in the face of security problems in some parts of the country. Also, by avoiding province or municipality-wide constituencies, it was thought national lists would make it easier to forestall Kurdish pressure for local censi before conducting plebiscites on the politically-loaded issue of provincial boundaries. However, national lists have the acute disadvantage of making locally popular trends and personalities harder to draw into the system. They also will inevitably result in the complication of a governing coalition, although, given Iraq's fractured polity, there would have obviously needed to have been some adjustment to a purely "winner takes all", first past the post system.

¹² According to a poll conducted late September-early October 2004 by the US's International Republican Institute (IRI). Those who saw the situation "getting worse" were 45.3% of those polled, up from 31.4% in August.

¹³ It is not clear whether a declaration that the poll is null and void throughout maybe three or four provinces would ensure that they were awarded a tally of seats in strict accordance with their percentage of the population, or the proportion these provinces represented of the total number of provinces. If existing UN estimates of province populations are used, there is the potential for grievance from other communities over precisely the issue that national election lists were intended to forestall. The size of populations within provinces is highly sensitive, given its relationship to territorial disputes concerning present day province boundaries. However awarded seats would be unlikely to be taken up by credible Sunni Arab representatives after an election that had been rendered unsustainable and potentially had become increasingly unpopular among this community.

While province level elections are also scheduled to be held at the same time, these are less contested as their powers are likely to remain relatively limited and, hitherto at least, have not been the focus of intense political activity. Ensuring that there is proper representation of Sunni Arabs by groups and individuals able to command respect and legitimacy would be easier if representation could be secured through local constituencies, rather than deals largely driven by interim government members, a process that largely excludes this community and is patently subject to political manipulation and horse trading that can look very suspicious to a wary Iraqi public. A version of the constituency system would also make it easier to draw in individuals with a credible personal profile, possibly due to tribal or localised political support.

The national list method also makes it difficult to get elected without a clearly defined party organisation. This is despite the fact that polling evidence has repeatedly confirmed low levels of support for political parties. A poll conducted in late September showed that only 11.9% of Iraqis would be more inclined to vote for a candidate if they were endorsed by a political party. This was found to be a less persuasive factor than endorsement by a cleric, tribe or even the government¹⁴. Assuming that the planned election in January fails to engage representative Sunni Arab Iraqis, then consideration will have to be given by the Iraqi electoral commission or any similar body set up in the future, to ensuring a change in election method for the subsequent planned election currently scheduled for December 2005.

2(h) *Keeping the Shia on board*

The key factor in deciding the feasibility of elections in January 2005 will be the ability of the insurgents to disrupt election plans, balanced with the government and US's political imperative of ensuring the maintenance of the support of the Shia majority. The polling evidence suggests that support for conducting the January 2005 election and for the principle of "multi-party democracy" is most pronounced in those areas whose leaderships are identified with the coalition (the three self-ruled Kurdish provinces) or among many, but not all, of the provinces dominated by Iraq's majority population, the Shia. For the Shia majority, keeping to the timeline is imperative. As recently as August 2004, Mr al-Sadr's militia represented a threat potentially more dangerous than the politically "disenfranchised" Sunni Arabs who have continued to attack coalition and Iraqi targets. However, the stand-off in the summer in the city of Najaf, and the eventual withdrawal of Al-Sadr's fighters from the mosque compound, led to his cautious decision to engage with the emergent political system and to stand for election in January 2005. If the election date slips back then the ability of Grand Ayatollah Ali Sistani to maintain the broad complicity of the Shia majority in favour of maintaining largely peaceful co-operation will weaken. He had approved promotion of a Shia national election list, in part to ensure substantial Shia representation, but also as a mechanism to ensure that Mr al-Sadr's group is well-represented and committed to the planned national assembly election. The latter may not be set in stone, and there are other, relatively popular, voices within the Shia community who are unhappy about the effective alignment of the Shia community with a US-overseen political process. However it seems likely that the support of the majority community will hold, assuming that the election goes ahead on schedule. The issue will then become whether an assumed continuation of a premiership in the hands of Mr Allawi will be able to accommodate increasing pressure from Shia Islamist groups, who together are likely to occupy a large number on the most successful national election list, for civil law to reflect Islamist (and where appropriate Shia Islamic) norms. At the same time the Shia Islamist leaders are likely to want these norms reflected in the proposed permanent constitution, which will be the elected parliament's responsibility to agree. Shia politicians and senior cleric Grand Ayatollah Ali Sistani are not sympathetic to Kurdish aspirations to increase the territorial scope of an existing federal autonomy that extends to three provinces. While traditional centralist tendencies in Iraq and within Shia Islamist ideology can probably continue to co-exist with a commitment to federalism within those three areas, any proposed expansion of them under a Kurdish regional authority is liable to be resisted. Thus deliberation in the planned elected transitional assembly on the new constitution could be fraught.

2(i) *Longer term tensions*

There are a number of minority religious groups and sects with degrees of complaint or even serious discontent with regime developments post-Saddam Hussein. However, there is little sign that, for example, the Turkomans, despite their strong political relationship with the neighbouring Turkish government, are likely to disrupt the planned transitional political process. If major Turkoman tensions were to occur, it would relate directly to the future political direction of Kurdish aspirations over contested, oil-rich, Kirkuk in which there is a large Turkoman population who are inclined to support Sunni Arabs there as a bulwark against the Kurds. This is thus more an issue of dispute potentially between them for the medium to longer term. Kurdish aspirations, potentially bolstered by stronger Kurdish nationalist sentiment expressed in elections throughout their three self-rule provinces at the same time as the January 2005 national assembly election, may well reinforce claims toward the territorial extension of the areas currently exercising autonomy. Authority in Kirkuk, and the rights of Kurdish voters there, continues to be short-term sources of tension, but are not likely to lead the Kurdish leadership to forestall their commitment to resolving the

¹⁴ For the International Republican Institute, published October 2004.

future of this territory until the planned end of the transitional period in December 2005. Other groups such as Assyrian Christians have little by way of outside support of substance and are numerically too insignificant to constitute a serious threat.

As permanent constitutional issues are discussed over the summer of 2005,¹⁵ these will remain a major potential area of disagreement. Assuming that the elections will succeed in at least providing a formal structure for the Shia and the Kurds to continue to pursue their differing objectives on the inside of the emergent political system, then these territorial differences could be obviated by existing agreements¹⁶ under the transitional administrative law (TAL), which while not set in stone has provided a guide for parties in their pursuit of their political objectives. Drawn up as an “interim constitution” but, controversially for the Kurds, not explicitly recognised under a UNSC resolution, the TAL says the while the rights of Kurdish resettlement in Kirkuk, and discussion of what province it should falls under, should proceed, the permanent resolution of its status should be postponed, like other disputed territories, until after the permanent constitution is agreed. This reflected the desire to obscure a key difference between Kurdish and Shia representatives. However, Kurds’ willingness to negotiate and to share power, should mean that armed Kurdish attempts to “liberate” Kirkuk, possibly drawing in Turkey (see 2. Regional relations), are unlikely to occur. In part this will require meaningful and distribution of central revenues to local areas, including the Kurdish self-ruled provinces. However the permanent resolution of the status of Kirkuk will be a difficult and potentially painful longer term issue.

3. REGIONAL RELATIONS

3(a) *Interim government recognised*

The interim government was recognised as sovereign under UN Security Council Resolution 1546 in June 2004 and this led to the expansion of Iraq’s bilateral diplomatic relations. Perhaps most importantly, not least in terms of prospects for co-operation over security and debt issues, it has been fully diplomatically recognised as the sovereign government of Iraq by its neighbours, a position which was foreshadowed by the more limited form of recognition extended to the interim Governing Council preceded this from the Arab League, the Conference of Islamic States and OPEC. Full diplomatic relations since the founding of the interim government have in principle been established with a number of Arab neighbours, as well as with Iran and Turkey. However in practice these have not been established at full ambassadorial level, while security issues and political sensitivities have prevented even consulates from operating.

3(b) *Relations with Syria*

Syria announced in early November 2004 that it will be sending a full ambassador to Iraq. The problem is that the Syrian government conducts foreign relations at informal as well as official diplomatic levels. Syrian interests in Iraq are largely orientated toward assistance of Sunni Arab interests in Iraq (despite the Damascus regime being headed by an Alawi Islamic trend close to Shi’ism). At the formal diplomatic level there are signs of a greater willingness to work with the interim government. However financial and personnel networks of Iraqi and Syrian intelligence operatives assist the Sunni Arab rebellion inside Iraq at the same time as both governments express their willingness to work together with the US to engage in closer border security co-operation. Once the Iraqi border security force is able to expand from the inadequately staffed and trained numbers who currently make up its ranks¹⁷ then at least some of the movement of Syrian Islamist volunteer fighters into Iraq from its neighbour will be stopped. However it is also likely that the exiled Iraqi officials resident in Syria will continue to facilitate financial support to the insurgency, reflecting the overlapping financial and strategic calculations of parts of the Syrian intelligence establishment in maintaining a challenge to US interests in Iraq and an armed interest should the worst case scenario of civil war develop there.

¹⁵ If a text is agreed it will be put to a plebiscite in October 2005.

¹⁶ According to the Transitional Administrative Law (TAL), agreed prior to the handover to the interim government in late June 2004, the settlement of the right of residency within Kirkuk and other areas from where Kurds were displaced before 2003, shall be pursued forthwith and recommendations by the Presidency Council on territorial boundaries between provinces shall be put to the elected national assembly with a view to the latter including any suggested changes in the permanent constitution. This creates the impression that Kirkuk could be included in a re-drawn province that might agree to join the existing administration over the three autonomous Kurdish provinces. However the subsequent clause states that the “permanent resolution” of disputed territories such as Kirkuk shall be put off until the permanent constitution has been agreed, and shall be resolved in a manner commensurate with the “will of the people”. It is this that the Kurds see as requiring plebiscites, including in Kirkuk, once displaced Kurds have resettled there.

¹⁷ 14,313 are claimed as the total number of personnel in the Department for Border Enforcement, however this may include a significant number of administrators.

3(c) *Relations with Iran*

The fact that Iran and Iraq maintain relations at the level of *chargé d'affaires*, even in the face of the Iranian *chargé's* kidnapping in September 2004, is a positive sign of engagement, not least when from Tehran's perspective the Iraqi government is seen as suspect at best. Iran, like Syria, has a divided approach to Iraq, with its connections to differing Shia power centres in Iraq allowing it to hedge its bets against an unpredictable situation. However, while its finances have proven useful to the radical Shia, Moqtada Al-Sadr and his ability to deepen his patrilineal connections among his impoverished popular base, it is not a driver of either Shia rebellion or of conciliation. Iran, like Syria, feels threatened by the possibility that a pro-US regime could consolidate its authority in Iraq, however the Iraqi Shia's numerical advantage gives Tehran little interest in upsetting progress toward the planned election. The possibility of a functioning, stable and broadly democratic Shia majoritarian government could, from the point of view of the Iranian leadership, have an unwanted influence on Iran's body politic. However, it is equally the case that a majoritarian Iraq in which Shia political Islamists will have considerable weight as the most popular and organised of the Shia political parties, is a country that presents opportunities for an Iranian regime that could potentially face increasing diplomatic, economic or even military pressure from the US over the medium term. While Iran is unlikely to imagine that an Iraqi government needing to accommodate different trends and international interests will necessarily ally itself with Tehran, it does represent the potential for a strengthening of its western flank if majoritarian politics in Iraq should be accompanied by an increasing pressure for the withdrawal of foreign troops. In short, the dominant conservative interest in Iran is not prepared to go against the grain of popular Iraqi Shia opinion, which in its support for the transition to elected (Shia-dominated) government is influencing the calculation of radical Iraqi Shia leaders toward the transitional political process.

3(d) *Relations with Saudi Arabia and Kuwait*

A potentially negative regional influence on Iraq's potential progress toward elections and eventual stability is Saudi Arabia. While its depiction in some US neo-conservative circles as the most malign force against US interests in the region and even, related to this, at home, is greatly exaggerated, there still remains a number of practical and political constraints on the kingdom in contributing to a more stable Iraq. In short this is due to the institutional power of often highly conservative clerics in Saudi Arabia. There is seemingly no state funding finding its way to armed insurgents in Iraq, and thus there is no contemporary version of the financial connections to ideological and armed Islamist radicalism in Central Asia that formerly provided an overlap with groups and individuals crudely described as part of al-Qaida. However, Saudi clerical support for the Sunni interest in Iraq is widely propagated, for all the Saudi government's and some Saudi clerics' attempts to counter it. When this is compounded with an established domestic terror problem, then the fluidity of movement of "jihadis" across a border whose length exceeds even that between Syria and Iraq, is highly problematic. More could be done by the Saudi authorities, however, whose capabilities are greater than Syria's and clearly than that of Iraq, in border security enforcement. Kuwait's tiny border is not immune to traffic by "jihadis" of a similar type either. However, although nationals have been identified in some of the Sunni cities in which revolt is being conducted, they are a small part of the problem in Iraq. The Kuwaiti government has promoted economic co-operation with, and aid to, the long-feared Iraq, and is being flexible over its debt holding and will seek to be so over UN compensation issues (see 3(f) below). However, like Saudi Arabia, there are ideological trends, albeit far more marginal than in the kingdom, that provide some inspiration for joining the Iraqi insurgency.

3(e) *Relations with Turkey*

Turkey is unlikely to overtly intervene in Iraq, despite its residual military presence in the north-west of the country. The number of its troops there are disputed, but are likely to be closer to 5,000 than the more exaggerated claims that get made periodically. This presence has been a semi-permanent feature since the 1990s, when it began as a response to the presence of the PKK, Turkish-Kurdish fighters who had established a presence in the Iraqi Kurdish self-rule areas. However, the Iraqi Kurds proved to be co-operative with Turkish security concerns, and also collaborated actively with their northern neighbour in the illicit oil trade. Since the change of regime in Iraq, Ankara has expressed concerns about Iraqi Kurdish ambitions, with the oil-rich north-eastern city of Kirkuk proving the focus of particular concerns as this is viewed in Turkey as crossing a red line that would enable Kurdish separatism to be economically viable. This is opposed as it is seen as existentially dangerous in terms of Turkey's own Kurdish population, while Kirkuk is also the home of the Turkic people, the Turkomans, who originate from Central Asia but share common linguistic and cultural antecedents with Turkey. Turkey supports existing proposals for federal arrangements in Iraq, but is opposed to any territorial extension of the current administration joining the three autonomous Kurdish provinces. If Kirkuk was subsumed into Kurdish self-ruled territory as a result of a series of plebiscites that the Kurdish leadership is intent of having conducted,¹⁸ then this would run the risk of aggravating Turkey. However, while the future status of Kirkuk will have to be addressed as part of a wider resolution of internal territorial disputes in Iraq, this is unlikely to be decided in the short to medium

¹⁸ See footnote 12 on the transitional administrative law (TAL).

term. Agreement on a permanent constitution, assuming that current plans are adhered to, is not dependent on deciding these internal boundaries, although some resolution will be sought before final agreement on the constitution is made.¹⁹ As this has the potential to create tension with Turkey, then an Iraqi Shia majority government and legislature is unlikely to agree to redrawing boundaries to the benefit of the Kurds, raising internal short term tensions and long term dangers (see 2(i) Longer term tensions)

3(f) *Regional debt relations*

The Gulf Arab states (most commonly known as the GCC, or Gulf Co-operation Council countries²⁰) hold a substantial proportion of Iraq's bilateral debt. There is a high likelihood that, eventually, most of the Iraqi debt held by GCC states will be cancelled. According to the IMF, non-Paris Club debt stood at US\$67.4 billion as of end December 2002, of which the Gulf Arab states are likely to hold the greater part. The IMF estimates the total stock to be nearly twice this figure. The November 2004 agreement between the Paris Club of international creditor countries and Iraq has paved the way to a phased reduction of their particular debt stock by a total of US\$31 billion, some 80% of the total, with a US\$11.6 billion cut almost certain to occur in January 2005. This could have an important momentum on negotiations with other creditors, including the GCC countries. While the debt is not being serviced, it does represent a potential burden down the road if significant write-offs are not agreed. Iraqi arguments that a large part of the debt claimed by, principally, three GCC countries were grants (as opposed to the soft loans also made at the time of the Iran-Iraq war) are likely to be correct, suggesting time-consuming wrangles ahead between Iraq and the Gulf Arab states. For its part, Kuwait, one of the principle holders of Iraq debt, is willing to be accommodating on what is public debt and has announced a Paris Club style "write-off". However this will face parliamentary resistance, as will the issue of the emirate's UN compensation claims.

As the debt stock is both smaller and currently unserviced, the compensation claims are presently the real burden for Iraq's hard pressed fiscal receipts. There is nearly US\$400 billion in UN compensation claims, of which some US\$266 billion have been processed, but not given final approval, by the UN commission responsible for both public and private claims dating from the 1990 occupation of Kuwait and the subsequent Gulf war. As of November 2004, some US\$48 billion has been awarded to claimants but only US\$18 billion has been paid. As a result Iraq is presently paying 5% of its oil revenues into the UN compensation fund to meet a balance likely to extend to at least US\$240 billion. Approximately one third of total claims are held by Kuwait, divided roughly between public and private bodies/individuals. There remains a relatively good possibility that the majority of the "agreed", but unawarded, claims can be written off. However this will still leave a large burden on Iraq. The Kuwaiti government will face domestic resistance to writing off private claims, at least without its current territorial boundaries with Iraq being unequivocally recognised by the elected government in Iraq. The latter, intent on building national credibility, may be unlikely to do this, even given the financial attractions in doing so. In the end Kuwait's relations with the US may encourage progress, not least as the government has already taken a number of steps to compensate its private claimants.

4. ECONOMIC RECONSTRUCTION

Over the medium term at least, Iraqi economic reconstruction is likely to be constrained by revenue and aid limitations, and the security problems that frustrate efforts to improve the country's infrastructure and carry out development projects. Beyond US aid commitments running through to end-2005, the mainstay of Iraq's reconstruction is liable to be self-financed. The constraints on financing this look set to continue for some time.

4(a) *Limits to Iraq's revenues*

The semi-official Iraqi Strategic Review Board released details in September 2004 of a provisional 2005 budget and of fiscal projections through to 2007.²¹ These are, rightly, based on relatively cautious revenue assumptions based on falling oil prices and only gradually increasing oil output²². Total oil production could reach the official projection of 2.9 million b/d by 2007 from the current level of around 2.4 million b/d. Total revenues are projected to continue to be 90% oil-related. Iraqi assumptions inform the IMF's Iraq Country Report, released in association with its "Emergency Post-Conflict Needs Assessment" in September 2004. The IMF projects that Iraqi crude oil revenues over 2005-06 will not average much more than was seen in the year 2000. This was admittedly a year of high oil earnings compared to the relatively low revenues of the previous decade, and Iraq's oil revenues were then also subject to a total deduction of 25% for compensation payments and UN administration costs, as opposed to the 5% today. However, Iraq has had economic

¹⁹ *ibid.*

²⁰ Namely, Saudi Arabia, Kuwait, UAE, Qatar, Bahrain and Oman.

²¹ In September, the Iraqi Strategic Review Board (ISRB) released a 33-page *National Development Strategy: 2005-07*. The ISRB is composed of the Ministers of Planning and Finance, a rotating donor community member and two other Iraqi members drawn from the private sector.

²² The Economist Intelligence Unit expects Iraq's oil output to average just over 2 million barrels per day (m b/d) this year, rising to 2.5 million b/d in 2006. "Iraq Country Report", December 2004, Economist Intelligence Unit, London.

sanctions lifted and is committed to substantial state investment in an oil sector that can now unrestrictedly acquire key imported components. Despite this, and despite expectations that oil prices will remain relatively firm over the medium term, it is expected that Iraq's oil revenue stream will grow only modestly.

However, the IMF figures for total government revenues are bolstered, if not distorted, by two questionable assumptions. The first is that grant distribution, contrary to the evidence of the last 12 months, will run far in excess of those suggested at the October 2003 Madrid Donors Conference. Furthermore, although more ambiguous than the US aid commitment, which is clearly given for projects rather than budget support, the Madrid commitments of multilateral and bilateral grant and loan support also implied commitments of money to projects contracted by agencies, rather than transferred to Iraqi state coffers. The other disputable assumption of the IMF, that in turn has fed its way into Iraq's semi-official budget projections, is a phased out subsidisation of the domestic fuel price, with domestic oil sales quickly becoming a high fiscal revenue earner from 2005 onwards. While this saving does not appear to have been deducted from the increasing value of items under the "subsidies" category, by 2007 it is assumed that domestic oil revenues will be some 25% of total oil revenues—an unlikely prospect likely to be hostage to domestic political sensitivities and the refining sector's development.

In our view the result of modestly increasing oil output levels and declining, albeit still strong, oil prices is likely to mean that the fiscal deficit rises markedly over 2004–06; we expect that they will reach some US\$6 billion, or around 15% of nominal GDP, in 2006. IMF estimates project a deficit approaching one third of their forecast GDP in this timeframe. However, they assume no financing shortfall due to the use of left-over external assets and financing from the UN's former oil for food programme being used to fund imported items. In reality it is doubtful that the Iraqi fiscal accounts would result in a large deficit in need of this degree of financing. The latest IMF figures assume a strong growth in spending, with this year's total nearly five times that estimated as occurring in 2003. This and subsequent projections suggest in our view unrealistically high spending levels, given the constraints on reconstruction as a result of security problems.

The combination of US aid commitments and the aid portion of the Madrid donors commitment is around US\$22 billion. The UN/World Bank Joint Needs Assessment, drawn up in the summer of 2003, before the full extent of the sabotage may have been wholly realised, suggests that aid will fall short of funding needs in specific sectors over the period 2003–07. The Joint Needs Assessment assumed that around US\$35 billion excluding defence, security and oil expenditure, would be required. Therefore the implied contribution from the Iraqi exchequer (given the above revenue assumptions) is not realistic.

4(b) *Security is greatest economic challenge*

However, the greatest problem facing the Iraqi economy and the reconstruction programme is lack of security, which will continue to prevent projects from going ahead (see also Security, above). The economic reconstruction of the country saw a major setback with the stepping up of security problems in the run up to, and after, the handover to the interim government in late June 2004. The chief factor driving the provision of key services, and spurring the creation of badly-needed jobs, is the funding and conduct of planned infrastructure projects and public services. Security problems have continued to set back the work of both ministries and US aid-funded projects now being overseen by the US embassy-based Iraq Projects and Contracting Office (PCO). As a result, even constrained Iraqi and foreign aid inputs into reconstruction cannot be spent. At the time of writing, the PCO claimed that, of the US commitment of US\$18.6 billion (now extended over 2005) some US\$1.635 billion was "work in place". Actual spend may be less than this. After some 12 months of aid commitments, this is an indication of the slow pace of progress. Other sources have suggested that, out of a total of more than 2,000 projects for which funds have been committed (US\$12.87 billion, according to the PCO), only 400 or so are presently being "undertaken" under PCO auspices, given the far smaller apportionment of aid to specific projects. Projects that on paper are being undertaken is still no indication that aid money is being disbursed, however.

4(c) *Aid money not reaching Iraqis*

There is an increasing commitment by the largely US companies contracted by USAID and the US Army Corp of Engineers to ensure that more contracts are given to Iraqi companies. While this appears to be happening in terms of the quantity of contracts, the more lucrative contracts are not being operated by Iraqi firms. One factor in the early post war period behind the absence of major work going to local companies was a lack of trust by foreign agencies in Iraqis, and what the former in some cases argue was a lack of engagement by Iraqi partners in understanding their mode of working.

From the earliest period of the reconstruction process, there was a widespread perception among Iraqis that corruption was endemic amid complaints of poor and insufficiently monitored work. This has contributed to the increasing lack of popular consent for the presence of coalition troops and for the foreign workers who are engaged in reconstruction projects. The limits on the quality as well as the quantity of sub-contracts given to Iraqi companies is a practical constraint on hopes for the development of a dynamic private sector in Iraq, and in turn has an impact on job creation. Foreign companies are attracting an increasing amount of overheads as the security situation worsens, given the insurance costs and the expense

of hiring new or additional security operatives.²³ Iraqi firms are a lot less likely to prioritise these aspects. USAID imposes various overheads and bureaucratic requirements, emphasising how US contractors will often find it easier to work with western and in particular US companies used to their way of working.

One large US contractor, Bechtel, reported in early November 2004 that, of its 230 sub-contracts, some 160 were in the hands of 120 Iraqi companies. While this figure looks impressive, the company does not provide a breakdown of the value of these contracts compared to other contracted work. However, Bechtel goes into some considerable length about the difficulties for Iraqi firms in meeting the insurance standards expected as recipients of US public money, in addition to the complications of financial transactions without a fully functioning banking system. With a great deal of work being farmed out by the US embassy to mainly US contractors and mainly western sub-contractors, then the work is more vulnerable to a combination of security challenges and bureaucratic delays. Furthermore, in the case of the non-US donors, there is also considerable caution in apportioning their commitments to sectors, let alone identifying concrete projects.

4(d) *Slow and exacting pace of reconstruction*

Comparison is often made by frustrated Iraqi observers to the reconstruction work that was carried out after the 1991 Gulf war to remove Iraq from Kuwait. However, a comparison with the type of the work being conducted now, allowing for the impact of 12 years of sanctions and post-war sabotage, emphasises that the so-called “jerry-rigging” that got the country up and running in 1991 is not plausible in some instances or is simply technically unacceptable in an environment where the work is being contracted and managed out of the US Embassy. That said, the common perception of speedy reconstruction in 1991 continues to feed a popular sense of grievance in Iraq about the standard of services, grievances that cross constituencies and classes. (Notably the exception to this tendency is self-ruled Iraqi Kurdistan, three provinces in the north of the country (Dohuk, Irbil and Suleimaniyah), where economic and infrastructure standards have been maintained at a higher level than the rest of the country since the 1990s.) As a national average, electricity supplies currently exceed the average before the war,²⁴ however, supply continues to be erratic due to sabotage and slow progress on expanding power generation capacity. Furthermore, supply is subject to considerable regional variation. This picture is further complicated by the current, deliberate cutting of supplies by the security forces as part of a security clamp down in a number of Sunni Arab towns.

The PCO is overseeing US contracts that on a day to day basis as of late November were keeping about 64,000 Iraqis in work. Reflecting security problems, this figure has steadily declined over the last few months, with numbers of around 100,000 being quoted in mid-2004. With unemployment officially estimated at 36%,²⁵ then this would suggest that US-generated employment numbers represents only around 1% of those currently in work. With the resumption of government ministries and their re-establishment as significant employers and, despite seeming exaggeration, their ability to disburse expenditure, then the Iraqi governmental sector might before long resume its primary employer role. However, over the short to medium term, at least, fiscal constraints and a desire to direct expenditure into needed capital projects as opposed to make work schemes, places limits on the state’s ability to absorb unemployment.

Concluding comment

Ultimately the solution to these economic frustrations can only be political. It can be deduced from the above assessment of the security challenge faced and the degree of resentment feeding through into the Sunni Arab revolt, that the planned election will not only fail to address these issues but could even exacerbate a perception that Shia majority government will be inimical to Sunni Arab interests. To some degree the quota-heavy nature of transition politics in Iraq has exacerbated sectarian tendencies, however the sectarian distortion of state craft, and the extreme repression of 1991–92 in the aftermath of the Gulf war is rooted deep in popular memory too. The committee might like to consider what measures Iraq can be encouraged to take, and be assisted in, that would enable sectarian and territorial tensions to be managed in a more stable manner. At present the US government is funding projects to develop the provincial government structures that are supposed to also get a democratic mandate in January. These institutions, crossing sectarian boundaries in some parts of the country, not least Baghdad and Nineva (including Basra), may need to be substantially bolstered with powers and resources to give local populations a greater stake in the transitional process. This will need to be co-ordinated and agreed as a key part of any constitutional arrangements in order to give meaning to the existing Iraqi commitment to federalism throughout the

²³ A Washington think-tank, the Centre for Strategic and International Studies, in early October estimated that as little as 27% of US funds programmed for Iraq were making it through to reconstruction projects. Their calculation is based on the officially conceded estimate that some 30% of costs are being absorbed in security overheads, which are then added an assumed 15% average lost through corruption, 10% through the administrative cost deductions of running the US embassy (which is disbursing contracts), 12% for other costs including salaries of non Iraq workers on reconstruction projects, and seemingly modest 6% for contractor profits. This leaves some 27% to be spent in Iraq by sub-contracting to Iraqi companies, and employing Iraqi workers. According to the Washington Post, “Senior administration officials and congressional experts on the reconstruction effort called the analysis credible”.

²⁴ According to the UN and World Bank, “Joint Iraq Needs Assessment”, October 2003, they were 4,500 mw/day; current output is estimated at around 5,400 mw/d.

²⁵ According to Iraqi social affairs minister, Layla Abdul-Latif, July 2004.

country, and cannot be built by sudden insertions of cash by US military officers after coalition-led counter-insurgency campaigns. This need not mean promotion of separatism if seats at the table in Baghdad are needed to ensure that fiscal revenues continue to be dispersed on an equitable basis throughout the country. This clearly cannot preclude the rights of Iraqis to decide that they want to redraw provincial boundaries, but it will have to exclude unilateral attempts to extend territory that is already subject to ethnically-dominated federalism, as is the Kurds' aspiration. It will, however, have the positive advantage of enabling largely secular Kurds to retain their distinct civil sphere from possible central government attempts to impose religious norms. In the same way the four Sunni Arab provinces at the heart of the current revolt would have some distance from a central government dominated by forces they may distrust, and would enjoy access to significant revenue streams without having to resort to the reimposition of the monopolisation of central government power. Such objectives will be difficult to balance with inevitable reliance on coalition military power over the medium term. If the building of a more inclusive and consensual political order can be accompanied by the necessary enhancing of the commitment and capability of Iraqi security and military forces, then a more stable outcome than currently suggested might just be achievable.

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29 November 2004

Written evidence submitted by Professor Sir Adam Roberts

THE "WAR ON TERROR" IN HISTORICAL PERSPECTIVE

1. I am Montague Burton Professor of International Relations at Oxford University. I have written extensively on strategic issues, on terrorism, and on wars and military occupations in the Middle East. My principal publications relevant to this memorandum is (co-edited with Lawrence Freeman and others), *Terrorism and International Order*, Routledge & Kegan Paul for Royal Institute of International Affairs, London, 1986. In connection with the Foreign Affairs Committee's Inquiry into Foreign Policy Aspects of the War Against Terrorism, I already submitted two memoranda to the committee: on 4 December 2001 on "Application of Laws of War"; and on 24 June 2003 on "International Law and the Iraq War". Both had a central focus on international law.

2. The present memorandum, as its title suggests, draws mainly on history. It is an exploration of two questions. What conclusions can be drawn from the long history of terrorist and counter-terrorist campaigns? And what directions does this history suggest for the ongoing international campaign against terrorism?

3. The reasoning behind the emphasis on history in this memorandum is simple. Notwithstanding the fact that today's international terrorism has assumed organisational forms and means of operating that are historically new (as too has the contemporary US and international campaign against it), there are dangers in neglecting the history of terrorism and counter-terrorism. These dangers include the repetition of mistakes made in earlier eras because of a lack of awareness of those earlier mistakes. In brief, the long and tangled history of terrorism and counter-terrorism suggests a number of conclusions about the nature of terrorist and counter-terrorist campaigns that ought to be taken into account in policy-making in the present era.

4. The central proposition of this memorandum is that the US doctrine on the "War on Terror" takes too little account of the history of the subject; and that there is a need to develop what might be called a British (or, more ambitiously, a European) view of terrorism and counter-terrorism, which in certain respects would be distinctive from the US doctrine. President Bush has won the 2004 US presidential election partly on the basis of his clear line on terrorism, which is not likely to be modified in the near future. It may be time to develop and articulate a distinctive line which would include a necessary historical dimension which, as I will indicate, is largely lacking in the US doctrine. Although, as I will suggest, there is much to criticise in certain official UK pronouncements on the matter, the UK may be well placed to assist in such a development.

5. Historians are neither agreed nor infallible in addressing this subject, any more than are my own colleagues in the field of International Relations. A profession that encompasses both Professor Sir Michael Howard and Professor Bernard Lewis is not about to reach a unanimous party line on a subject as contentious as what to do about terrorism. Yet, throwing caution to the winds, I will attempt some conclusions about past terrorist and counter-terrorist campaigns.

6. The structure of this memorandum is as follows:²⁶

<i>Section</i>	<i>paragraphs</i>
A. Definition of “Terrorism”	8–16
B. Denial of History	17–23
C. Key US Pronouncements of the “War on Terror”	24–29
D. Ten Propositions Based on Earlier Campaigns	30–59
E. Can International Support be Maintained?	60–70
F. Can Military Interventions be Effective against Terrorism?	71–89
G. How Do Terrorist Campaigns End?	90–97
H. Conclusions and Recommendations for Action	98–108

7. General Montgomery’s first rule of warfare was “Don’t march on Moscow.”²⁷ Regarding terrorism and counter-terrorism there is no such straightforward rule. The history of these matters repays study, not because it offers a single recipe for action, but rather because it enriches our understanding of a peculiarly complex subject. It indicates a range of possibilities for addressing it, and a number of hazards to avoid.

A. DEFINITION OF “TERRORISM”

8. Terrorism, like many other abstract political terms, is a word that is both dangerous and indispensable. Dangerous, because it easily becomes an instrument of propaganda, a handmaiden of hypocrisy, and a means of avoiding thinking about the many forms and causes of political violence. Indispensable, because there is a real and dangerous phenomenon out there that poses a very serious threat. That threat, as I will argue, is especially to the societies from which it emanates.

9. Without foreclosing a debate, “terrorism” is used here mainly to refer to the *systematic use of violence and threats of violence by non-state groups, designed to cause dislocation, consternation, and submission on the part of a target population or government*. This definition is deliberately broad: this is essential if one is considering, as in this Memorandum, the history of terrorism over a long period.

10. The reference to non-state groups in this definition in no way excludes awareness that states, too, notoriously use terror—often systematically; and that states sometimes secretly sponsor non-state terrorist groups. Except where it has a bearing on the causes of, and action against, terrorist movements, such state terror is not a central focus of this paper. Most forms of terroristic state violence, whether against a state’s own citizens or against foreigners, are prohibited in international law.

11. Attempts at defining terrorism in recent years, especially since 2001, have reflected the fact that much contemporary terrorism is targeted against civilians. For example, UN Security Council resolution 1566 of 8 October 2004 comes close to a definition of terrorism when it refers to it as:

criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organisation to do or to abstain from doing any act, which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism.

12. Similarly, the UN High-level Panel on Threats, Challenges and Change, the report of which was issued in December 2004, included “civilians” and “non-combatants” in its suggested definition of terrorism:

any action, in addition to actions already specified by the existing conventions on aspects of terrorism, the Geneva Conventions and Security Council resolution 1566 (2004), that is intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such an act, by its nature or context, is to intimidate a population, or to compel a Government or an international organisation to do or to abstain from doing any act.²⁸

13. These UN definitions may contain a basis for a formal international legal definition of terrorism. However, a possible limitation of the definition they offer should be noted. The emphasis being quite largely on the threat to civilians and non-combatants, they might appear not to encompass certain acts such as attacks on certain armed peacekeeping forces, attacks on police or armed forces, or assassinations of heads of state or government. They might not include the attack on the Pentagon on 11 September 2001.

²⁶ Parts of this text formed a basis of the Emden Lecture, St Edmund Hall, Oxford University, 7 May 2004; and the Annual War Studies Lecture, King’s College London, 23 November 2004.

²⁷ General Bernard Montgomery said of US policy in Vietnam: “The US has broken the second rule of war. That is, don’t go fighting with your land army on the mainland of Asia. Rule One is don’t march on Moscow. I developed these two rules myself.” Alun Chalfont, *Montgomery of Alamein*, Weidenfeld & Nicolson, London, [1976], p 318.

²⁸ UN High-level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility*, UN doc A/59/565 of 2 December 2004, paragraph 164(d).

14. There are traps in these or any other definitions of terrorism, and in the uses made of the term. The most serious is that the label “terrorist” has sometimes been applied to the activities of movements which, even if they did resort to violence, had serious claims to political legitimacy, and also exercised care and restraint in their choice of methods. Famously, in 1987–88 the UK and US governments labelled the African National Congress of South Africa “terrorist”: a shallow and silly attribution even at the time, let alone in light of Nelson Mandela’s later emergence as statesman.

15. In certain circumstances, the repeated use of the term “terrorist” to describe a particular class of adversaries can itself conceal key aspects of the political environment. In the 1960s many writers and journalists freely used the word “terrorist” to describe a member of the Vietcong, the military arm of the National Liberation Front in South Vietnam. The Vietcong did undoubtedly use the weapon of terror ruthlessly and systematically against the South Vietnamese population. However, serious studies suggested that terror was not on its own an adequate basis of control: a sense of the moral justice of the cause was also present. The two factors were mutually reinforcing—and this helped to explain the capacity of the Vietcong to endure.²⁹

16. What is perhaps easier to define than the grand abstraction of terrorism is *terrorist acts*. While still surrounded by a dense thicket of thorny problems, this term has the merit of keeping the focus on specific types of action. It encompasses certain violent acts that contravene national laws and, in some cases, specific international agreements on such matters as aerial hi-jacking. The term can also encompass acts that, in their targeting and manner of execution contravene the basic principles of the laws of war. It is possible, at least sometimes, to draw a distinction between such acts and other types and forms of armed resistance. That is why the adage “one man’s terrorist is another man’s freedom fighter”, while it contains more than a germ of truth (especially that the same act can be seen differently by different people), is too simple: it reflects a lack of awareness that there are some criteria for distinguishing between the two.

B. DENIAL OF HISTORY

17. The starting point of this exploration has to be the ahistorical nature of much political debate about terrorism. Both terrorists and their adversaries tend to talk and write publicly about their campaigns with little reference to the centuries-long history of terrorism and counter-terrorism. This is not to say that they do not articulate a view of history more generally. Terrorists, for example, often focus on deep resentments based on perceptions of alien domination of the societies they claim to defend. When terrorists have put pen to paper, either at the time of their activism or subsequently, they have sometimes shown considerable awareness of international developments and the history of their own and earlier epochs.³⁰ At the same time, the long and tangled history of both terrorism and counter-terrorism is frequently airbrushed out of the picture. The publicly articulated world-view of terrorists and their adversaries is often a world of moral and political absolutes, in which terrorism, or the war against it, is seen as an essentially new means of ridding the world of a unique and evil scourge. On both sides, the favoured form of argument is phrased in terms of morality—and a relatively simple morality at that, in which the adversary’s actions are seen as such a serious threat as to create an overwhelming necessity for the use of counter-violence.

18. Since 11 September 2001, statements by the principal Western leaders on the subject of the “war on terror” have contained astonishingly few references to the previous experience of governments in tackling terrorist threats, or to the ways in which certain international wars of the twentieth century were sparked off by concerns about terrorism. This appears to be true not only of their public statements, but of most of their inner deliberations as revealed by Bob Woodward, Seymour Hersh and others. In particular, Woodward’s *Plan of Attack* shows that there was little reference to historical precedents in the two years of decision-making leading up to the invasion of Iraq.³¹ Similarly, since 2001 much writing on terror, particularly in the USA, has been notably unhistorical.³²

²⁹ This is the conclusion, for example, of two exceptionally thorough and impressive US studies of the Vietcong published during the war: Douglas Pike, *Vietcong: The Organization and Techniques of the National Liberation Front of South Vietnam*, MIT Press, Cambridge, Massachusetts, 1966; and Nathan Leites, *The Vietcong Style of Politics*, Rand Memorandum RM-5487-1-ISA/ARPA, Rand Corporation, Santa Monica, California, 1969.

³⁰ See eg David C Rapoport, “The International World as Some Terrorists Have Seen It: A Look at a Century of Memoirs”, *The Journal of Strategic Studies*, London, vol 10, no 4, pp 32-58.

³¹ Bob Woodward, *Plan of Attack*, Simon & Schuster, New York, 2004. An honourable exception occurred when Secretary of State Colin Powell, at a planning meeting on Iraq, asked sarcastically: “Are we going to be off-loading at Gallipoli?” (p 324.)

³² An exception that proves the rule is Bruce Maxwell, *Terrorism: A Documentary History*, CQ Press, Washington DC, [2003]. The documents in this book cover only a 30-year period, “from 1972, when international terrorism burst into the public consciousness with life TV pictures of Palestinian terrorists holding Israeli athletes hostage at the Munich Olympics”. In some countries the public was aware of terrorism decades, or even centuries, earlier.

19. The main exception, of course, has been frequent British reference to the experience of countering terrorism in Northern Ireland. British ministers and officials, however, have been too reticent to point out bluntly, and in public, that almost everything about the language and manner in which terror in Northern Ireland was opposed, and about the attempts at under-writing its end through mediation and even negotiation, has been very different from the US approach to the “war on terror”. Partly, of course, this is because the problems faced have been different: the IRA is far removed from al-Qaeda in ideology, in political goals and in methods. Yet the British may have been too reticent about their experience of terrorism.

20. The tendency to approach terrorism without benefit of history has, itself, a long history. Many specialists in counter-insurgency have seen their subject more as a struggle of light versus darkness than as a common and recurrent theme of history. A fine example of an ahistorical approach to the subject is the French group of theorists writing in the 1950s and early 1960s about *guerre révolutionnaire*. These theorists denied the complexities—especially the mixture of material, moral and ideological factors—that are keys to understanding why and how terrorist movements come into existence. Colonel Lacheroy, a leading figure in this group and head of the French Army’s Service d’Action Psychologique, famously stated: “In the beginning there is nothing.”³³ Terrorism was seen as having been introduced deliberately into a peaceful society by an omnipresent outside force—namely international communism. It is a demonological vision of a cosmic struggle in which the actual history of particular countries and ways of thinking has little or no place. These French theories—no doubt because they date from a period of failed military campaigns, attempted military coups d’état, systematic use of torture against insurgents, and a generally disastrous period in French history—are now almost entirely forgotten, even in France itself. They are also ignored in the USA, even though they, and the events with which they are connected, provide object-lessons in how not to conduct a counter-terrorist campaign.

21. If terrorists and counter-terrorists have often forgotten history, history has not forgotten them. Many historians have written subtly and interestingly about the evolution of terrorism (which, like so much else, has significant European as well as extra-European origins), about its ever-changing philosophy, about its sociology and its consequences. Those historians who have combined historical analysis with advocacy have tended to favour a tough line against terrorism, but biased more towards a strong police response than to military interventions.³⁴

22. In present circumstances there are powerful reasons to buttress the claim that the threat faced is totally new, and needs to be tackled in new ways. Today a single terrorist incident can involve a suicide mission, an assault on a nuclear-armed power, elaborate planning carried out half a world away from the location of the attack, the destruction of major buildings, and the killing of hundreds or even thousands of people, usually civilians, of many ages and nationalities. Such an attack may be on behalf of a movement many of whose demands are probably unachievable and certainly non-negotiable. Something new is undoubtedly happening, whether at the World Trade Center in Manhattan or at Beslan in North Ossetia. The difference between the scale of carnage now and what resulted from earlier phases of terrorism brings to mind the grim biblical statement that is inscribed on the Machine Gun Corps monument in London:

Saul hath slain his thousands but David his tens of thousands.³⁵

23. So sharp is the distinction from earlier eras that, from today’s grim perspective, it would be easy to implore earlier terrorists: “Come back: all is forgiven”. Former terrorists themselves, in the manner of old soldiers, have often deplored the terrible things that later generations of terrorists did, and the impurity of their motivations.³⁶ Because the changes have been so great, it would also be easy to brush aside earlier historical experience of terrorism on the grounds of diminished relevance—and this indeed appears to have happened in much contemporary analysis. It is a huge mistake.

³³ Col Charles Lacheroy, “La Guerre Révolutionnaire”, talk on 2 July 1957 reprinted in *La Défense Nationale*, Paris, 1958, p 322; cited in Peter Paret, *French Revolutionary Warfare from Indochina to Algeria: The Analysis of a Political and Military Doctrine*, Pall Mall Press, London, 1964, p 15. Paret comments that “nothing”, in this case, means “the secure existence of the status quo”.

³⁴ See eg Walter Laqueur, *The Age of Terrorism*, Weidenfeld & Nicolson, London, [1987]. Also Professor Michael Howard, cited later in this article.

³⁵ Monument “erected to commemorate the glorious heroes of the Machine Gun Corps who Fell in the Great War (1914–18)”, Hyde Park Corner, London. As the monument’s inscription notes, the Machine Gun Corps was formed on 14 October 1915, and its last unit was disbanded on 15 July 1922. The quotation is from the First Book of Samuel, chapter 18, verse 7.

³⁶ A good example is Mr Ratko Parezanin, a member of the Young Bosnia movement in 1914 and a friend of Gavril Princip, the assassin of Archduke Ferdinand in 1914. Parezanin’s memoirs, published in 1974, are mentioned below.

C. KEY US PRONOUNCEMENTS OF THE “WAR ON TERROR”

24. The major pronouncements of what has been variously termed in official US speeches the “war against terrorism” and the “war on terror” have been self-consciously historic in character; they have enunciated historically novel and ambitious goals; but have contained only limited reference to the history of terrorism and counter-terrorism. In his address to Congress nine days after the destruction of the twin towers in New York, President George W Bush stated:

Our war on terror begins with al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated . . .

Americans are asking: “How will we fight and win this war?”. We will direct every resource at our command—every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war—to the disruption and to the defeat of the global terror network.³⁷

25. At the end of September 2001 President Bush added, in a radio address:

. . . our war on terror will be much broader than the battlefields and beachheads of the past. This war will be fought wherever terrorists hide, or run, or plan. Some victories will be won outside of public view, in tragedies avoided and threats eliminated. Other victories will be clear to all.³⁸

26. The term “war” is not being used here in a purely rhetorical sense, as in the “war on drugs” or “war on poverty”. It has such a rhetorical side, but is being used to describe a notably broad and multi-faceted overall campaign of a type that is essentially new, and that includes major military operations (starting with Afghanistan) as one important aspect. In respect of both aspects of the war—the visible and the invisible—what is sought is “victory”.

27. The most important subsequent articulation of the “war on terror” was the February 2003 White House document, *National Strategy for Combating Terrorism*. This began by emphasising the unique nature of the current threat:

The struggle against international terrorism is different from any other war in our history. We will not triumph solely or even primarily through military might. We must fight terrorist networks, and all those who support their efforts to spread fear around the world, using every instrument of national power—diplomatic, economic, law enforcement, financial, information, intelligence, and military.³⁹

28. The oft-repeated claim of uniqueness has provided a justification for much of the rhetoric and strategic direction of the “war on terror”, and has provided, too, an implied justification for making little more than ritual reference to earlier history. However, the February 2003 document did contain at least a nod to history: “Americans know that terrorism did not begin on 11 September 2001”. It continued: “For decades, the United States and our friends abroad have waged the long struggle against the terrorist menace. We have learned much from these efforts”. In particular, past successes in destroying or neutralising various movements that had been active in the 1970s and 1980s “provide valuable lessons for the future”.⁴⁰ However, the document was unclear about exactly what terrorist movements were being referred to, and about what lessons had been learned.

29. Subsequent articulations of US doctrine offered little further reference to the history of terrorism and counter-terrorism. The most extraordinary omission in most US statements in the “war on terror” is the lack of reference to the existing US counter-insurgency doctrine, and the reluctance to embrace it even when faced with an insurgency in Iraq. By contrast, the UK military view tends to be that counter-insurgency doctrine is a principal basis of addressing terror.

D. TEN PROPOSITIONS BASED ON EARLIER CAMPAIGNS

30. Having recognised the strength of the US view that present circumstances are different, and that the measures to be taken against contemporary terrorism are different, it may be useful to take a step back and look at 10 propositions that might be drawn from the long history of terrorism, and action against it, mainly in earlier eras.

³⁷ President George W. Bush, speech to Congress, 20 September 2001.

³⁸ President George W Bush, Radio Address to the Nation, 29 September 2001. Available at <http://www.whitehouse.gov/news/releases/2001/09/>

³⁹ The White House, *National Strategy for Combating Terrorism*, Washington DC, February 2003, p 1.

⁴⁰ *National Strategy for Combating Terrorism*, p 5.

D1. *The basic means: intelligence and police*

31. Perhaps 95% of the important action in any campaign against terrorism consists of intelligence and police work: identifying suspects, infiltrating movements, collaborating with police forces in other countries, gathering evidence for trials and so on. This underlying truth far from being denied by President Bush or other leading figures involved in the “war on terror”. However, their rhetoric, being much more that of open war and of victory, has sometimes obscured this basic fact.

D2. *Capacity of counter-terrorism to achieve results*

32. Contrary to myth, counter-terrorist activities and policies can sometimes succeed—at least in the sense of contributing to a reduction or ending of the activities of terrorists without yielding power to them. For example, the forces opposed to terrorists were successful in this sense in the long-running Malayan “emergency” that began in 1948; in the Philippines at the same time; and against the “Red Brigades” that were active in Italy and Germany in the early 1970s. Arguably, they have had a measure of success in Northern Ireland over the past 36 years.

D3. *A terrorist strategy: provoking a repressive response*

33. A terrorist leader may seek to provoke a repressive response from the adversary’s regime, thus exposing its supposedly true nature—the iron fist inside the velvet glove. As Lawrence Durrell wrote in *Bitter Lemons*, his rich and subtle account of the Eoka insurgency in Cyprus:

. . . his primary objective is not battle. It is to bring down upon the community in general a reprisal for his wrongs, in the hope that the fury and resentment roused by punishment meted out to the innocent will gradually swell the ranks of those from whom he will draw further recruits.⁴¹

34. In some cases an aim may be to provoke not just government repression, but foreign military intervention. There do not appear to be fully documented cases of this, but the possibility cannot be excluded.

D4. *Need to address underlying grievances*

35. While there is no one simple formula to how terrorism can be undermined or defeated, the process often, perhaps even generally, requires action that is sensitive to the political environment. Where counter-terrorist strategies have succeeded, it has often been in combination with a political package that either responded to certain terrorist demands while rejecting others, or undercut the terrorists by reducing their pool of political support, or both. In Malaya, for example, the promise, and the actuality, of unqualified national independence was crucial to containing the terrorist threat there.

36. The Cold War historian John Gaddis has suggested that, in the campaign against terrorism, we may need to remember that during the Cold War it was perfectly well accepted that there was a need to address social issues on which Communist propaganda played:

With the rehabilitation of Germany and Japan after World War II, together with the Marshall Plan, we fought the conditions that made the Soviet alternative attractive even as we sought to contain the Soviets themselves.⁴²

37. It is sometimes suggested that making changes that respond in some way to terrorist demands constitutes appeasement, or at least implies recognition that a campaign of terrorism is justified. Such a suggestion is flawed. To say that a movement responds to real grievances—as for example over Palestine—is not to say that it is justified in resorting to terror, but it is to say that the terrorist movement reflects larger concerns in society that need to be addressed in some way. The exact way in which they are addressed may not be the way the movement is demanding. To refuse all changes on an issue because a terrorist movement has embraced that issue is actually to allow terrorists to dictate the political agenda.

D5. *Respect for a legal framework*

38. Respect for law is an important element in operations against terrorists. One of the key figures involved in the Malayan campaign in the 1950s, Sir Robert Thompson, distilling five basic principles of counter-insurgency from this and other cases, wrote of the crucial importance of operating within a properly functioning domestic legal framework:

The government must function in accordance with law. There is a very strong temptation in dealing both with terrorism and with guerrilla actions for government forces to act outside the law, the excuses being that the processes of law are too cumbersome, that the normal safeguards in the

⁴¹ Lawrence Durrell, *Bitter Lemons*, Faber & Faber, London, 1956, p 216.

⁴² 17 John Lewis Gaddis, “And Now This: Lessons from the Old Era for the New One”, in Strobe Talbott and Nayan Chanda (eds), *The Age of Terror: America and the World After September 11*, Perseus Press, Oxford, 2001, p 20.

law for the individual are not designed for an insurgency and that a terrorist deserves to be treated as an outlaw anyway. Not only is this morally wrong, but, over a period, it will create more practical difficulties for a government than it solves.⁴³

39. It is not only national legal standards that are important, but also international standards, including those embodied in the laws of war. A perception that the states involved in a coalition are observing basic international standards may contribute to public support for military operations within the member states; support (or at least tacit consent) from other states for coalition operations; and avoidance of disputes within and between coalition member states. In short, there can be strong prudential considerations (not necessarily dependent on reciprocity in observance of the law by all the parties to a war) that militate in favour of observing the laws of war.

40. There are some well-known difficulties in applying the laws of war to terrorist and counter-terrorist activities. Most terrorists do not conform to the well-known requirements for the status of lawful belligerent, entitled to full prisoner-of-war status. Further, few states could accept application of the law if it meant that all terrorists were deemed to be legitimate belligerents on a par with the regular uniformed forces of a government. However, application of the law does not require acceptance of either of these doubtful propositions. Rather it means recognition that, even in a war against ruthless terrorists, the observance of certain restraints may be legally obligatory and politically desirable—especially as regards treatment of detainees. Understandable doubt over the formal applicability of some provisions of existing law should not be turned into a licence to flout basic norms.⁴⁴

D6. *Treatment of detainees*

41. The treatment of detainees is an issue of crucial importance in the history of terrorism and counter-terrorism. Indeed, the defining moment in the birth of modern terrorism was an event in Russia in 1878 in response to the flogging of a political prisoner. This was what led a young woman, Vera Zasulich, to shoot and seriously wound General Trepov, the Police Chief of St Petersburg who had had the prisoner flogged.⁴⁵ Walter Laqueur has said of this event: “Only in 1878, after Vera Zasulich’s shooting of General Trepov, the governor of the Russian capital, did terrorism as a doctrine, the Russian version of ‘propaganda by the deed’, finally emerge.”⁴⁶ Likewise, torture meted out in Egyptian jails from Nasser’s time onwards has often been cited as part of the explanation for the emergence of radical Islamic terrorism in its modern and notably extreme form.

42. When fighting an unseen and vicious enemy, who may have many secret sympathisers, all societies encounter difficulties. In such circumstances, most states, even democratic ones, resort to some form of detention without trial. There are huge risks in such detentions. First, a risk of arresting and convicting the wrong people; and second, maltreatment of detainees. Both tend to create martyrs and to give nourishment to the terrorist campaign.

43. The United Kingdom’s long engagement against terrorism in Northern Ireland affords ample evidence for both these propositions, and it also points in the direction of a possible solution. This was one of many conflicts in which those deemed to be “terrorists” were aware of the value, including propaganda value, of making claims to PoW status and publicising claims of ill-treatment. While denying that there was an armed conflict whether international or otherwise, and strongly resisting any granting of PoW status to detainees and convicted prisoners, the UK did slowly come to accept that they had a distinct status, and that international standards had to apply to their treatment. After initially using methods that were legally questionable and highly controversial, the UK used a different approach, in effect applying basic legal principles derived from the laws of war. This helped in the long and difficult process of taking some of the political sting out of the emotionally charged issue of treatment of detainees.⁴⁷

44. Sadly, the treatment of detainees and prisoners has been one of the major failures of the “war on terror” ever since it began in late 2001. In January 2002 Donald Rumsfeld infamously said of the prisoners in Guantanamo, “I do not feel even the slightest concern over their treatment. They are being treated vastly better than they treated anybody else over the last several years and vastly better than was their circumstance

⁴³ Robert Thompson, *Defeating Communist Insurgency: Experiences from Malaya and Vietnam*, Chatto & Windus, London, 1966, p 52. From 1957 to 1961 the author was successively Deputy Secretary and Secretary for Defence in Malaya. As his and other accounts make clear, in the course of the Malayan Emergency there were certain derogations from human rights standards, including detentions and compulsory relocations of villages.

⁴⁴ For a fuller account, see Adam Roberts, “The Laws of War in the War on Terror”, in Paul Wilson (ed), *International Law and the War on Terrorism* (US Naval War College, International Law Studies, vol 79), Naval War College, Newport, Rhode Island, 2003.

⁴⁵ Roland Gaucher, *The Terrorists: From Tsarist Russia to the OAS*, trans Paula Spurlin, Secker & Warburg, London, [1965], pp 10–11.

⁴⁶ Laqueur, *Age of Terrorism*, p 33.

⁴⁷ The key document in this process was Lord Gardiner’s minority report in *Report of the Committee of Privy Counsellors Appointed to Consider Authorised Procedures for the Interrogation of Persons Suspected of Terrorism*, Cmnd. 4901, Her Majesty’s Stationery Office, London, March 1972. His Minority Report was accepted by the government, as announced by Prime Minister Edward Heath in the House of Commons on 2 March 1972.

when they were found.”⁴⁸ Needless to say, this and similar remarks were widely broadcast on radio and TV stations critical of the USA. The episodes of maltreatment and torture in Iraq since April 2003 have reinforced the damage. Those who suggest that humane treatment is a relatively unimportant issue—and those far fewer individuals who argue that torturing prisoners is a way to combat terrorism—do need to address the criticism that ill-treatment and torture have in the past provided a principal basis of arguments seeking to justify the resort to terrorism.

D7. *Evil v error*

45. In the history of both terrorism and counter-terrorism there has long been a temptation to depict the adversary as evil. In terrorist movements, many otherwise decent and serious individuals have been seduced by the simple and attractive notion of the power of the deed: that a cleansing act of violence can rid the world of uniquely evil forces.

46. In counter-terrorist operations, the depiction of the adversary as evil may faithfully reflect understandable feelings in a society under terrorist assault, but it poses severe practical problems elsewhere. One hazard of treating terrorism as a problem of evil is that many people in the population from whom the terrorists come will know that such an explanation is too simple. They will have a broader idea of the mixture of characteristic traits that can make a terrorist: idealism, self-sacrifice, hope, despair, ignorance, short-sightedness, thuggishness, hatred, sadism, cleverness and stupidity. The population may have sympathy with the cause for which the terrorists stand but not with the method. If the terrorist group is described as simply “evil”, the population will therefore be further alienated from the anti-terrorist cause, which they will see as depending on a caricature that they do not recognise.

47. In the struggle against terrorism, it may be most useful to conceive of terrorism as a problem, not so much of extreme evil (although it may be that), but rather of dangerously wrong conduct and ideas. The difference in approach—the view of terrorism more as dangerous idea and as morally reprehensible than as absolute evil—has significant implications for how terrorist campaigns may be opposed, and how they may end.⁴⁹

D8. *The effects of terrorist action*

48. Most terrorist movements and individuals have notions of change with two main strands.

1. A spectacular act of political violence will transform the political landscape, particularly by mobilising and radicalising the dormant masses.
2. A long terrorist campaign will wear down the adversary, leading to demoralisation, doubt, and withdrawal. These are the terrorist equivalents of *blitzkrieg* and war of attrition.

49. There is no doubt that some terrorist campaigns (whether involving elements of *blitzkrieg* or attrition) have achieved significant objectives. Certain temporary international presences have proved vulnerable to terrorist campaigns, including especially those of over-stretched colonial powers, and, more recently, of international bodies such as the United Nations. The one sure consequence of a sustained terrorist campaign in a particular area is that it is bad for tourism—especially when, as has happened in several attacks in this century from Indonesia to Egypt, it is the tourists themselves who are targets. Yet only rarely has the discouragement of tourism been the principal goal of a terrorist movement.

50. Other consequences of terrorist campaigns are much more unpredictable. For example, political assassinations have very seldom had the effects for which terrorists hoped, and more often have led to a strengthening of the regime against which they were fighting. An exhaustive study concentrating particularly on the effects of 56 assassinations of heads of government or state in the period 1919–68 concluded: “We are dismayed by the high incidence of assassination indicated by our collected data . . . We are also surprised by the fact that the impact of any single assassination, even of a chief executive or dictator, normally tends to be low.”⁵⁰

51. Sometimes terrorist actions lead to major consequences that are different from what the terrorists anticipated. They may lead to vigorous political or military campaigns against the terrorists, and even to the outbreak of international wars, as in Europe in 1914. According to a friend who was close to him, Gavrilo Princip, the 19-year-old Bosnian Serb student who killed Archduke Ferdinand in Sarajevo in June 1914, had no idea that the result of the assassination would be war, let alone world war.⁵¹

⁴⁸ Donald Rumsfeld roundtable with radio media, 15 January 2002. Available at: http://www.defenselink.mil/transcripts/2002/t01152002au0_1_t0115sdr.html

⁴⁹ The problematic character of defining the “war on terror” as one of good v evil is recognised in Talbott and Chanda, *The Age of Terror*, p xiv.

⁵⁰ Murray Clark Havens, Carl Leiden and Karl M Schmitt, *The Politics of Assassination*, Prentice-Hall, Englewood Cliffs, New Jersey, [1978], p 153.

⁵¹ See the remarkable and detailed memoir by fellow-student in the Young Bosnia movement who was a friend of Princip, Ratko Parezanin, *Mlada Bosna I prvi svetski rat* [Young Bosnia and the First World War], Iskra, Munich, 1974. The book was published on the 60th anniversary of the Sarajevo assassination. (A useful short article about it is Iain Macdonald, “Sarajevo: When a teenager with a gun sent the world to war”, *The Times*, London, 28 June 1974, p 18.)

52. In some cases terrorist action has been so callous that it has aroused antagonism even among the population that has some sympathy with, even involvement in, the terrorist cause. For example, in August 1949, when communist terrorists in the Philippines murdered the popular widow of President Quezon, for the first time there was widespread popular wrath against the insurgents.⁵² Such actions can contribute to the isolation of terrorist groups. Indeed, the terrorist dream of awakening the masses through their actions has almost never worked in the way in which terrorists have perennially hoped.

D9. *Terrorism's endemic character*

53. One of the most pernicious aspects of terrorism is its capacity to become endemic in particular regions, cultures and societies. Because of its unofficial and clandestine character, and because of the extreme bitterness it engenders within and between communities, it easily becomes a habit.

54. The experience of terrorism suggests that, after it has been taken up in one cause, it gets adopted by others, and by splinter-groups; and how difficult it is to reach a definitive end to terrorist activities. Started by the Right, it gets taken up the Left, or *vice versa*. Started by nationalists, it may get taken up by so-called religious fundamentalists. Started by the Stern Gang, it gets taken up by the PLO. Started by the high-minded, it gets taken up by criminals, drug-smugglers and Mafiosi. Moreover, it can be difficult to call off terrorist struggles. A hard-core splinter group within a movement may refuse all compromise; and may be able to continue the struggle because the decentralised nature of terrorist organisation and action makes that easy.

55. This view of terrorism as damaging to the societies in which it takes place is confirmed by the history of the Middle East, Latin America, the Balkans and Ireland over the past two centuries. It forms an important buttress to moral condemnations of terrorism. An understanding of its destructive character within the societies that produce terrorist movements—which are of course the very societies that they purport to save—provides a better basis for securing international action against terrorism than do certain views of terrorism that focus on it as a threat principally to the democratic states of the West, or indeed to the USA in particular.

D10. *Similarities between terrorists and their opponents*

56. A student of the history of terrorism cannot help being struck by certain similarities between terrorists and their opponents. Both share not only a vision of the world as a struggle of good versus evil, but also a belief that particular new weapons and tactics now give an opportunity to strike directly at the heart of the adversary's power. Russian terrorists in the nineteenth century believed that their new and quite accurate weapons—the pistol, the rifle and the bomb—could enable them to attack the source of all evil (namely the Tsar) directly and with limited side-effects.⁵³

57. In the “war on terror”, a similar vision of clean and well-targeted war against dictatorial regimes has informed much US policy-making. As George Bush put it in his infamous (because premature) “Mission Accomplished” speech on 1 May 2003:

In the images of falling statues, we have witnessed the arrival of a new era. For a hundred of years of war, culminating in the nuclear age, military technology was designed and deployed to inflict casualties on an ever-growing scale. In defeating Nazi Germany and Imperial Japan, Allied forces destroyed entire cities, while enemy leaders who started the conflict were safe until the final days. Military power was used to end a regime by breaking a nation.

Today, we have the greater power to free a nation by breaking a dangerous and aggressive regime. With new tactics and precision weapons, we can achieve military objectives without directing violence against civilians. No device of man can remove the tragedy from war; yet it is a great moral advance when the guilty have far more to fear from war than the innocent.⁵⁴

58. One year and many deaths later, this vision of the 2003 Iraq War as a more or less clinical excision of an evil regime looks to have been a desert mirage—just as many terrorist visions of achieving change through violence have also led to disappointment.

59. The similarity between so-called terrorists and their adversaries was noted by Régis Debray in his little-known novel *Undesirable Alien*. In this remarkably unsentimental view of his fellow revolutionaries in Latin America, he mocks his comrades in the struggle for having a taste for cowboy films, and suggests that red revolutionaries may be propounding nothing more than the ideology of the American western.⁵⁵ Sadly,

⁵² Robert B Asprey, *War in the Shadows: The Guerrilla in History*, Macdonald and Jane's, London, 1976, p 811; drawing on N D Valeriano and C T R Bohannon, *Counter-Guerrilla Operations: The Philippine Experience*, Praeger, New York, 1962.

⁵³ Laqueur, *Age of Terrorism*, pp 36–8.

⁵⁴ George W Bush, Remarks from the *USS Abraham Lincoln* at sea off the coast of San Diego, California, 1 May 2003.

⁵⁵ Régis Debray, *Undesirable Alien*, trans. Rosemary Sheed, Allen Lane, London, 1978.

events have moved on since then, and it is the Hollywood disaster movie that is emulated by Osama bin Laden and his colleagues.⁵⁶ Incidentally, radical Islam also has its Californian roots due to the presence there in the 1950s of its founding father, Sayyid Qutb.⁵⁷

E. CAN INTERNATIONAL SUPPORT BE MAINTAINED?

60. Turning to specific questions about the “war on terror” that began in 2001, the first is whether it has achieved, and is able to retain, the historically unique breadth of international support that Bush has consistently sought. It was framed from the start as a campaign on a broad front, involving a large number of countries—but at the same time it was always as a US-led operation. Bush’s words in his 20 September 2001 speech reflected this duality:

Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists. From this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.⁵⁸

E1. *The UN’s unprecedented role*

61. From 11 September 2001 onwards, the United Nations was seen as one vehicle for securing international co-operation, but never as the lynch-pin of the war, leadership of which remained firmly in US hands. The UN became deeply involved in numerous aspects of the “war on terror”. Yet there was bound to be doubt about whether the UN or any other international organization could be the central agency through which a war on terror could be conducted.

62. The UN has a long and mixed history of involvement in the question of terrorism. The UN General Assembly had historically had great difficulty in agreeing a definition of terrorism, partly because of the insistence of a number of member states on incorporating in any resolution a pledge to address the root causes of terrorism—which seemed to the US and others as a backdoor justification of terrorism. Despite this unpromising background, the UN General Assembly had done much over the years to address the problem of terrorism, mainly by approving twelve conventions prohibiting particular terrorist acts, such as air piracy. It provides a forum for demonstrably refuting those crude caricatures of the international struggle against terrorism as a struggle of the US (or the West) v the rest.

63. The Security Council has had a somewhat more positive role. It had already, long before September 2001, passed numerous resolutions condemning particular terrorist acts, and condemning the international terrorist presence in Afghanistan. After 11 September 2001 it gave the green light for US-led military action. Security Council resolution 1373 of 28 September 2001 took this international collaboration much further. It obliged all member states to prevent the financing of all terrorist acts, and it established a Counter Terrorism Committee to assist and monitor implementation.

64. Despite its virtues, the UN should not have excessive expectations placed on it. A particular problem is that UN personnel and forces are themselves vulnerable to terrorist assault, and have sometimes been withdrawn from violent situations in view of the risks posed by terrorism. Thus the UN is not suited to the role of manning the front line against terrorist assault.

65. Since May 2003, a number of commentators have suggested that the United States role in Iraq is so compromised, and has led to such opposition, that there needs to be a handover to the UN.⁵⁹ However, the UN cannot perform miracles, and would still need to rely on the troops of whatever states were willing to supply them. The vulnerability of the UN in Iraq was shown by the murderous attack on the UN headquarters in Baghdad on 19 August 2003, and the subsequent withdrawal of UN personnel. The UN offers no easy way out of the dilemmas experienced in Iraq, or those posed by terrorism more generally.

66. The capacity of the UN Security Council to make serious mistakes in the “war on terror” was embarrassingly evident in the wake of the Madrid bombing of 11 March 2004. On the same day, the UN Security Council passed a resolution in which, after “reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts”, went on to state that it “Condemns in the strongest terms the bomb attacks in Madrid, Spain,

⁵⁶ This may be literally true, although reports of information by detainees given during interrogation need to be treated with extreme caution. According to numerous reports, Abu Zubaydah (a Palestinian captured in Pakistan in 2002 who was reportedly Osama bin Laden’s chief of operations) told his interrogators in Guantanamo that terrorists might be taking clues from the film *Godzilla*, which had been remade in 1998 and showed a monster attack on Brooklyn Bridge and the Statue of Liberty. Timothy W Maier, “Has FBI Cried Wolf Too Often?”, *Insight on the News*, 5 August 2002. Available at: <http://www.insightmag.com/news/2002/08/26>

⁵⁷ On possible connections between southern California and religious radicalism see the brief references in Malise Ruthven, *Fundamentalism: The Search for Meaning*, Oxford University Press, 2004, pp 10 and 38. Sayyid Qutb (1906–66), when he was in California in the 1950s, was deeply influenced by the Western culture that he opposed as degenerate and corrupt.

⁵⁸ President George W Bush, Address to a Joint Session of Congress and the American People, Washington DC, 20 September 2001. The peroration added that “God is not neutral”.

⁵⁹ Professor Fred Halliday summarized the case for a handover to the UN in a lecture at the London School of Economics on 6 May 2004.

perpetrated by the terrorist group ETA on 11 March 2004.”⁶⁰ There was no need—except, of course, for the Spanish Government for its own political reasons in the days before the election—for the Security Council to apportion blame at all. From the start it was obvious that the Madrid bombings might be the work of international terrorists, and the evidence of an Islamic extremist connection would quickly mount. This is by some distance the silliest resolution ever passed by the Security Council. It suggests that, at least in some aspects of the task, governments throughout the world, including our own, are doing a poor job of facing up to the terrorist threat, and at using in a sober and serious manner the opportunities the UN system offers for assisting in this task.

E2. *US leadership*

67. The notable insistence on US leadership in the various aspects of the “war on terror” reflected two central facts: it was the US that had been attacked on 11 September; and in a struggle which would require prompt and decisive military and other action, national capabilities and decision-making structures would be more effective than anything else.

68. In 2001–02 the variety and extent of international support for the campaign against terrorism was remarkable. As the US State Department pointed out in March 2002, 136 countries offered some form of military assistance, 46 multilateral organizations issued declarations of support, and three treaty bodies (NATO, the OAS and ANZUS) invoked their collective defence treaty obligations with the US.⁶¹

69. Despite the extensive evidence of international support, including in such delicate matters as sharing intelligence and cooperation between police forces, the idea that the “war on terror” was a universal project, in which all states could join the US, ran into trouble. First was the awkward and unavoidable fact that different countries see the world differently. Many had doubts about a war on terror that relied so extensively on military force and did not address underlying grievances with the same level of determination. Second, there was a major difficulty in the particular way in which the US leadership in this struggle was presented. Many were antagonised by the blunt and US-centred approach of “Either you are with us, or you are with the terrorists”. Third, several NATO members were offended by the apparent lack of US response to NATO’s unprecedented invocation of Article V, bringing collective self-defence into play.

70. However, the event that most exposed differences of philosophy and interest in the “war on terror”, that contributed most to a renewal of tension between the US and the UN, and that most challenged the idea that this campaign had a universal character, was the US-led invasion and occupation of Iraq in 2003. Among the many problems which this war leaves in its wake is the strong and damaging perception that Western countries seek to force Muslim populations into a single, externally imposed political template: a perception that damages efforts at coalition building.⁶²

F. CAN MILITARY INTERVENTIONS BE EFFECTIVE AGAINST TERRORISM?

71. In countries faced with terrorist attacks, there are often strong reasons for attacking terrorism at what is seen as its source. A state that allows terrorists to organize on its territory to wage operations elsewhere is naturally the object of suspicion, and may well be thought to deserve whatever it gets. Yet in the “war on terror” the question of military intervention proved extremely divisive.

72. Counter-terrorist operations, when taking the form of open war and a conventional military response, have often led to tragedy. The First World War began when the assassination of Archduke Ferdinand in Sarajevo in June 1914 by a young Serbian nationalist led to an Austrian determination to root out the “hornet’s nest” that was Serbia. Similarly, Israel’s disastrous intervention in Lebanon in 1982 was explicitly a response to a persistent and intense pattern of terrorist attacks on Israeli and Jewish targets not only in Israel but also internationally.

73. It is not surprising, therefore, that historians have generally been sceptical about waging war as a response to terrorist acts. However, they tend to be admirably discriminate: more sceptical than dogmatic. Two or three months after 9/11, the American historian Paul Schroeder wrote:

Three lessons emerge from reasoning by historical analogy from the early summer of 1914 to the late summer of 2001. The first is that a great power must avoid giving terrorists the war they want, but that the great power does not want. The second is that a great power must reckon the effects of its actions not only on its immediate circumstances, but also with regard to the larger structure of international politics in which it clearly has a significant stake. The third is that a great power must beware the risks of victory as well as the dangers of defeat. If it is not careful and wise, the

⁶⁰ UN Security Council Resolution 1530 of 11 March 2004.

⁶¹ US State Department, “Boucher Summarizes International Support for War on Terrorism”, 1 March 2002; cited in Michael A Sheehan, “Diplomacy”, in Audrey Kurth Cronin and James M Ludes (eds), “Attacking Terrorism: Elements of a Grand Strategy”, Georgetown University Press, Washington DC, 2004, p 107.

⁶² These points are made with notable force in Jonathan Stevenson, “Counter-Terrorism: Containment and Beyond” (International Institute for Strategic Studies, Adelphi Paper 367), Oxford University Press, Oxford, October 2004, pp 108–113.

United States could find itself enmeshed even deeper in the Middle East and Southwest Asia than it is today, and risk generating greater prospective dangers in the process of containing smaller near-term ones.⁶³

74. He drew a crucial distinction between Afghanistan, where the war had a legitimate objective and was widely understood internationally, and other possible target countries, including Iraq.⁶⁴ Within 18 months of this warning, the US was deeply involved in Iraq in exactly the way he had feared, with no prospect of an early exit. He was right that the two cases, and the nature of the US involvements in them, were very different, both in the justifiability of the intervention and in the consequences that followed.

F1. *Afghanistan: war and its aftermath*

75. The first major engagement of the “war on terror”, Operation Enduring Freedom, which encompassed the US-led coalition military operations in and around Afghanistan that began on 7 October 2001, was widely viewed as a justifiable use of force—a term greatly preferable to the more familiar term “just war”. It had a great deal of diplomatic support, and received significant legitimation from resolutions passed at the United Nations.⁶⁵ There appeared to be no other means of stopping the activities of al-Qaeda, protected as they were by the Taliban regime. The war did result in a victory—at least of sorts. By the end of the year, the Taliban regime had gone, replaced by the Afghan Interim Authority, and then in June by the Afghan Transitional Government. In the course of 2002 a total of 1.8 million Afghans, 1.5 million of whom had come from Pakistan, resettled in Afghanistan. Although the return of refugees was not the main objective of the campaign—and the capture of the main al-Qaeda leaders, which was an objective, was not achieved—this huge refugee return was evidence that the “war on terror” could achieve at least some positive effects, by helping to depose a reactionary, oppressive and thoroughly dangerous regime. The remarkably successful presidential election on 9 October 2004 provided a further small sign of progress in post-war Afghanistan.

76. Tribute must be paid where it is due. On the first day of the US bombing campaign in Afghanistan, Donald Rumsfeld, US Secretary of Defense, said of the Taliban: “Ultimately they’re going to collapse from within. That is what will constitute victory.”⁶⁶ That is very much what happened in November and December 2001. The main achievement was regime change, not the tracking down of al-Qaeda forces. This fact was seen by some, including the White House counter-terrorism specialist Richard Clarke, as a criticism of the otherwise successful handling of the Afghan War.⁶⁷

77. Three unique facts enabled the Afghan campaign to succeed. (1) The Taliban regime was weak both within Afghanistan and internationally. (2) The fanatical character of the bombing of the World Trade Centre, and the persuasive evidence of links to Afghanistan, contributed to the Taliban’s loss of allies, especially Pakistan, and also meant that the world accepted the legitimate element of self-defence in the US-led campaign. (3) The existence on the ground of the US-supported forces of the Northern Alliance enabled the US-led bombing campaign to be effective rather than merely punitive, and then provided a basis for post-war administration.

78. In respect of Afghanistan some historians doubted whether any positive result could be achieved in the US-led campaign in late 2001. They could and in some cases did point out, very reasonably, that Afghanistan is not a country in which foreign armed forces have ever had a happy time; that there is good reason to be cautious about the prospects of changing Afghanistan’s violent political culture; and that there are problems in waging a bombing campaign against so devious and elusive a target as a terrorist movement.

79. Sir Michael Howard, former Regius Professor of History at Oxford, criticised the Afghan war during its opening phase, when its main aspect was bombing rather than support for ground forces. In a lecture in London on 30 October 2001 (and subsequently published in *Foreign Affairs*) he said that it would be “like trying to eradicate cancer cells with a blow-torch”.⁶⁸ Three months later, in a thoughtful reappraisal, he said:

⁶³ Paul W. Schroeder, “The Risks of Victory: An Historian’s Provocation”, *The National Interest*, Washington DC, No 66 (Winter 2001–02), p 22.

⁶⁴ Schroeder, “The Risks of Victory”, pp 28–9. See also his article warning against the likely effects of an attack in the Middle East, “Iraq: The Case Against Preemptive War”, *The American Conservative*, vol 8, no 20 (October 2002), available at <http://www.amconmag.com/10—21/iraq.html>

⁶⁵ While no UN Security Council resolution specifically authorised the US-led military operations in Afghanistan, several resolutions passed both before and after 11 September 2001 provided a significant degree of support for such action. Resolution 1189 of 13 August 1998 had emphasized the responsibility of Afghanistan to stop terrorist activities on its territory. Resolution 1368 of 12 September 2001 recognized “the inherent right of individual or collective self-defence in accordance with the Charter,” condemned the attacks of the previous day, and stated that the Council “regards such acts, like any act of international terrorism, as a threat to international peace and security.” It also expressed the Council’s “readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001, and to combat all forms of terrorism.” These key points were reiterated in Resolution 1373 of 28 September 2001, which additionally placed numerous requirements on all states to bring the problem of terrorism under control.

⁶⁶ Rumsfeld cited in news report by Brian Knowlton, *International Herald Tribune*, London, 8 October 2001, p 1.

⁶⁷ In Afghanistan, “we treated the war as a regime change rather than as a search-and-destroy against terrorists.” Richard A Clarke, “Against All Enemies: Inside America’s War on Terror”, Simon & Schuster UK, London, 2004, p 274.

⁶⁸ Michael Howard, lecture in London on 30 October 2001, reported in Tania Branigan, “Al-Qaida is Winning War, Allies Warned”, *The Guardian*, London, 31 October 2001. The lecture was the basis of Michael Howard, “What’s in a Name? How to Fight Terrorism”, *Foreign Affairs*, January/February 2002, pp 9–13.

“I got it wrong, and I apologise.”⁶⁹ Yet in a broader sense he did not get it entirely wrong. Despite the achievement of results in Afghanistan, historians have good reasons to be sceptical about the efficacy of military interventions as a response to terrorist campaigns. Howard’s vivid image of hazardous use of the blow-torch may fit other cases, including Iraq since 2003, better than it fitted Afghanistan.

F2. *Iraq: war and its aftermath*

80. The Iraq War of 2003 provides a very different context for exploring the question of whether invasion of states believed to assist terrorism is an effective way to achieve the aims of a counter-terrorist policy. The rhetoric of the “war on terror”, with its emphasis on open war, may be part of the explanation of the US-led assault on Iraq in 2003. In his television address of 17 March 2003 presenting Saddam Hussein with an ultimatum to get out of Iraq within 48 hours, President Bush included the statement that Iraq had “aided, trained and harbored terrorists, including operatives of al-Qaeda.”⁷⁰ Yet in reality Iraq’s links to al-Qaeda up to March 2003 appear to have been, at best, very limited indeed. There were some Iraqi connections with terrorists, especially those connected with the Arab-Israel conflict, but Iraq does not appear to have had any significant part in the ruthless campaign of international terrorist attacks for which al-Qaeda has been seen as responsible. Within the US government, there was already in early 2003 some official awareness that the accusation of the link between Iraq and al-Qaeda was weak. When on 20 March 2003 the US government gave to the UN Security Council a letter containing its justification for attacking Iraq, the letter dealt exclusively with Iraq’s non-compliance with a range of UN Security Council resolutions on weapons issues. Terrorism was not even mentioned.⁷¹

81. Against this background, it is peculiar that the US government called the war in Iraq part of the “war on terror”, and issued medals for both the Afghanistan and Iraq campaigns which are called “the Global War on Terrorism Expeditionary Medal” (for those who served in Afghanistan or Iraq) and “the Global War on Terrorism Service Medal” (for those whose service was elsewhere). Naturally, critics objected that the administration was “subtly using the single campaign medal to buttress its contention that the war in Iraq was undertaken as part of the worldwide battle against al-Qaeda and other Islamic extremists.”⁷²

82. I was, and remain, critical of the use of force in Iraq. The principal concerns are that certain of the stated grounds for going to war (violations of the UN resolutions on disarmament, and association with al-Qaeda) have proved to be weak; that the planning for the aftermath of war was so feeble; and that the results of the war have proved so violent. Historians were right to warn, as Professor Michael Howard did in interviews in March 2003, that Iraq might be easy to defeat in a military campaign, but would be difficult to occupy and administer. At least in terms of the struggle against terrorism the results so far of the Iraq War appear to be distressingly negative.

83. Indeed, the presence and role of foreign (mainly US) armed forces in Iraq is cited as justification for terrorist bombings, kidnappings and executions there, and also in other countries. And more generally, the common thread in the growth of suicide bombing since the attack on the US Embassy in Beirut in 1983 is not just religious extremism but the presence of foreign military occupation. As Robert Pape of the University of Chicago has written:

. . . the close association between foreign military occupations and the growth of suicide terrorist movements in the occupied regions should give pause to those who favor solutions that involve conquering countries in order to transform their political systems.⁷³

84. There are, of course, some grounds for questioning the generally negative picture of the results of the Iraq War. Within Iraq, the removal from office of Saddam Hussein was widely welcomed, and some still retain the hope that a stable democratic order can emerge slowly from the twisted wreckage of his brutal regime. Outside Iraq, the war may have helped to induce an element of prudence in the conduct of policy of some governments.

85. One possible case is Libya. In December 2003 Colonel Gaddafi made his decision to bring Libya in from the cold, confirming his renunciation both of terrorism and of ambitions to develop nuclear weapons. Whether his decision owed anything to the Iraq War is debated. Although the process which bore fruit in December had begun long before the initiation of hostilities in Iraq in March 2003, it is possible that seeing a fellow Arab leader unceremoniously deposed may have helped to concentrate Gaddafi’s mind. At the very least the Iraq War did not foreclose a highly significant policy development in Libya.

⁶⁹ His reappraisal was in “September 11 and After: Reflections on the War Against Terrorism”, a lecture delivered at University College London on 29 January 2002.

⁷⁰ President Bush, speech from the White House, 17 March 2003.

⁷¹ The stated reason for going to war in March 2003 was “Iraq’s continued material breaches of its disarmament obligations under relevant Security Council resolutions.” Letter dated 20 March 2003 from the Permanent Representative of the USA, John Negroponte, to the President of the UN Security Council.

⁷² Vernon Loeb, “Medals Couple Two Conflicts: Critics Seek Separate Awards for Afghanistan, Iraq Fighting”, *Washington Post*, 6 January 2004.

⁷³ Robert A Pape, “The Strategic Logic of Suicide Terrorism”, *American Political Science Review*, vol 97, no 3 (August 2003), p 357.

86. Overall, the Iraq War has probably done more harm than good to the US and UK efforts to combat terrorism. There is much force in Richard Clarke's argument that Bush "launched an unnecessary and costly war in Iraq that strengthened the fundamentalist, radical Islamic terrorist movement worldwide."⁷⁴ There is also much force in the criticism of Robert Tucker and David Hendrikson:

... the Bush administration brazenly undermined Washington's long-held commitment to international law, its acceptance of consensual decision-making, its reputation for moderation, and its identification with the preservation of peace. The road back will be a long and hard one.⁷⁵

F3. UK and US doctrine on military intervention

87. Iraq compels us to revisit the argument that it is best to engage an enemy at long range. This is the philosophy expressed in two key documents of the "war on terror", both issued in 2002. The UK Strategic Defence Review: A New Chapter says: "Experience shows that it is better where possible, to engage an enemy at longer range, before they get the opportunity to mount an assault on the UK."⁷⁶ The National Security Strategy of the United States commits the US to attack terrorist organisations by "convincing or compelling states to accept their sovereign responsibilities".⁷⁷ The implication here is that states won't get rid of terrorists on their soil, the USA will do it for them.

88. The proposition that terrorism should be attacked at source is attractive, but three serious grounds of criticism, all historically based, should be noted:

- (a) It is a false choice. However desirable it may be to engage the enemy at longer range, there is no substitute for defensive anti-terrorist and counter-terrorist activities. Granted the imperfections of intelligence, the multiplicity of possible sources of attack, and the hazards of taking military action against sovereign states, it may not always be possible, or sensible, to attack terrorism at source. Meanwhile, much can be done at home to reduce the risk of terrorist attack. The astonishing casualness of US airport security before 11 September 2001 illustrates the point.
- (b) The history of counter-terrorist operations suggests no such simple conclusion. True, some counter-terrorist operations have involved military action in states perceived to be the sources of, or providers of support to, terrorist movements. However, many counter-terrorist campaigns have been effectively conducted with only limited capacity to engage the enemy at longer range. For example, the UK and Malayan governments had to engage in the long struggle against terrorism without attacking the People's Republic of China, despite the fact that the PRC was aiding and abetting the Communist Terrorist movement in Malaya from 1949 onwards. Similarly, the UK government had to deal with terrorism in Northern Ireland without resorting to military action in the Republic of Ireland, despite claims that the provisional IRA was deriving benefit from resources and support there.
- (c) It is a recipe for a revival of imperialism. Military intervention in states in order to eliminate the sources of terrorism must inevitably mean, in many cases, exercising external domination for a period of decades. This was the pattern of much European colonialism in the nineteenth century, including in Egypt. By a perverse paradox, external control, intended to stop terrorism in its tracks, frequently has the effect of provoking it and providing a ready-made justification for it.

89. Paul Schroeder has argued persuasively that the US can legitimately and sensibly aim to exercise hegemony, but it is ill-advised to lunge, on the basis of blinkered historical ignorance, into the mirage of empire. His conclusion is that America's leaders, because they are ignorant of the past, are actually stumbling backwards into it:

What they are now attempting therefore is not a bold, untried American experiment in creating a brave new world, but a revival of a type of nineteenth and early-twentieth century imperialism that could succeed for a time then (with ultimately devastating consequences) only because of conditions long since vanished and now impossible to imagine reproducing. Launched now, this venture will fail and is already failing. Its advocates illustrate the dictum that those unwilling to learn from history are doomed to repeat it. . . .⁷⁸

⁷⁴ Clarke, *Against All Enemies*, p x.

⁷⁵ Robert W Tucker and David C Hendrickson, "The Sources of American Legitimacy", *Foreign Affairs*, New York, November/December 2004.

⁷⁶ UK Ministry of Defence, *The Strategic Defence Review: A New Chapter*, Stationery Office, London, July 2002 (Cm 5566 vols I and II), vol I, p 9.

⁷⁷ The White House, *The National Security Strategy of the United States of America*, Washington, DC, September 2002, p 6.

⁷⁸ Paul W Schroeder, "The Mirage of Empire Versus the Promise of Hegemony", in Schroeder, *Systems, Stability and Statecraft: Essays on the International History of Modern Europe* (ed David Wetzel, Robert Jervis and Jack S Levy), Palgrave Macmillan, New York and Basingstoke, 2004, p 305.

G. HOW DO TERRORIST CAMPAIGNS END?

G1. *The Bush administration's vision*

90. The advocates of the “war on terror” offer a vision—but a restricted one—of how the war might end. The focus is more on victory than other visions of possible endings, but it is victory of a special kind. Some elements of it were outlined in the White House National Security Strategy document of September 2002;⁷⁹ and they were further elaborated in the White House doctrinal statement of February 2003:

Victory against terrorism will not occur as a single, defining moment. It will not be marked by the likes of the surrender ceremony on the deck of the USS Missouri that ended World War II. However, through the sustained effort to compress the scope and capability of terrorist organisations, isolate them regionally, and destroy them within state borders, the United States and its friends and allies will secure a world in which our children can live free from fear and where the threat of terrorist attacks does not define our daily lives.

Victory, therefore, will be secured only as long as the United States and the international community maintain their vigilance and work tirelessly to prevent terrorists from inflicting horrors like those of 11 September 2001.⁸⁰

91. These small glimpses of how “victory” might come about are essentially schematic and prescriptive rather than historical. They have an abstract and euphemistic quality. Because they leave little room for complexity, they have enabled some individuals to focus the idea of destruction more than other possible mechanisms. When Timothy Garton Ash asked a very high US administration official how the “war on terror” would end, he received the answer: “With the elimination of the terrorists.”⁸¹

92. Such simple prescriptive views of how a terrorist campaign should end are also to be found in a book by two clever supporters of the Bush administration, David Frum and Richard Perle. Published in 2003, *An End to Evil: How to Win the War on Terror* is modestly described by its authors as “a manual for victory.”⁸² It is certainly a paean of praise for Bush’s anti-terrorist policy, and a diatribe against all those allies and bureaucrats who fail to support it properly: “While our enemies plot, our allies dither and carp, and much of our government remains ominously unready for the fight.”⁸³ What does it say about how terrorist campaigns end? Virtually nothing. In true American fashion, this is a “How to” book which is full of hectoring instruction but which gives no clue about how terrorist campaigns actually end.

G2. *How past terrorist campaigns ended*

93. The talk of “winning” and “victories” suggests a decisive result. Yet such a result is seldom encountered in counter-terrorist struggles. There is a need for much broader understanding, based on historical evidence, of how terrorist campaigns do in fact end.⁸⁴ The processes—some of them deeply flawed—by which terrorist campaigns end are far more complex than is suggested by the language of the “war on terror”. They usually include what is part and parcel of the “war on terror”: debilitating losses to the terrorist movement caused by military action, arrests, and trials. However, they can also involve any or all of the following four elements:

1. Awareness on the part of terrorist movements that they are being defeated politically, or at least are not making gains. The actions of terrorists usually fail to arouse the masses in the hoped-for manner: indeed, they frequently cause antagonism in the very population whose support is sought. Awareness of such failures can often lead to defections and splits, and to a political decision by all or part of terrorist movement or its political allies to move to a different phase of struggle or of political action.⁸⁵
2. Recognition by governments which organised or assisted terrorism that they must renounce this method of pursuing a cause. Such recognition may sometimes (as in the case of Libya) be coupled with a willingness to pay compensation to the families of victims of terrorist acts.
3. The amelioration of conditions in order to weaken the strength and legitimacy of their support. Such amelioration is something in which Messianic terrorists have no interest. It may include a

⁷⁹ *National Security Strategy of the United States*, pp 5–7.

⁸⁰ *National Strategy for Combating Terrorism*, p 12. This was the text under the heading “Victory in the War against Terror”.

⁸¹ This answer was given by a senior administration official in Washington DC on 10 December 2002, as reported in Timothy Garton Ash, *Free World: Why a Crisis of the West Reveals the Opportunity of our Time*, Allen Lane, London and New York, 2004, p 126.

⁸² David Frum and Richard Perle, *An End to Evil: How to Win the War on Terror*, Random House, New York, [2003], p 9.

⁸³ Frum and Perle, *An End to Evil*, p 4.

⁸⁴ A useful distillation of conclusions on how terrorist campaigns end may be found in Adrian Guelke, *The Age of Terrorism and the International Political System*, IB Tauris, London, 1995, pp 180–1.

⁸⁵ In November 2004 it was reported that six senior members of the Basque separatist group Eta had called on the organisation from their prison cells to lay down its arms. In their letter they stated: “Our political-military strategy has been overcome by repression . . . It is not a question of fixing the rear-view mirror or a burst tyre. It is the motor that does not work.” This letter was “the closest Eta members have come to recognising that, after more than 30 years in which it has killed more than 800 people, the group is facing defeat.” Giles Tremlett, “Old Guard Urges End to Eta Terror”, *The Guardian*, London, 3 November 2004, p 15.

change in the political context, which side-steps some of the issues that provided grist to the mill of the terrorist movement, provides new opportunities for pursuing its aims in a different manner, or emphasises a new range of attainable goals of general appeal, for example in the fields of human rights or democracy.

4. A shared awareness of stalemate, giving both sides a possible incentive to reach a negotiated or tacit settlement involving mutual concessions. This may encompass a recognition by its adversaries that the terrorist movement, however criminal its actions, did represent a serious cause and constituency—leading to a reluctant acceptance that certain concessions should be made to some positions held by terrorists.

94. Sometimes terrorist campaigns do not exactly end, but wind down. A few terrorist leaders, hidden in a jungle or a city, maintain their faith, even continue to plot or to detonate the occasional bomb, but lose completely their following and their impact.⁸⁶

95. In some cases the combatants, or at least a proportion of them, may be retrained. This happened in Guatemala following the civil war of the 1980s and 1990s. The former Marxist guerrillas, who had been called terrorists by their enemies, received extensive retraining at a centre in Quetzaltenango. When I visited it in 1997, it was evident that one class was particularly popular—business studies. Its members were reportedly not just learning about how to make money, but were actually making it. What were they producing and selling? The answer, I found, was Che Guevara T-shirts. I would be grateful if any reader of these words could tell me authoritatively whether this represents a triumph of business studies over terrorism, or a preservation of the seductive and pernicious Che myth for yet another generation. Probably both.

96. Not all these processes whereby terror campaigns end are relevant to the current struggle against al-Qaeda and other terrorist movements. However, we do need a greater sense that terrorist campaigns, while they may go on for a long time, do eventually end; and do so not because every last terrorist is captured or killed, or because they are comprehensively defeated in military operations, or because there is a clear victory, but rather because terrorism is seen for what it is: a highly problematic means of bringing about change, that cannot be the sole basis for a movement, that often damages the very people in whose name it is waged, and that may burn itself out or backfire on its own authors.

G3. *UK policy on the elimination of terrorism as a force in international affairs*

97. On the ending of terrorist campaigns, UK policy is subtly different from that of the US. It is also flawed, but in a different way. The key UK statement of doctrine about terrorism, published in July 2002, *The Strategic Defence Review: A New Chapter*, articulates the view that the goal of the Government's efforts is "to eliminate terrorism as a force in international affairs".⁸⁷ This is a carefully thought-out phrase, and of course it is properly recognised that "countering terrorism is usually a long-term business requiring the roots and causes to be addressed as well as the symptoms."⁸⁸ Nonetheless, there are two main disadvantages to proclaiming as a goal "the elimination of terrorism as a force in international affairs":

- (a) Terrorism is notoriously difficult to "eliminate". The proclamation of this goal is not only unrealistic, but it also undermines one of the strongest arguments against terrorism—namely that, once started, it easily becomes endemic. The unofficial, decentralised, and hydra-headed character of terrorism provides the main explanation for the difficulty of eliminating it.
- (b) If "elimination" is the proclaimed goal, then every subsequent terrorist incident represents a victory for the terrorists. In our own UK experience we faced this problem in Northern Ireland. A number of government pronouncements in the 1970s and early 1980s had indicated the UK's aim was the complete ending of terrorist activity. Thereafter, every terrorist assault, including the IRA's mainland campaign, had a possible added bonus of "proving" that the government had failed to achieve its proclaimed goal. Eventually the UK's aims were re-stated in more modest terms as being the reduction of terrorist activities: this was accepted by the public with remarkably little complaint, and may have helped in the slow winding down of the conflict in Northern Ireland.

H. CONCLUSIONS AND RECOMMENDATIONS FOR ACTION

98. Any conclusions and recommendations about how a historical perspective affects views of the "war on terror" must begin by acknowledging a basic fact. The global conflict that began in 2001 has many aspects that are historically unique. That shadowy entity called al-Qaeda is different from earlier terrorist movements in the breadth and extremism of its aims, and in the co-ordinated and ruthless character of its operations. The campaign against it is unique in having achieved something, however incomplete, in military

⁸⁶ In 1987, nearly 40 years after the declaration of a state of emergency in Malaya, and over 35 years after the Malayan Communist Party decided to end the armed struggle (a decision that had been announced on 1 October 1951), some 600 guerrillas laid down their arms and started a new life as farmers in southern Thailand. Michael Fathers, "Communist 'Bandits' Lay Down Arms in Malaysia", *The Independent*, London, 8 June 1987.

⁸⁷ New Chapter, vol I, pp 4 and 7.

⁸⁸ New Chapter, vol I, p 10.

operations in Afghanistan; in having put the full weight of the US into the struggle; and in having involved a remarkable degree of international collaboration some of which has survived the fall-out over Iraq. The overall verdict is not entirely negative.

99. Yet, against a background of the long historical record of the subject, six main lines of criticism of the US-led international campaign arise:

100. First, the title and language of the so-called “war on terror” is misleading. It conjures up the image and expectation of open war being a major and recurrent part of the action against international terrorist movements; and it suggests the unrealisable aim of the complete elimination of terrorist movements. There is a need for words to describe the overall policy with regard to terrorism that convey toughness but do not rely so heavily on the imagery of war. The core idea has to be a vigorous and sustained countering of terrorist threats, involving action at many levels, and aimed at achieving a significant reduction and marginalisation of terrorist activities. A better term, more accurate if less dramatic, would be “International Campaign against Terrorism”. It may not be too late to use this term in at least partial substitution for “war on terror”.

101. Second, the “war on terror” risks becoming an exercise in latter-day imperialism. There is a need for intervention in certain societies, but it needs to be handled with extraordinary skill and care. The risk of stumbling into a colonial role is especially great because in US political culture there is a caricature vision of European colonialism of the 19th and 20th centuries. In consequence it is believed, erroneously, that nothing the USA does today could remotely resemble such deplorable European practices. Yet to many the similarities are all too real. The irony of the situation is that foreign rule, especially foreign military occupation, is notoriously a producer of terrorist movements.

102. Third, some official statements made in the course of the “war on terror” have inadvertently credited terrorist movements with a greater capacity to achieve intended results than can be justified on the basis of the record. For example, in several passages the UK *Strategic Defence Review* states or implies that international terrorist attacks have “the potential for strategic effect”.⁸⁹ This phrase is used for a good reason—to avoid implying that it is essential to tackle absolutely all terrorist movements everywhere simultaneously and with equal vigour—but it is flawed. It ignores the important distinction between intended and actual strategic effect. Although terrorist actions frequently have major effects, they are seldom those that the terrorists intended. It does not make sense to give terrorists more credit than they deserve for the size and capacity of their organisations, for the accuracy of their political calculations, or for the effectiveness of their actions.

103. Fourth, the history of counter-terrorist operations in the 20th century suggests that in the long struggle against terrorism, four assets are important:

- public confidence in official decision-making;
- public confidence in the intelligence on which that decision-making is based;
- operation with respect for a framework of law; and
- a willingness to address some of the problems that have contributed to the emergence of terrorism.

104. Tragically, all four of these assets risk being undermined by the many aspects of the “war on terror” since September 2001, especially the 2003 intervention in Iraq and the conduct of policy there after the war. The fact that the intervention in Iraq coincided with US approval of a fateful turn in Israeli policy—not least as regards the legitimacy of settlements in the West Bank—seemed almost calculated to aggravate the very factors that contributed to the growth of fanatical terrorist action in the name of Islam.

105. Fifth, the torture and ill-treatment of detainees, of which there has been substantial evidence in the war on terror, is, to quote Talleyrand, worse than a crime: it is a mistake. Guantanamo and Abu Ghraib have provided propaganda gifts to adversaries. Those who have argued for, or quietly tolerated, the use of ill-treatment in the war on terror appear to be woefully ignorant of the historical evidence that suggests that official torture is sometimes the stated reason for the initiation and continuation of terrorist campaigns.

106. Sixth, the international campaign against terrorism stands in need of a more realistic vision of how terrorist campaigns end than the simple picture of the elimination or incarceration of terrorists.

107. On the basis of the historical record, some positive recommendations can be advanced about the most appropriate basic aims and character of the international campaign against terrorism. The struggle should be presented, not just as a fight against evil or as a defence of free societies, but also as a fight against tragically erroneous ideas. It should be seen as a means of ensuring that the societies from whence terrorism comes do not succumb to endemic violence. An important aim must be, not the capturing of every last terrorist leader, but their relegation to a status of near-irrelevance as life moves on, long-standing grievances are addressed, and peoples can see that a grim terrorist war of attrition is achieving little and damaging their own societies. It needs to encompass close attention to after-care in societies that have been torn apart by terrorism.

108. The problem of terrorism can diminish over time. Such diminution will require continued resolution and toughness, including arrests, trials, and a willingness to take military action where appropriate. It will also require a patient and more prudent approach that would mark a departure from certain major aspects

⁸⁹ New Chapter, vol I, p 7.

of what we have seen so far in the “war on terror”. Above all, the international campaign against terrorism needs to take account of the long history of terror and counter-terror—and of the way historians have understood it. The UK is well placed to make a distinctive contribution to the development of a doctrine about the struggle that is consistent with our own experience and that of other societies.

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6 December 2004

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YAHIA SAID VISITED IRAQ FROM 3–9 DECEMBER 2004

Baghdad 3–9 December 2004

We were driving home with some friends on my first night in Baghdad. Suddenly we stumbled on a US ambush in the middle of a dark ally. I noticed red dots of light moving across my fellow passenger’s face. The laser sights were bouncing on us like in action movies. The soldiers began to wave unintelligible signs. The driver was confused and thought she should drive closer to be searched—a mistake which cost many an Iraqi their lives. After a lot of panicked screaming and confusion we drove off shaken but unscathed. Many Iraqis did not make it home that day. The father of a Baghdad University student we met the next day was shot in an incident not unlike ours. Scores were blown to pieces by insurgent bombs aimed directly at them or at US troops. 17 workers heading for a construction job in Tikrit were executed in cold blood by terrorists associated either with Al-Qaeda or the Baathists. More than 100 people died during my one week stay. Insurgents are getting more brazen, attacking in daylight, setting up checkpoints. A senior civil servant at the Ministry of Planning was abducted from the door of the ministry by unmasked gunmen. They drove around the block interrogating him and dropped him off later at the ministry. At the same time the Iraqi National Guard often operate in civilian clothes or wear masks to conceal their identity. A significant proportion of the violence is criminal—carjacking, hostage taking, high way robbery and plain murder. The security vacuum created by the insurgency and the counter insurgency is proving a manna for opportunistic criminals.

Everyone speaks of death in the most casual terms. People leave home fully aware that they may not make it through the day. The thought seems to energise some. Rabii, a friend I met last week is one of them. An artist and film producer who returned from exile a year ago, she has just finished work on a three hour TV programme for children. Her next project is a photo essay which will take her, along with a number of photographers across the country. She is keen to get as much as possible done each day as there may not be another. She sees every project, celebration or simply going to work as an act of defiance, a victory over death. Baghdad is full of people like Rabii—activists, government employees, students and policemen—ordinary people committing acts of heroism by just walking out the door in the morning.

There has been a great backlash against the violence since my last visit in May. Educated, middle class Baghdadis are receptive to Prime Minister Allawi’s version of the “war on terror” even as it fails to produce tangible results. Unlike the maelstrom of protest which greeted the first attack on Falluja in April 2004, the attacks on Najaf, Sadr City and Falluja this fall have been accepted as a measure of last resort. Falluja in particular has acquired a demonic image of torture dungeons, bomb factories, Saddam loyalists and Islamic extremists. People are desperate for anything that may stop the killings even at the costs of more deaths, including their own.

Sheikh Hussein Alzawbani is a stocky man with wide set eyes and the dreamy gaze of a Muslim saint. He has turned his mosque on the campus of Baghdad University into a refugee camp for 150 families fleeing the fighting in Fallujah. He seems to thrive in his new role, coordinating the provision of food, shelter, healthcare, education and money to the refugees. As we sat in his living quarters the stream of visitors never stopped. Some were refugees asking for an extra blanket or a handout, others were volunteers offering their homes, money, clothes, food and other services.

The refugees tell horror stories about their devastated town. They speak fondly of “our Mujahideen”. They insist that they were only defending their homes and their honour, and that they would have killed Al-Zarqawi themselves if they could. The Sheikh goes further to claim that the insurgents are defending the country’s honour and that if not for the resistance the Americans would never leave.

The attack on Falluja has produced 220,000 refugees, according to UN estimates, scattered in many Iraqi towns. According to the Sheikh, there are 11 camps like the one I visited in Baghdad alone. Given the ongoing fighting and the destruction visited upon their city there is a real chance that the refugees will never return home. They feel betrayed by their fellow citizens who did not come to their rescue. Over a month

since the assault, the government continues to fail to provide for the people it had made homeless. The plight of these refugees is simultaneously a tragedy and a sign of failure. Far from damping the violence, the refugees have become a rallying ground and a distributed recruitment pool for the insurgency.

The despair of those who felt that there was no alternative to the attack on Falluja and those who suffered from it carries the seeds of civil strife more than the sectarian discourse of the political classes. Iraqi society seems to be turning on itself, divided into Shakespearian tribes unable to communicate with each other despite their closeness and shared destiny. The Iraqi political elites hurling accusations of terrorism on one side and collaboration on the other are failing their people when they need them most.

THE ELECTIONS

The preparations for the elections have set out a frenzy of activity. But instead of channeling existing tension into a peaceful process they seem to have added a new layer of acrimony. Many Iraqi politicians are falling back on divisive sectarian positions. Most emblematic of these is the Iraqi National Congress, an ostensibly liberal secular party which has just joined the Shia list for the elections. The parties united in this list are keen to hold the elections on time to steal a march on other less prepared groups. They warn of abandoning the political process if the elections were postponed—a thinly veiled threat of launching another insurgency. Parties which represent themselves as Sunni are calling for the elections to be postponed so that they can prepare better. They warn that sectarian civil war may break out if their constituency was not given a chance to participate adequately in the elections. I attended a meeting of these groups which descended into chaos when one of the speakers said that conditions were better under Saddam. The two main Kurdish parties are campaigning on their own, having failed to extract enough concessions from their current partners in the government coalition. Those groups who continue to resist sectarian categorisations are splintered into many lists, some of which are for and some are against postponing the elections. The Prime Minister speaks for holding the elections on time, while hinting that he may be persuaded to postpone. After the Kurds and Shia went their separate ways he is running alone. His list is unlikely to fair well in the elections, despite the Prime Minister's popularity among those desperate for a sense of stability.

A number of influential groups are boycotting the elections altogether. They include the Council of Muslim Clerics, Al-Sadr Group, Arab Nationalist Current and the Baathists. Despite significant differences among them, all these groups share a discourse of resisting the occupation and what they view as its puppet government. They speak of the illegitimacy of elections held under the occupation and the current onslaught on insurgents in Falluja and elsewhere. They question the veracity of the elections committee. Even these groups, however, seem to be careful not to abandon the political process all together. Some of them, like the clerics and the nationalists, have issued conditions under which they would consider participation in the elections, indicating some opening for dialogue. Others, like Al-Sadr and the Baathists, are likely to have at least some candidates competing in the elections. The Baathists are even believed to be in talks with the Prime Minister and other pro-government factions. Representatives of many of these groups have been touring Arab and world capitals in an apparent bid to mobilise pressure on the government.

It is hard to imagine fair and free elections taking place across Iraq in the weeks remaining until 30 January. The deadline for registering lists and political parties has been pushed forward several times. Voter registration forms are yet to be delivered in parts of Anbar, Diala, Salah Aldeen, Nineveh and Baghdad provinces. There are few candidates on the ballot representing these areas. Even popular candidates in other areas, including community and tribal leaders, are hidden deep within election lists headed by discredited politicians from the main parties. The popular Baghdad daily Azzaman compared the election lists to buying fruit wholesale—you buy the whole crate, rotten apples and all.

Insurgents are bound to attack election officials, candidates and voters and there are simply not enough police and National Guardsmen to protect each polling station. Multinational troop protection would be counterproductive as it would highlight the image of an election under occupation and would legitimise attacks on polling stations. No one has yet thought of mobilising local volunteers to protect polling stations.

Despite the validity of arguments in favour of postponing the elections, it is also hard to see what a postponement would bring. Those calling for it demand a series of measures, including, most importantly a national reconciliation drive which would encourage opposition parties to participate and create a more benign political and security environment for the elections—a tall order for the Iraqi government and political classes alike. In this context the waiting period may just extend the uncertainty, further reduce the legitimacy of the current government as it continues to operate beyond its legal mandate and provide an opportunity for insurgents to sow more chaos.

Dalal, a veiled woman from the National Union of Youth and Students, is volunteering at the refugee camp. As she speaks of the plight of the refugees her delicate appearance gives way to a fierce determination. She listens raptly as the Sheikh speaks about boycotting the elections, yet she intends to participate. She is certain they will be rigged, but she thinks that even if a few of the people she supports get into parliament, their share may gradually increase every time.

The wrangling over lists and timing of the elections seems sterile, as few seem to be bothering yet with articulating a political agenda that reflects the competing interests in the society. Most importantly none of the candidates seem to reflect the anti-occupation mood of most Iraqis. On the issue of the presence of

foreign troops, candidates walk on eggshells—speaking of creating the conditions for negotiations over an eventual timetable for withdrawal. In the meantime these sentiments continue to be articulated through violence.

THE INSURGENCY

The indignity of the occupation, anger at needlessly killed or arrested loved ones, figures high on the list of grievances fueling the insurgency. But this is not the whole story. The Sadr uprising was a rabble revolt. The poorest of the poor fearing that they will be left behind again in the new Iraq have risen behind a populist leader combining nationalist rhetoric with fundamentalist Islam. Haidar Said is a journalist with the popular daily *Al-Mada*. He ran a semi-legal discussion circle under Saddam. They used to meet regularly to exchange books and discuss politics and sociology. He is thankful for the lean years of the 1990s because the free time allowed him to complete his PhD. Haidar laments the lack of analysis of the social underpinning of the insurgency. According to him, the insurgents of Falluja, Mosul and parts of Baghdad represent the military establishment which, despite some overlap, is distinct from the Baathist establishment—the military have historically enjoyed social, if not necessarily economic, privileges. Falluja was home to most members of Iraq's special forces. Mosul was home to many of the army's top brass. In the 1990s, Falluja emerged as a center of Sunni Islamic scholarship. Many in the military establishment embraced the conservative form of Islam emanating from Falluja's numerous mosques and seminaries. When the army was dissolved many of the soldiers and officers returned home to these areas to form the backbone of the insurgency. These insurgents are fighting both to protect their social status and a conservative Islamic culture from the onslaught of the foreign occupiers and their Westernised Iraqi allies. For many former members of the Iraqi armed forces the insurgency is also their first opportunity to fight for something they really believe in. Both the Sadr and Falluja insurgencies could be viewed as reactions to globalisation. They reflect tensions triggered within a closed society which was suddenly flung open to the world of the 21st century.

According to an analysis by the NGO Coordination Center in Iraq, over 75% of insurgent attacks in the year from September 2003 to October 2004 were aimed at occupying forces and the CPA. Only 4% of attacks specifically targeted Iraqi civilians. Yet almost 80% of the fatalities are Iraqi civilians. There is a lot of mysterious violence taking place in Iraq under the cover of the insurgency. A dozen Sunni clerics have been murdered in recent weeks. There have also been attacks on Shia mosques, especially in predominantly Sunni areas and the well publicised attacks on Iraq's Christian Minority. Both Shia and Sunni clerics insist they are not going to be drawn into sectarian conflict by attacks which are clearly designed to do just that. In reality, the clerics' discourse has been increasingly sectarian, although still better than the politicians'. Shekh Zawabii and others like to chide Shia spiritual leader Ali Al-Sistani for not coming to Falluja's aid the way they rallied behind Najaf when it was under attack. In reality, his statements on the events in both cities were virtually identical, calling for peace and the restoration of law and order.

I asked Isam Al-Rawi, a Professor of Geology at Baghdad University and a member of the Shura Council of the Association of Muslim Clerics, about the murders of his colleagues. He attributed them to the Israeli Mossad or to some government parties who he suspects of fomenting ethnic violence in order to bolster their own flagging legitimacy and to keep the Americans, on whom they depend for their personal safety. A friend who is in charge of security at one of the political parties partially confirmed this, saying that some party militias have taken it upon themselves to abduct and execute people whom they suspect of involvement in the insurgency. When pressed, Al-Rawi admitted that "zealots and profiteers" who have crept into the insurgency may be behind some of the killings. He described the zealots as *Khawarij*—a derogatory term often used by moderate Islamists to describe the Wahabis and Salafists. It turns out that his father, a moderate cleric by the measure of the insurgency, has been the target of several attempts on his life by Salafists.

There seems to be a struggle for the political leadership of the insurgency among moderates like the Council of Muslim Clerics and the Arab Nationalist Current on one side and the Baathists and Salafists on the other. I met Habib Alduri, a Professor of Mathematics and a leading member of the Arab Nationalist Current, at the picturesque Beirut Café on the shores of the Tigris. Once a bustling meeting point of Iraqi intellectual, the café was deserted. It sits a few hundred yards from Hayfa Street, a frequent scene of pitched battles between US and Iraqi troops and insurgents. Al-Duri believes that unrepentant Baathists are on the ascendant after laying low for a year. According to him, the Baath Party just organised a clandestine meeting inviting 2,000 of its supporters and only 18 failed to show up. He attributed Baathist resurgence to a failure of leadership among Iraq's political elites. He was concerned that democracy will be hard to sustain in Iraq as long as the political classes fail to articulate the interest of their different constituencies—a fault shared by leaders on both sides of the insurgency.

Some of those who support the insurgency like Alduri are calling for a free, modern and democratic Iraq. But areas which fell under insurgent control, like Falluja, Samarra and Najaf before it, were more reminiscent of the Taliban state with brutal Sharia courts and gross violations of the rights of minorities, women and political opponents. It is no wonder that urban middle class Iraqis and their progressive elites feel threatened by the insurgency. They feel compelled to seek protection from foreign troops for their secular, democratic project. This uneasy alliance is corrupting and de-legitimising this project and its proponents in the eyes of their fellow citizens.

CORRUPTION AND CREEPING AUTHORITARIANISM

Corruption as much as sabotage is often cited as the main explanation for faltering reconstruction and relief efforts over the past year and a half. This is best illustrated by the example of the current fuel crises. The official price of gas at the pump is just over one cent per litre. Given the damage, including sabotage to refineries, pipelines and truck routes, the government and the CPA before it were compelled to cover the shortage by importing oil products from Kuwait and Turkey at world prices. This has created an incentive for corruption. Everyone from the Ministry of Oil and Haliburton who was in charge of importing fuel into Iraq to the operators of filling stations and the policemen guarding them are suspected of involvement in a myriad of scams. These include importing oil at inflated prices, re-export of imported products and diversion of supplies to the black market. The result is a crippling energy shortage in a country which exports two million barrels of crude a day. During my stay there were mile-long queues at filling stations with people waiting as long as 16 hours. Gas was being sold on the street at 50 times the official price. The fuel shortage has extended to the electricity supply. Baghdad received as little as four hours of electricity a day; without fuel people cannot even operate the ubiquitous curbside generators. Without electricity or heating oil most Baghdadis are spending the winter in the cold.

Accusations of corruption are rife among Iraqi and occupation officials alike. Bribes are allegedly exchanged for public sector jobs, relief and reconstruction contracts and even aid for civil society development. The head of Iraq's public broadcasting board, Jalal Al-Mashta who resigned from his post recently describes a government plagued by a combination of authoritarianism and corruption, where many important decisions still reside with the Americans. Over six months into his post he could not wrest control over his own financial resources from the Harris corporation, which was appointed by the Coalition Provisional Authority to establish Iraq's public media. Harris continues to spend exorbitant amounts buying TV programmes of dubious quality and suitability from its Lebanese Partner LBC, while local programming could be produced at a fraction of the cost. He also spoke of government meddling in media content in keeping with the best of Arab Authoritarian tradition. The Prime Minister allegedly broke all rules to appoint loyalists to the media board, including his personal secretary. The President complained when his activities were not reported as the first news item. When Iraqi TV screened a documentary series about Iraq's modern history which had nationalist overtones and depicted some government coalition partners in an unflattering light the government leaned on Al-Mashta to pull it off the air. They even claimed that the British have complained about the coverage of their influence in Iraq in the first half of the past century. Al-Mashta approached the British embassy, which vehemently denied any interference. He then suggested that those with objections to the programme voice them in a televised debate. They refused and the series had to be stopped.

A group of students at the Political Science Department at Baghdad university who have set up a society for human rights complained of creeping authoritarianism and corruption. The ministry of higher education has scheduled student elections for the coming weeks without clarifying the rules or the rights and responsibilities of the elected representatives. The students suspect foul play, but cannot get a clear answer from the university management or the ministry. Their hostel is sandwiched between US and Iraqi military bases. The students have become human shields, with mortars raining on them everyday. The generator essential for electricity is shut all the time. The man in charge of the hostel sells the state allotted fuel on the black market as soon as it arrives. Student complaints to the university go unheard. They laughed when I suggested that they pursue the matter with the National Probity Committee, but agreed to report it to the press. Like most people I met, the students seemed resigned to the fact that the new Iraq will be more corrupt and authoritarian than they thought a year ago.

Tens of millions of funds for the development of civil society in Iraq are having their corrupting influence too. Over 3,000 NGO's have sprouted throughout the country, exhibiting the tell tale signs of financial over-stimulation. Civil society is big business in Iraq, indeed sometimes it's the only business. Many NGOs are suspected of being fronts for business enterprises seeking to make a quick buck on the civil society bonanza. A business man flying with me from Amman to Baghdad has set up an NGO to capture relief and development funds not yet available for his utility company. A friend of mine is setting up simultaneously a company and an NGO to deal with de-mining. Some organisations are seeking to register under the name of Saddam era groups with the hope of inheriting their assets.

Many NGOs seem only concerned with obtaining overseas trips for their members, the longer the better. On my way back from Baghdad, The Four Seasons Hotel in Amman was swarming with Iraqi civil society activists paying more per night than anyone of them can earn in a month. They are flocking to Jordan to learn about capacity building, fundraising, advocacy and how to write an interim report at seminars organised by international NGOs eager to do something in Iraq but too scared to go there. I am guilty of organising a couple of those seminars too. Many of the participants are repeat trainees passed on from one international NGO to another.

The result of all this is a growing gap between activists and society. Rana, a diminutive student of the academy of fine arts, decided to make free copies of lectures for her fellow students and attach to them information about the upcoming elections. She did it on her own penny but was spurned by her colleagues. They suspected that she had received funding for the initiative and assumed that she must have pocketed most of it. Alzawabii refuses to accept money for his refugees from NGOs but Al-Rawi of the Association of Muslim Scholars has set up his own NGO for academics and has already received funding from President Al-Yawer.

THE US ROLE

As I dropped Alduri at his home on the dangerous Hayfa street he asked me, as an expert in international relations at the LSE, what I think the Americans wanted in Iraq? It was a question many Iraqis, including myself, are finding increasingly difficult to answer. Muhammed Hussein Raouf of the Movement of Arab Democratic Nationalists a group close to Iraq representative at the UN likes to quote Churchill's saying that the Americans do the right thing after they have exhausted all the alternatives. But as the blunders pile up it becomes harder and harder to believe them to be just that. The "stuff happens" approach to the looting, which destroyed the meager remnants of the Iraqi state; failure to guard ammunition dumps, which continue to provide the explosives for most insurgent attacks; the dissolution of the Iraqi army, which swelled the ranks of the insurgency; Abu Ghreib, which made a mockery of human rights; the way Bremer lorded over the Interim Governing Council and Negroponte seems to hold sway over the current government, discrediting both the emerging system and political classes in the process. Then there are the various acts of unnecessary humiliation, like the use of the Presidential Palace as an Annex of the US Embassy and the inclusion of the monument to the unknown soldier in the forbidden Green Zone. Alrawi seemed incredulous as to why, of all places, the Multinational Forces have stationed troops in the historical sites of Babylon and Ur the purported birthplace of Abraham. He claims to have raised this issue with an American commander who promised to look into it. Worst of all is the continuing use of excessive and random force. Indeed it seems to be on the rise as the Americans seek to minimise exposure by relying increasingly on air power. Despite escalating insurgent attacks, US forces continue to be the single largest threat to Iraqi lives and property.

How can anyone expect the reported slaughter of 3,000 Al-Sadr supporters in Najaf and Sadr City or the razing of Falluja to contribute to peace and democracy? All this prompts Al-Rawi to describe the American presence as the fuel that feeds the conflict in Iraq. There is no shortage of conspiracy theories about the "real" American intentions from "its all about oil" to the intentional destruction of Iraq for the benefit of Israel or the recreation of a pro-American Saddamist regime under a new title. But these theories make as little sense as the official version. How can bringing Afghanistan to within 500 miles of its border make Israel safer? Saddam could have been bought off for a fraction of the cost it is taking to replace his regime. The costs of the war have already exceeded Iraq's potential oil revenues for the coming 25 years. One theory that has been gaining credibility among Iraqis regardless of their position is that the US has deliberately allowed Iraq to descend into chaos in order to turn it into a battlefield for the war on terror. Statements by US and British leaders describing Iraq as such seem to lend credibility to this theory. The insurgency, however, remains predominantly Iraqi with limited if visible Al-Qaeda involvement. Besides, if this is the main battle of the war on terror, then so far it has been a losing one. The allies simply do not have enough troops to win and there is no mistaking the sense of triumph one gets from anyone associated with the insurgency.

Even the theory about the conflicting agendas of the Pentagon and the State Department is not sufficient to explain the lack of coherence in America's policy in Iraq. Could it be that there is no policy? A friend who used to work at the Coalition Provisional Authority recently suggested that regardless of the initial plan, all the Americans are looking for now is a dignified exit. Why then are they building what seems to be permanent military bases and how does the agonizingly slow progress in training and equipping the new Iraqi armed forces square with the goal of a rapid departure? During my stay there was an attack on a police station in the Al-Amil district of Baghdad. The policemen called for help from the neighboring station. Iraqi troops, however, are not allowed to move without permission by the Americans lest they be mistaken for insurgents and shot, as has happened on several occasions. The permission, according to a reliable source, never came. The policemen ran out of ammunition and were executed in cold blood by the insurgents.

PROSPECTS?

Iraq's prospects seem quite bleak: resurgent unapologetic Baathists, brutal medieval Sufists, corrupt and authoritarian secular politicians or populist demagogic clerics. Iraqis are being killed by a resistance movement that wants to liberate and a multinational force that is mandated to protect them. Of course all this could be dismissed as politics as usual. After all politics are never pretty, especially after a long dark night of dictatorship. One could even read a glimmer of hope in the over-crowded political landscape as a contrast to the monotony of one party rule. Unfortunately, the harrowing toll in terms of human lives and

the damage this is causing to the fabric of society makes it quite hard to put a positive gloss on what is going on in Iraq today. That said, there is a glimmer of hope in the midst of this tragedy. It is embodied in people like Rabbii, Dalaal and the Students for Human Rights—proud, determined, courageous and ever so fragile.

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LIBYAN POLICY AND THE ISLAMIST MOVEMENT

INTRODUCTION

0.1 *The current political structure in Libya*

The Jamahiriya, or “state of the masses”, was instituted by the current leader of the country, Colonel Qadhafi, after a successful coup to remove the head of the monarchy ruling the country in 1969. This “state of the masses” is based on the political and philosophical thinking of Colonel Qadhafi’s *Green Book*, which highlights the need for the state to be representative of the whole of society and to reflect the thinking of the masses. However, the state is effectively run by Colonel Qadhafi, whose only role is as the Leader or Guide of the revolution. For administrative purposes, the country is divided into regions, [*shabiyya*]. In each locality there is a Basic Peoples Committee, in which each Libyan is intended to be active in making the political decisions affecting the region and the country as a whole, hence “state of the masses”. These committees take part in a General People’s Congress, made up of representatives from each BPC and this Congress is called in order to facilitate the decisions of the BPC at a national level. A cabinet, or General People’s Committee, elected by the Congress from nominees chosen by Colonel Qadhafi, are responsible for the management of the Congress and the day by day running of the state, in the vein of a traditional government; headed by the Secretary of the General Peoples’ Committee, currently Shukri Ghanem.

0.2 *The role of Colonel Qadhafi in the regime*

As previously mentioned, Colonel Qadhafi has no formal role within the political structure of Libya. However, he exercises almost total control over his cabinet and the country’s treasury. It is also the Leader who chooses when to convene the General People’s Congress. By nominating ministers for office in the various Secretariats, the Leader is also able to ensure that all of his cabinet are supportive of the aims of the revolutionary movement and will, therefore, support his aims. He is known for surrounding himself with members of his family and supporters are often members of his own tribe. The BPC’s too reflect a strong pro-Qadhafi bias, and are often influenced by supporters of the revolutionary movement. There is no official opposition to the Leader within Libya, and, therefore, no official method of registering opposition to Colonel Qadhafi’s policies.

0.3 *The weakness of the Jamahiriya*

Despite the lack of official opposition, the Jamahiriya does face opposition. It is considered to be effectively policed and the regime runs a highly effective security machine to suppress any serious opposition. Another result of the lack of any other political representation is the potential weakness of the state in the event of the loss of Colonel Qadhafi. Any suggestion that the Leader intends for one of his children to take over, either in the near future, or in the more long term is roundly denied and this uncertainty surrounding the continuation of the regime also serves to weaken the power of the state. Also a problem for the regime is the general level of political apathy throughout the country. This is a result of both the non-violent way in which Libya became independent, and the non-inclusive manner in which the revolution was undertaken; by a small group of military officers rather than a civil uprising. It is also in a small part caused by the widespread levels of poverty and unemployment. The population is currently growing at a rate of 3% per annum, increasing the potential for even higher levels of poverty and unemployment in the long term.

0.4 *The oil dominated economy and lack of any viable alternatives*

The above mentioned poverty and unemployment are compounded by the Libyan economy’s dependence on oil revenues. Libya has relatively few other natural resources, and none that have been successfully developed into a sustainable industry as a viable alternative. Even a basic commodity such as water is severely limited in the desert country, effectively terminating any hopes of establishing an agricultural industry. Oil incomes have been used to bring in agricultural commodities, and there is currently no functioning scheme to invest oil incomes into an industry to support the economy after these have dried up.

There has been much talk of developing the infra-structures, and particularly a transport infra-structure, required to construct an industry around travel and the sites of interest within the country. To this end, and in order to release the economy from dependence on the oil and gas industry, a programme for economical development is being formulated. Should this prove successful, it may be the first step towards providing a resolution to this very limiting dependence.

THE CURRENT INTERESTS AND MOTIVATIONS OF THE QADHAFI REGIME:

1.1 *Survival of the Leader*

At the present time, the survival of the Leader is seen as a highly important factor in the changes and choices of political policy in the country. This is affecting both domestic and foreign policy, as witnessed by the December 2003 decision to abandon WMD or by Colonel Qadhafi's concessions to the human rights groups demanding improvement to democracy in the country, including the recent decision to abolish the People's Court, a highly contentious judicial court which has come under fire in recent times as a result of the well-reported trial of the Bulgarian medics in Benghazi. Economic changes within the country, intended to improve the economical situation of the population are also influenced by a desire to maintain support and the opposition faced by Prime Minister Ghanem in removing basic food subsidies is a reflection of the regime's concern for survival. This is despite the fact that there is currently little organisation in the opposition towards Colonel Qadhafi and the regime, and the lack of any strong leadership for this opposition.

1.2 *Hereditary succession*

Linked to the survival of the Leader is the safety of his children who, as increasingly political figures, are increasingly at risk of attack from opposition, particularly once the issue of succession is brought into play. Although firmly denied as a matter for current discussion, it can be argued that the possibility of a hereditary or at the very least organised succession is of major importance to the motivation of the regime. Positioning Saif al-Islam as a spokesman with the West, for example, could certainly be seen in this light.

1.3 *Normalising relations with the USA and with other countries*

Perhaps the most important factor influencing policy at the current time is the attempt to normalise relations with the international community. This attempt both improves his standing in Libya, as one of his favoured portrayals is as an international statesman, and improves the country's standing and opportunities for investment and trade. The importance of the USA link cannot be overstated, as the US support is crucial to a return to the international fold. This is evidenced by the continued attempts to accommodate the USA once relations had begun to improve with the European community. A relationship with the Bush administration is also a highly important step towards the investment of US-based international oil companies, needed to both increase oil revenues and finance development projects.

1.4 *Re-generating the economy*

It could, therefore, be said that the need to normalise relations with the US and the international community is itself motivated by the need to re-generate the economy. The general poverty in the country can be alleviated by the injection of FDI and the restructuring necessary for this. Ultimately, this is also motivated by a desire to bolster support for the regime, and prevent discontent which could spread into an organised opposition.

It is within this context that the Libyan decision to abandon WMD and to support the "War against Terror" can most usefully be viewed. However, the importance of the link to Islam in the "War against Terror" and in the Libyan desire to secure safety for the regime are also vital context.

ISLAM IN LIBYA: THE CONTEXTS

2.1 *Sanusi and the spread of Islam*

Islam was popularised in Libya principally by the Sanusi movement: a religious movement headed at the time by Sayyid Muhammed Ali al-Sanussi, the grandfather of King Idris, the monarch whose reign Colonel Qadhafi and the military coup interrupted. The influence of the Sanusi, whose teaching focused on a return to those of early Islam, and the Bedouin amongst whom they preached, can still be seen in Libya today, where the practice of maintaining shrines dedicated to local "saints" is still in evidence. The Sanusi were also an important force in uniting the country under one religion, and as one nation. They were very active in organising resistance to the Italians, at the time occupying Libya under colonial rule. Today, the population of Libya adheres principally to the Sunni branch of Islam and the principles of the Green Book mostly follow the teaching of Islam, as interpreted by the Leader.

2.2 *The 'asabiya and national identity; tribal opposition*

The importance of a collective identity to the Sanusi resistance to the Italian occupation is echoed in the importance of a national identity to the revolutionary movement, both Arab and Islamic. In an effort to stamp out opposition focused on the respect still afforded the Sanusi King as a leader rooted in tribal identity, Colonel Qadhafi and the revolutionary movement focused their attention in the early days of the new regime on the weakening of the tribe as a political entity and the strengthening of an identity focused on pan-Arab nationalism rather than family or tribal links. The pan-Arab nationalism that ignited Colonel Qadhafi in his early moves into international statesmanship was a part of this project, as is his desire to be seen as an Islamic statesman. Currently, the regime is more likely to use the tribal identity as a method of maintaining power, for example the importance of Colonel Qadhafi's own clan in holding office and influence, and the encouragement through the mechanics of tribal leaders to allege loyalty to the leadership and revolution.

2.3 *The Muslim Brotherhood: Islamist Resistance*

Although organised opposition to the regime is practically non-existent, there does remain a significant amount of support for Islamist resistance, principally the Muslim Brotherhood. Although essentially non-violent, the outlawed Muslim Brotherhood constitutes the majority of political prisoners in Libya. Both the Leader and Saif al-Islam Qadhafi have stated that only prisoners linked to al-Qaeda are now held as "prisoners of conscience", but it is popularly held that a large number of the Brotherhood remain in Libyan jails.

THE ISLAMIST THREAT

3.1 *Support for the War on Terror*

Concern surrounding this Islamist resistance motivates the current support for the US sponsored "War against terror". Colonel Qadhafi, through past attacks on the religious establishment, has in many ways separated himself from other Islamic countries, as evidenced by the current frosty relations between Libya and Saudi Arabia or Iran. This increases the risk to the regime of threats of an Islamic kind. It is understood that Colonel Qadhafi firmly believes that his leadership is threatened by Islamic fundamentalism. This threat has increased with his courting of normalisation with the Western, or non-Muslim international community in particular. Certainly, the threat of Islamist opposition to his rule offers a distinct embarrassment to a regime whose principles are based on Islam. That this threat is increasing is also a worry to the regime as occasional demonstrations break out, particularly in the Benghazi region, where resistance has been loosely linked to the Islamist cause.

3.2 *Al-Qaeda links and returnees*

The spread of resistance linked to Islamist groups is beginning to worsen. The possibility that Libyans have been recruited to the Islamist groups abroad is also offering cause for concern. Some were undoubtedly involved in fighting in Afghanistan and there are a small group of Libyans involved in the resistance in Iraq. As these fighters return to Libya they bring with them both the desire to turn to the outlawed Islamist opposition and the practical experience of opposition to the governing regime. Despite multiple attempts to repress the Islamic opposition inside Libya, pockets survive, offering the potential of a pattern for political opposition from other groups as they are encouraged to question the regime.

3.3 *Support for democracy and "normalisation" as servants of the Leaders purposes*

Although all the factors detailed above suggest that Colonel Qadhafi will continue to support the USA in its "War against Terror" and make concession to ensure its continued support, there is a real possibility that the Leader has abandoned none of his revolutionary policies. He has been prepared to compromise in the light of a potential reconciliation with the USA and the international community. However, concessions and changes influenced by the normalisation process, for example reform in areas of human rights and democracy, have been minimal. Much has been made of the extent to which the decision to renounce WMD has actually affected the military defence of Libya and proposals for reform remain, at this point in time, mostly proposals.

CONCLUSION

3.4 Real change is, at best cosmetic, and ultimately, little has changed to divert the Leader from his pro-Arab, anti-Western leanings. However, cosmetic "democracy" and normalised relations with the Western world are currently seen by the Leader and his supporters as key to regime survival and these policies are likely to remain characteristics of the Libyan regime. The effect that Islam has on Libyan policy is not a case of the mere reflection of the philosophies and tenets of the Islamic religion but also reflects the concerns of Colonel Qadhafi and his government to secure the regime and the survival of the Leader. It offers, at the

present time, the most organised domestic opposition to the regime, and the medium term prospects to encourage future opposition. It also provides the impetus for much of Libya's own foreign policy. As such, external foreign policies as regards Libya should take into consideration the shallow nature of change to the unique structure of the Libyan regime, the total importance of the figure of Colonel Qadhafi and the influence that Islam has on policy and security in the country.

Elisabeth Hughes

21 January 2005

Written evidence submitted by Western Sahara Campaign UK

The Western Sahara Campaign is a voluntary NGO working to raise awareness of the Saharawi people and the occupation of their country, Western Sahara. It works in solidarity with the Saharawi people to advance their right to self-determination according to the UN's framework and to promote human rights.

The Western Sahara Campaign UK has been established for over twenty years, providing information on the difficult and ever changing political and social issues of both the Saharawi refugees based in camps in the Sahara Desert and the Saharawi who remain under Moroccan occupation.

As part of the Committee's focus on Algeria, Morocco and Libya, and with over two decades of knowledge working on the Magreb the Western Sahara Campaign UK wishes to follow up this written submission with a more detailed oral explanation of the evidence provided.

Annex 1

PROPOSITION

1. The Western Sahara Campaign UK is deeply concerned that unless the UN's plan on a referendum for self determination for the Saharawi people is not implemented, the conflict over the Western Sahara will further destabilise the Magreb region. This instability exacerbates the conditions that lead to terrorism.

BACKGROUND

2. In 1975, Morocco invaded Western Sahara. The invasion created 160,000 refugees who 30 years later continue to live in refugee camps near Tindouf in South West Algeria.

3. In 1975 the International Court of Justice recognised the inalienable right of the Saharawi people to self-determination.⁹⁰ The United Nations has supervised a ceasefire since 1990 when a UN "Settlement Plan" for a referendum of self-determination was accepted. In 2003, James Baker, then the Personal Envoy of the UN Secretary General to Western Sahara, presented a revised plan, the "Baker Peace Plan", which would also involve a referendum of self-determination, although in this case Moroccan settlers in the territory would also be allowed to vote. The Saharawi liberation movement, the Polisario Front, and the UN Security Council unanimously accepted this plan, but Morocco refused to accept it. The UK Government has consistently stated its support for the UN's efforts and the right of the Saharawi people to vote in a free and fair referendum of self-determination.

4. Meanwhile, Algerian and Morocco citizens have both been arrested for their involvement in international terrorism. In January 2003, British authorities found the toxin ricin in a London apartment, leading to the arrest of six North Africans, all from Algeria.⁹¹ In a linked series of arrests, Spanish security services arrested 16 suspected militants believed to be connected with the Algerian Salafist group⁹² (which has links in the UK⁹³). Both the Casablanca bombings in May 2003, and the Madrid bombings a year later are believed to be carried out by the Moroccan Islamic Combatant Group, MICG.⁹⁴ Of the 17 people charged following the Madrid attacks, seven are Moroccan (one Algerian) and a further three Moroccan suspects are thought to have died (one apparently as a suicide bomber) executing the attack;⁹⁵ highlighting that the Islamist threat in Morocco is far greater than anyone has so far been willing to acknowledge.⁹⁶

⁹⁰ See decision summary on the ICJ website at <http://www.icj-cij.org/icjwww/idecisions/isummaries/isasummary751016.htm>

⁹¹ <http://www.guardian.co.uk/ukresponse/story/0,11017,870481,00.html>

⁹² http://www.boston.com/news/world/articles/2004/03/11/us_search_for_qaeda_turns_to_algeria/

⁹³ <http://www.fco.gov.uk/servlet/Servlet?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1049908997779>

⁹⁴ <http://www.iiss.org/newsite/news-more.php?itemID=1220> & <http://www.guardian.co.uk/france/story/0,11882,1186580,00.html>

⁹⁵ <http://news.bbc.co.uk/1/hi/world/europe/3560603.stm>

⁹⁶ <http://observer.guardian.co.uk/magazine/story/0,11913,1183923,00.html>

 INSTABILITY IN THE MAGREB

5. The Western Sahara Campaign UK, believes in light of the continuing instability in the Magreb Region, the UK needs to use its position on the Security Council to pressurise Morocco into accepting the Baker Peace Plan and thus the referendum of self-determination that the Saharawi have been promised.

6. In settling the Western Sahara issue Morocco will also be able to redirect badly needed domestic finances to addressing poverty and unemployment. The people who carried out the Moroccan terrorist attacks referred to above mainly came from the slums of Casablanca.⁹⁷ Today radical Islam has become a powerful political force in Morocco, capitalising on the state's failure to provide effective public services (the literacy rate is barely 50%⁹⁸) and the massive gap between rich and poor to win over the younger generation. The new King's attempts at modernisation have yet to make any significant inroads on this, or on the widespread and high-level corruption in the Moroccan state, which continue to undermine the legitimacy of the Moroccan government in the eyes of its own population.

7. In the face of this increased susceptibility of the area to attract terrorist groups and sympathisers, settling the Saharawi dispute will be an important bridge between the West and Islam, and go some way to repair the popular perception of mistrust for western democratic values.

8. The Western Sahara Campaign UK further believes that a legitimate Saharawi State will provide an additional balance of power and democratic government to the western reaches of the Sahara. An area defined by porous borders, lack of governance and lawlessness, identified by the US Administration in 2004⁹⁹ as a potential new front for the proliferation of Al Qaeda terrorist training camps. The Leadership of the Polisario¹⁰⁰ have also pledged to foster good relations with Morocco if the Saharawi vote for independence; or to respect the result of a free and fair referendum should the Saharawi vote for integration with Morocco.

9. In the Moroccan-occupied areas of Western Sahara -in contrast to the situation in much of the rest of the Magreb—political discontent concentrates on protest against the Moroccan state from a civil rights and Saharawi independence perspective, rather than taking the hardline religious form. The Polisario Front's modernising and liberalising agenda, and the tolerant elements of Saharawi culture that the Front has built its philosophy upon, has undoubtedly contributed to this.

10. The UN "Baker" Peace Plan would allow Moroccan settlers to vote in the proposed referendum on the future of Western Sahara, but the Moroccan government has opposed it, in part, it is believed, because the government fears the settlers it has sponsored will not vote for it. Certainly, during the widespread street protests of 1999, a number of poor Moroccan settlers brought there as voting fodder by the Moroccan government turned out on civil rights demonstrations alongside Saharawis.

THE SAHARAWI

11. The Saharawi State in exile is an example of a progressive secular Islamic democracy, where women play a key role in government. A free and independent Saharawi State will be a shining light in breaking down Western stereotypes of Islam and intolerant Islamic governments.

12. The Western Sahara Campaign UK would also like to highlight that at no time have the Saharawi ever been involved in international terrorism and have always embraced peaceful diplomacy as the route to a referendum. Since the late 1970s, Polisario has been painted in Moroccan propaganda as comprising/training with/turning a blind eye to: Cuban/Vietnamese fighters, Iranian revolutionary guards, Ahmed Jibril's group (PFLP-General Command), and Al Qaeda. In no instance has there been any evidence produced or truth to this propaganda. The Western Sahara Campaign UK believes that by proactively supporting the Saharawi's peaceful efforts for a solution it will demonstrate that diplomacy and respect for international norms will bring results.

13. Despite the Saharawi ceasefire and peaceful diplomacy, there have been reports that many Saharawi are angry and demoralised, waiting for the international community to fulfil its obligations. All parties agreed to a timetable to UN referendum in 1992—more than 12 years later the Saharawi are still waiting. Both old and young generations in the refugee camps, reliant on international aid and feeling forgotten by the outside world, are growing increasingly frustrated, and appeals by Saharawis outside the Polisario Front leadership for a much tougher diplomatic line and a return to armed struggle have been circulating. The Western Sahara Campaign UK feels that that there is a real possibility of a return to war with the resulting conflict causing instability on Europe's doorstep.

⁹⁷ <http://www.worldpress.org/europe/1887.cfm>

⁹⁸ UN Human Development Report 2004.

⁹⁹ <http://www.globalpolicy.org/empire/terrorwar/analysis/2004/0511training.htm>

¹⁰⁰ The Frente Polisario acts as the sole and legitimate representative of the Saharawi people (UNGA 35/19 of 11 November 1980).

14. The Western Sahara Campaign UK would also like to draw attention to the destabilising drivers of human rights abuses inflicted on Saharawi peace activists,¹⁰¹ suppression of free speech,¹⁰² and internal clampdown. This has included:

- The imprisonment of journalists who publish interviews with supporters of Saharawi independence (including the Moroccan representative of “Reporters Sans Frontiers”).
- The imprisonment of human rights activists after arbitrary trials.
- The torture and death in custody of Saharawi common law prisoners.
- The confiscation of passports of Saharawis whose relatives are still “disappeared” to prevent them testifying at the UN Commission on Human Rights.
- The banning of Saharawi human rights organisations and the transfer of key activists to jobs inside Morocco to isolate them.
- The refusal of entry and deportation of European journalists and European human rights activists seeking to talk to Saharawis living under Moroccan rule.

This list covers only a part of the abuses committed by agents of the Moroccan State in the last 2 years. There is also the issue of over 500 “disappeared” Saharawis still unaccounted for since the 1970s and 1980s¹⁰³. Members of the Committee might like to consult with researchers from Amnesty International, who have carried out a considerable amount of work on the situation of the Saharawi living under Moroccan rule.

15. This repression has not resulted in less protest—in fact it has merely acted as a recruiter to supporters of the referendum and has further destabilised the region. The Moroccan government’s persistent attempts to stifle debate on Western Sahara and demonise supporters of Saharawi independence check liberalising movements in Morocco. The Moroccan government’s reliance on sullyng the reputation of Polisario and on nationalist rallying calls over Western Sahara to bolster its legitimacy strengthens the hand of authoritarian elements in the Moroccan palace. It is these political parties and above all the armed forces that seek to preserve their position and prevent the modernisation and liberalisation of Moroccan society. While the Saharawi are reacting by redoubling their efforts to campaign for their civil rights and for self-determination, in Morocco, many ordinary Moroccans are increasingly turning away from peaceful and conventional politics and towards extremist and terrorist movements.

16. The Western Sahara Campaign UK is adamant that a UN referendum of self-determination is the only solution to the conflict over the Western Sahara. Without such a referendum the Saharawi will continue to articulate their inalienable right to self-determination, Morocco will react by continuing to carry out acts that violate human rights, and the area will continue to be unstable.

CONCLUSION

17. In the face of worsening relations between the West and Islam, the Western Sahara issue compared to other issues (eg in the Middle East), is a relatively quick and uncontentious fix.¹⁰⁴ It will both improve confidence and understanding of the West’s foreign policy and thus trust and cooperation in its dealing with the greater Middle East problems of Iraq and Palestine.

18. Some have argued that the referendum will contribute to increased Moroccan instability. The Western Sahara Campaign notes that this diplomatic doctrine has done nothing in the 30 years that it has been followed. The Western Sahara Campaign UK feels that contrary to this belief, coming to a solution through the UN framework will actually strengthen Morocco. Whatever the result, Morocco will be able to focus on its internal affairs, rather than concentrating diplomatic and economic effort on supporting a disputed claim to the Western Sahara.

19. Through the United Nations Mission for the Referendum in Western Sahara (MINURSO¹⁰⁵) the UN has had a mandate to oversee the ceasefire and instigate the settlement plan. The UN’s failure to do this has contributed to the continued instability of the Magreb and this instability has proved a breeding ground for terrorists. In the past the HMG has always purported to support the UN plan, but their action has occasionally suggested otherwise. For example in 1991, Britain licensed the sale of components for heavy guns to Morocco for use in Occupied Sahara. The Western Sahara Campaign UK remains of the opinion that this broke the EU code of conduct on arms exports.¹⁰⁶

¹⁰¹ <http://web.amnesty.org/report2004/mar-summary-eng>

¹⁰² <http://www.hrw.org/press/2003/06/morocco061803.htm>

¹⁰³ See www.birdhso.org (mostly French but some English sections) for greater detail on all the above.

¹⁰⁴ Recognition for the need of a solution and referendum is supported by the UN and OAU and EU.

¹⁰⁵ <http://www.un.org/Depts/dpko/missions/minurso/>

¹⁰⁶ Evidence of Robin Cook MP, Secretary of State FCO, Quartipartite Committee on Strategic Exports 2001 <http://news.bbc.co.uk/1/hi/events/newsnight/1211849.stm>

20. The Western Sahara Campaign feels that the role of the EU and UK in the region should be to actively seek the implementation of the UN Peace Plan as part of its fight against global injustice and terrorism.

Tom Marchbanks
Co-ordinator
Western Sahara Campaign UK

24 January 2005

Written evidence submitted by the Organisation for the Prohibition of Chemical Weapons

THE ISSUE

The proper functioning of the Chemical Weapons Convention (CWC) requires active steps by its States Parties to ensure full national implementation, on which such measures as verification and the prevention of CW proliferation rest. Seven years after the entry into force of the CWC, there remain significant deficiencies in the level of national implementation by its States Parties. Many of them have encountered difficulties in adopting and applying all measures necessary to fully implement the requirements of the CWC, in particular in such key areas as penalising violations and non-compliance, enacting transfer controls for relevant chemicals, or identification of declarable facilities in their industries. The underlying causes range from insufficient awareness and political support to weak public administration and lack of resources. This weakens the legal strength of the global ban on chemical weapons and could have the potential of undermining the OPCW's verification system and the other measures aimed at CW non-proliferation. It also weakens the potential contribution that CWC implementation can make in the international struggle against terrorism.

THE OPCW ACTION PLAN

These deficiencies in the national implementation of the CWC were recognised by the First Review Conference in May 2003. As a remedy, the OPCW adopted in October 2003 a two-year Action Plan to ensure full national implementation by all States Parties by the end of 2005. Key aspects of this Action Plan include the establishment of National Authorities, the enactment of implementing legislation including penal legislation, the adoption of administrative measures and regulations needed to implement the different aspects of the CWC, and a number of specific measures in respect to controls of transfers of CWC-regulated chemicals, the submission of annual declarations, annual submissions to the OPCW of information on national protective programmes, and results of reviews of trade regulations so as to render them fully consistent with the CWC.

The Action Plan on national implementation goes hand in hand with the work under a second OPCW Action Plan, aimed at promoting universal adherence to the CWC. Both Action Plans together aim at ensuring the full and effective application of the regime against chemical weapons and their proliferation on a global basis.

Progress under the Action Plan is being made, albeit slowly. Annexed hereto are:

- (a) a list of States Parties that have passed all the necessary legislation;
- (b) a list of States Parties that have some legislation in place to implement certain CWC requirements but still lack comprehensive legislation; and
- (c) a list of States Parties that lack any legislation to implement key provisions of the CWC.

The Action Plan requires States Parties to set goals and targets for themselves so as to meet the objectives of the Action Plan by November 2005. States Parties are encouraged to render each other assistance. Implementation support is being provided by the OPCW.

The results of the work under the Action Plan are being monitored by the OPCW's Executive Council, based on reports regularly prepared by the Technical Secretariat. A final assessment of the results achieved, and decisions on any necessary follow-up measures, will be undertaken/adopted by the Tenth Session of the Conference of the States Parties of the CWC in November 2005.

The measures to be adopted under the OPCW Action Plan coincide, in the chemical field, with the measures that States are required to adopt under UN Security Council resolution 1540/2004, dealing with the prevention of proliferation of WMD materials and capabilities to non-state actors including terrorists.

 THE ROLE OF PARLIAMENTS

The foundation for many of the measures to be taken is legislation,¹⁰⁷ which is why the active involvement of parliamentarians in the process is crucial. The FAC could help achieving the objectives of the Action Plan through its contacts with parliamentarians of other countries, lobbying and public statements. Such steps would help building awareness for the need and urgency to adopt proper and effective national implementation measures under the Chemical Weapons Convention by all its States Parties.

Organisation for the Prohibition of Chemical Weapons

26 January 2005

Annex 1

Annex (status as at 12 January 2005)¹⁰⁸

- (a) States Parties that have passed comprehensive CWC implementing legislation (46):
 Australia, Austria, Belarus, Bulgaria, Canada, China, Colombia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, India, Islamic Republic of Iran, Ireland, Italy, Japan, Latvia, Liechtenstein, Malta, Mauritius, Monaco, Netherlands, New Zealand, Norway, Pakistan, Poland, Republic of Korea, Romania, Russian Federation, St Lucia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Ukraine, United Kingdom, USA.
- (b) States Parties that have legislation in place to implement some, but not all, key CWC requirements (50):
 Albania, Algeria, Andorra, Argentina, Armenia, Azerbaijan, Belgium, Bolivia, Bosnia Herzegovina, Brazil, Chile, Croatia, Cuba, Dominica, Ecuador, Ethiopia, Gabon, Georgia, Holy See, Iceland, Indonesia, Jamaica, Kazakhstan, Lithuania, Luxembourg, Malaysia, Mexico, Mongolia, Morocco, Nicaragua, Oman, Panama, Peru, Philippines, Portugal, Republic of Moldova, St Vincent and the Grenadines, San Marino, Saudi Arabia, Seychelles, Sri Lanka, Sudan, Tajikistan, The former Yugoslav Republic of Macedonia, Turkey, Uganda, Uruguay, Uzbekistan, Viet Nam, Zimbabwe.
- (c) States Parties that lack legislation to implement the provisions of the CWC (70):
 Afghanistan, Bahrain, Bangladesh, Belize, Benin, Botswana, Brundi Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Cook Island, Costa Rica, Cote d'Ivoire, El Salvador, Equatorial Guinea, Eritrea, Fiji, Gambia, Ghana, Guatemala, Guinea, Guyana, Jordan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Malawi, Maldives, Mali, Marshall Islands, Mauritania, Micronesia (Federated States of), Mozambique, Namibia, Nauro, Nepal, Niger, Nigeria, Palau, Papua New Guinea, Paraguay, Qatar, Rwanda, Saint Kitts and Nevis, Samoa, Sao Tome and Principe, Senegal, Serbia and Montenegro, Sierra Leone, Solomon Islands, Suriname, Swaziland, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Venezuela, Yemen, Zambia.

Written evidence submitted by the UK Delegation to the Organisation for the Security and Cooperation in Europe (OSCE)

MEDITERRANEAN PARTNERS

"We emphasise in particular the long-standing relations with our Mediterranean partners, Algeria, Egypt, Israel, Jordan, Morocco and Tunisia."

—1999 Istanbul meeting of OSCE Heads of State or Government

The fact that a number of OSCE participating States border the Mediterranean, and that the countries of the Mediterranean region share historical, cultural, economic and political ties with the OSCE region, makes clear that there is a Mediterranean dimension to European security.

Today, the OSCE maintains special relations with six Mediterranean Partners for Co-operation (MPCs): Algeria, Egypt, Israel, Jordan, Morocco and Tunisia. This involves regular meetings of a Contact Group of officials in Vienna, and seminars dedicated to Mediterranean issues held annually in a different location.

¹⁰⁷ Whilst countries *with a monist* legal system can rely to some extent on the legal force of the Convention itself, experience has shown that many of its provisions require specific legislative and regulatory action by all States Parties, no matter what their constitutional and legal framework is.

¹⁰⁸ Madagascar, the latest State to join the Convention becoming a party on 19 November 2004, is not yet included in this survey.

HISTORY

Helsinki Final Act

“... security in Europe is to be considered in the broader context of world security and is closely linked with security in the Mediterranean as a whole ...”

—Helsinki Final Act

These contacts were developed over time, beginning with a chapter on “Questions relating to security and co-operation in the Mediterranean”, which was included in the Helsinki Final Act (1975). In it, the States participating in the Conference on Security and Co-operation in Europe (CSCE, now OSCE) stated their conviction that “security in Europe is to be considered in the broader context of world security and is closely linked with security in the Mediterranean as a whole, and that accordingly the process of improving security should not be confined to Europe but should extend to other parts of the world, and in particular to the Mediterranean area”.

After Helsinki, the Mediterranean States were invited to make oral and written contributions at subsequent CSCE meetings. A number of specific “experts meetings” were also held on issues relating to the economic, environmental, scientific, and cultural fields in the environment.

ENHANCING CONTACTS

In 1994, at the Budapest meeting of OSCE Heads of State or Government decided, among others, to establish an open-ended Contact Group meeting at expert level to further enhance contacts. Since 1995, annual Mediterranean seminars have been organised and provide for a major part of the ongoing dialogue between the OSCE and the Mediterranean partners. The Partners are also invited to relevant meetings in all the three dimensions of the OSCE, ie the politico-military, the economic and the human dimensions.

In June 1998, the Permanent Council adopted a decision providing for representatives of the MPCs, on a case-by-case basis, to make short-term visits to the OSCE Missions. Some of the Partners have also participated in election monitoring missions organised by the OSCE Office for Democratic Institutions and Human Rights (ODIHR).

Candidates from the Mediterranean Partners, as well as Partners for Co-operation (Japan and Republic of Korea), are welcome to apply for participation in the “Researchers in Residence Programme” designed to give researchers working on OSCE or OSCE-related topics the opportunity of carrying out research in the OSCE archives in Prague. OSCE internships (usually for graduate students and young diplomats) are open for candidates from all the OSCE Partner States.

ISTANBUL

At the 1999 Istanbul Summit Meeting of OSCE Heads of State and Government, the participating States reiterated their commitment to strengthening relations with the Mediterranean Partners.

MEDITERRANEAN SEMINARS

The annual Mediterranean seminar is a two-day event held in either a participating State of the OSCE, or one of the partners. The seminar is an opportunity for both Government representatives and members civil society to exchange views on a variety of topics of common interest.

The following seminars have been held:

- 2004 Mediterranean Seminar on Addressing Threats to Security in the Twenty-first Century (Sharm-el-Sheikh, 30.11.2004)
- 2003 Mediterranean seminar on the comprehensive approach to security (Aqaba, 18.11.2003)
- 2002 Mediterranean seminar on the media and new technologies (Rhodes, 05.11.2002)
- 2001 Mediterranean seminar on the implementation of the OSCE economic and environmental dimension commitments (Dubrovnik, 31.10.2001)
- 2000 Mediterranean seminar on confidence- and security-building measures (Portoroz, 31.10.2000)
- 1999 Mediterranean seminar on the implementation of human dimension commitments (Amman, 07.12.1999)
- 1998 Mediterranean seminar on the human dimension of security, promoting democracy and the rule of law (Valletta, 20.10.1998)
- 1997 Mediterranean seminar on the security model for the twenty-first century (Cairo, 05.09.1997)
- 1996 Mediterranean seminar on the OSCE as a platform for dialogue and the fostering of norms behaviour (Tel Aviv, 04.06.1996)

- 1995 Mediterranean seminar on the OSCE experience in the field of confidence-building (Cairo, 28.09.1995)

The UK Delegation to the OSCE

27 January 2005

Written evidence submitted by Mrs Benita Ferrero-Waldner, Commissioner for External Relations, European Commission

THE ISSUE OF THE BULGARIAN AND PALESTINIAN MEDICAL STAFF

On 9 February 1999, five Bulgarian nurses, a Bulgarian doctor and a Palestinian doctor, and Libyan medical staff, were accused of deliberately infecting around 450 children with HIV/AIDS in a Benghazi hospital.

Most probably accidental, this infection has taken place prior to the arrival of the medical staff at the hospital, according to Prof Montagnier and Prof Colizzi, who investigated the case for the defence. The Libyan Authorities authorised this investigation, but made all efforts to play its results down.

The trial started several years after, and the EU repeatedly expressed concerns about the basis on which it was prosecuted, the treatment of the defendants, and the delays in the process. EU Heads of Mission attended the debates.

The verdict was finally announced on 6 May 2004. The five Bulgarian nurses and the Palestinian doctor were condemned to death, while the Bulgarian doctor was condemned to four years of imprisonment (then released without being able to leave Libya). All Libyan staff involved, including those accused of ill-treatment to the detainees, were released. The defence has appealed to the verdict; the result of this appeal has not been rendered.

Immediately after the verdict, the EU and the Commission recalled the importance they attached to a satisfactory and just outcome of the trial, and requested its reconsideration, without calling into question the independence of the Libyan legal system. Two formal Troika demarches have been conducted at the level of the Prime Minister (12 June and 27 July), to reiterate EU views, and to request that the detention conditions be improved. On 3 October, the Commission visited the Bulgarian nurses and the Palestinian doctor, in support to the detainees and to express concern to the Libyan Authorities. The personal sympathy of President Prodi was transmitted to the detainees.

In its conclusions, the Council of 11 October 2004 renewed EU serious preoccupations concerning this issue, and asked Libya to consider the release of the medical staff.

The Council also asked that an act of solidarity with those infected with HIV/AIDS at the Benghazi hospital be implemented as soon as possible. In this respect, on the basis of a Commission technical mission sent to Libya in August 2004, an Action Plan was prepared, and launched following an international meeting organised on 3 November 2004. The Commission will deploy technical assistance funded by DEV to help the Action Plan to be implemented. This is a response in favour of Libyan persons infected by HIV/AIDS, but which could also have a positive consequence on the issue of the Bulgarian/Palestinian medical staff. For the UE, the two questions are separate, but the issue of the medical staff is dependent upon a pardon by the families of Benghazi, according to the tradition. Libya links the two issues, and is putting pressure to obtain compensations for the families of Benghazi as well as medical heavy infrastructures. This avenue is evidently refused by Bulgaria, which counts on international solidarity and in particular on the Commission to bring the issue of the medical staff to a positive end.

It is clear that the Benghazi issue remains an obstacle to the development of EU-Libya relations, and that it must receive priority attention. The Commission has a key role to play, in particular towards the full implementation of the Action Plan by the EU.

Xavier Marchal, Relex F/4, 94446 for *Mrs Benita Ferrero-Waldner*
Commissioner for External Relations—European Commission

31 January 2005

Written evidence submitted by Dr Nazila Ghanea

Engagement with Iran on Human Rights

1.1 Engagement with Iran on human rights is not a new phenomenon. Both the UK and other states have been “engaged” with Iran on human rights issues very actively at least since the mid-1970s, hence for the past 30 years. This long record of “engagement” is often forgotten, as is the fact that the international community was concerned with Iran’s human rights record during the regime of the Shah (1941–1978) as well as that record since the Islamic Revolution (1979–present).

1.2 Forgetting this record of engagement has implications for what concessions and allowances are made for the shortcomings in Iran’s human rights record, basically the context in which these shortcomings are to be understood. It also has implications for those that are overly sensitive about critique of the Islamic Republic’s human rights record being incorrectly perceived as critique of Islam or Islamic countries, particularly in the post-September 11th international arena. Whilst diplomats may find it hard to disconnect Iran’s human rights records from the political context of Islamic defensiveness since September 11, such a separation is absolutely necessary for an honest appraisal of Iran’s human rights record.

1.3 The grounds of engagement on human rights must be assessed in the light of human rights itself. This implies a legal dimension and a principled dimension. Human Rights engagement with Iran needs to be on the basis of legal agreements it has voluntarily entered into and in congruence with the very basis of human rights that these are universal birthrights of each and all. If engagement is not in congruence with these two dimensions then it is not rightfully a “human rights” engagement; it may be a political, diplomatic or other engagement, but it cannot be identified as being an engagement on the basis of human rights. It would seem to me that this has to be the point of departure of engagement on human rights, but it can prove difficult for government officials to be mindful of this distinctive dimension of human rights engagement at all times. This has and continues to lead to difficulties in engagement with Iran. Whilst understanding the variety of interests states have in dictating their engagement with another country, this author believes her role in this memorandum to be to focus only on human rights engagement.

1.4 In relation specifically to the UK’s engagement with Iran, I would like to continue this logic on the basis of three problematic areas. In each case my focus will be on Iran’s human rights record, taking that to be the primary basis on which other state’s can judge their response. The main purpose will be to examine recent changes in Iran and the UK’s response to them, in order to suggest the optimal policy options now available to the UK for engagement with Iran on its human rights record. The areas of focus will be as follows:

I. The Record of Engagement

2.1 As suggested above, present policy options regarding engagement with Iran on human rights need to be mindful of the history of engagement with Iran on human rights, which stretches back at least three decades. The choices made about the level and methods of engagement with Iran on human rights should undoubtedly be informed by an assessment of what progress has been made in Iran on human rights and what would be realistic regarding the speed of future progress to be expected. Both of these assessments require some understanding regarding the background to this issue.

2.2 The primary human rights concerns of the international community (including the UK) with Iran’s human rights record in the 1970s related to political freedoms and freedom of expression. This was in the context of a country that clearly had many of the characteristics of a police state, a leader that had set up a one party state and coerced Iranians to vote for it under intimidation, where nation building was centralised and at the cost of any acknowledgement of Iran’s very diverse ethnic make-up and where political expression was very strongly curtailed. This curtailment of political expression included, but was not confined to, that of Islamists.

2.3 The 1979 Islamic Revolution was brought about largely as a response to the political repressions suffered under the Shah. However, time demonstrated that whilst there may have been a shift in the profile of those tortured or imprisoned, certainly there had been no improvement in the likelihood of its occurrence. To the existing list of human rights concerns repression of political freedoms, freedom of expression and the participation of ethnic minorities came to be added: the persecution of religious minorities, gender discrimination, the use of inhuman and degrading punishments, arbitrary executions and the widespread use of torture. Whilst the extent of these human rights violations may have changed somewhat in the years between 1979 and 2005, the occurrence of each of those violations today unfortunately remains highly evident.

2.4 For example, whilst some space for some limited debate on some political issues is now tolerated, the scope of such issues and the accepted participants in such a discussion are certainly not unlimited. And whilst there is the semblance of democracy in terms of regular public elections at various levels, recent events have made obvious the harsh curtailment of the approved candidature. What is less publicly realised is the limits of the approved electorate. For example, only the constitutionally-recognised religious minorities Christians, Jews and Zoroastrians may vote amongst their own officially-sanctioned candidates and for a limited number of parliamentary seats.

2.5 Further to the serious limitations regarding democracy in Iran, there is a serious question over the relationship between democracy and human rights. It is asserted that respect for human rights should be considered as a foundational pillar to democracy. Without ensuring such a respect for human rights, emerging democratic patterns alone will not necessarily deliver on respect for rights. Human rights are a necessary correlate to democracy.

2.6 The response of the international community to the massive rise in human rights violations in the early years of the revolution was swift. In 1980, the United Nations Sub-Commission on the Promotion and Protection of Human Rights (at that time called the Sub-Commission on Prevention of Discrimination and Protection of Minorities) started its annual resolution condemning Iran for its human rights violations. These resolutions were adopted annually until 1996 when the possibility of the Sub-Commission adopting resolutions that duplicated issues on the agenda of the Commission was terminated. Similarly, the United Nations Commission on Human Rights adopted resolutions condemning Iran's human rights violations annually from 1982 to 2001 inclusive. In the years between 1984 until the failure to adopt the draft resolution in April 2002 this resolution included the further sanction of the appointment of a UN Special Representative to investigate the human rights situation in Iran first-hand and report regularly to the UN about that record. The Iranian government, however, defied this request of the international community and the mandate holder was only allowed four visits to Iran during those 18 years. The April 2002 report of the Special Representative on the Human Rights Situation in Iran was certainly not positive about the human rights situation in Iran, and the record since then has definitely deteriorated in almost every area. Despite that deterioration, and the expectation that there will be an even sharper downward spiral after the June 2005 Presidential elections in Iran, the international community's engagement with Iran has been piecemeal and inconsistent since it halted its condemnation of Iran's human rights record through the UN in April 2002. This author is of the opinion that the UK's responsibilities of engagement with Iran on human rights should be judged and assessed in the context of this reality.

II. *Giving Iran the Benefit of the Doubt*

3.1 There is a long, and disappointing, recent history of giving Iran "the benefit of the doubt" regarding her human rights record. In fact, even as a country under condemnation by the international community for its human rights record, Iran was adept at dictating terms and conditions under which she was allegedly prepared to improve her human rights situation. She has continuously argued that international condemnation of her human rights record is detrimental to domestic efforts to improve that record, without convincing arguments being put forward as to why this may actually be the case.

3.2 Since the 1980s her argument was that her co-operation with the UN Special Representative on the Human Rights Situation in Iran was dependent on the UN dropping its reference to "the human rights situation of religious minorities, including the Bahá'ís". After the death of Ayatollah Khomeini, there was a lot of hope that the apparently moderate new President Rafsanjani would bring about positive human rights change in Iran. The UN Commission resolutions of 1990 and 1991 reflected this optimism as they were adopted by consensus rather than roll-call vote. In the late 1990s, numerous dignitaries including the UN Secretary-General and the UN High Commissioner on Human Rights were invited to attend high profile events in Iran, which reflected well on the regime, but the UN Special Representative with his mandate to investigate the human rights situation was forbidden access after his short six day visit in 1996. Despite this obvious Iranian ploy to defy the international community and not allow first-hand UN reporting of her human rights record, there was again much optimism around after the partially-democratic popular elections that brought President Khatami to power in 1997. Since then, the record on some human rights issues did temporarily improve, particularly press freedoms and the rights of women. These were welcomed profusely by the international community, even though each step forward was partial and, in many instances, followed promptly by reversals. Finally, in the years leading to the dropping of the Commission resolution in April 2002, Iran continuously claimed that her human rights situation was improving. Whilst admitting that there were areas of concern, she claimed that the record was not bad enough to merit a resolution of condemnation. Since then, of course, the situation has deteriorated yet further.

3.3 Despite disappointments following every bout of optimism since the late 1980s, that Iran would once and for all reverse its grave human rights situation and follow the path of gradual but continual improvements in that situation, there seems to be an irreversible trend of optimism, even now, that Iran must be given the benefit of the doubt. It is questionable why this benefit of the doubt needs to continuously be given *despite* Iran's actual human rights situation? Is this just condemnation-fatigue or is it acclimatisation to Iran's human rights violations?

3.4 This author is not at all convinced that Iran's present human rights record merits a "hands off" approach by the international community, combined with blind optimism that the human rights record is on the path of improvement. It is beyond doubt to any impartial assessor that the situation of human rights in Iran has deteriorated in the years following the ending of international condemnation of Iran's human rights record at the United Nations. And it is, unfortunately, beyond reason to expect that there will be any reversal in the fortunes of this record in the near future. The Presidential elections of June 2005 are, by all accounts, going to strengthen the hand of the more conservative elements of the regime, and a further deterioration in the human rights record has, regrettably, to be expected.

3.5 Whilst Iran's argument that international condemnation of her human rights record has been detrimental to the domestic addressing of that record is decades long, my research over the past decade suggests precisely the opposite. Iran has long demonstrated her sensitivity to her international reputation. My doctoral research focused on the most unrelenting of Iran's human rights issues, that of the situation of the Bahá'ís in Iran. Even on that issue, my findings suggested that international condemnation had, at the very least, contributed to the stabilisation of their situation and, in certain ways, to partial ameliorations in their persecution. On that basis alone I would recommend that strong reasons, consistent with international human rights standards, are required before such condemnation is halted, and other countries are thereby seen to be condoning Iran's human rights record.

3.6 Further to that, one has to be cognizant of Iran's diplomatic unpredictability regarding human rights. Even a sketchy consideration reveals a yawning gap between Iran's promises and subsequent practice in the field of human rights. Going by official UN records alone, my own research was able to find numerous examples of such inconsistency. After all, Iran has persistently promised an improvement in its human rights situation, at least over the past 15 years, and all of that to little avail. One would be hard pressed to point to one arena in which her human rights record had consistently and reliably improved over that time. All in all, then, I would suggest that the "benefit of that doubt" method has proven of little benefit with regard to external engagement with Iran's human rights record, and consideration should be given to the grounds for its continued practice.

III. *Engagement or Dialogue—What Criteria? Engagement with Whom and on What Basis?*

4.1 The UK's diplomatic record with Iran stretches back centuries and has a much longer history than most, if not all, of the other EU countries. This alone would imply her special role in proposing appropriate EU policy with Iran. The EU policy on Iran's human rights record has taken the shape of an official human rights dialogue over the past two years. This is on the basis of the December 2001 EU Guidelines on Human Rights dialogues. The desirability of following up the work of the UN Commission on Human Rights and Third Committee of the General Assembly is suggested in the Guidelines. In the case of Iran, therefore, it would seem that the dialogue should take heed of the human rights violations the international community had highlighted in Iran's record from 1980 to 2002.

4.2 The initiation of an EU human rights dialogue rests, as the Guidelines note, on: an assessment that the government is willing to improve the human rights situation, the commitment it has shown regarding compliance with human rights treaties, its readiness to co-operate with UN human rights procedures and mechanisms and its attitude to civil society. It is surprising to note how a positive assessment may have been made on the basis of any of these criteria in 2002, and even more so in 2004 when it was decided that there had been "added value" provided by the dialogue—hence its continuation. It is not apparent which civil society actors, and from where, were involved in this assessment exercise, as required by point 10 of the Guidelines, especially since the finer details of the benchmarks set by the Union have not been made known to them.

4.3 There may be an incongruence between "adding value" to the actual enjoyment of human rights within the target state, in this case Iran, and the EU's aim of "strengthening human rights co-operation" as outlined in point 10 of the Guidelines. As the EU rightly points out in the Guidelines, strengthening human rights co-operation demands a focus "on those areas in which co-operation could be further improved". This requires a pragmatic assessment of where the target state herself indicates interest in making token or actual changes. Important though they may be in their own right, these may not be the areas where most deep-seated or widespread violations are actually being suffered and, it seems, little scope is offered to the EU to require the pursuit of other avenues. Human rights dialogue certainly does seem ultimately to be perilously dependent on the key condition of the target government's willingness to improve her human rights situation, and her continued good faith in this regard.

4.4 Furthermore, the UK is "engaged" with Iran on its human rights record as one of the four areas of concern of the EU-Iran Trade and Co-operation Agreement which was restarted on 12 January 2005. The EU is Iran's main trading partner, accounting for around 30% of her total trade. Considering the immense unemployment and underemployment in Iran, the economic importance of the EU relationship with Iran can scarcely be underestimated. However, it is disappointing that the tremendous opportunities offered by both the EU-Iran dialogue and EU-Iran Trade and Co-operation Agreement have not been harnessed by the EU towards pushing adequately for human rights.

4.5 In this vein, the EU's assessment of improvements in Iran's human rights record, which has been necessary to the continuation of both the dialogue and the agreement, frankly beggars belief. How modest exactly were the expectations that "improvements" have been noted? Were these consistent with the expectations of the international community of Iran's human rights record over the past 26 years? If not, what is the human rights benefit of diluting internationally agreed legal standards in light of the current Iranian context? These EU processes are not transparent and open to civil society scrutiny within Europe, even though the dialogue itself is supposed to concomitantly rest upon the condition of encouraging a vibrant civil society in Iran.

4.6 Furthermore, where exactly is it expected that genuine improvements in Iran's human rights record will stem from, and which governmental mechanisms will actualise them? Iran's complex governmental machinery has demonstrated its reliance on an arresting system of checks and balances. Domestic attempts to bring about positive change on some human rights issues have faced numerous hurdles within this system. There are a number of cases where discrete attempts were made to initiate human rights improvements, stemming from the initiatives of the previous (Sixth) Majlis/Parliament and from President Khatami. Whether with regard to ratifying the UN Convention Against Torture or the UN Convention on the Elimination of Discrimination Against Women, banning torture, or giving some scope for women in seeking divorce or custody, in all these instances the human rights-friendly initiative has either been blocked or narrowed significantly in scope as a result of the proposed legislation having to be approved by the Guardian Council as being in line with Islamic precepts. At a minimum, therefore, three arms of government need to approve any positive legislative change with regard to human rights (Presidency, Parliament and the Guardian Council). Even at the most "optimal" moment of the most pro-human rights Iranian governmental machinery yet, which perhaps can be found to be the 1999–2002 years; it meant that the more reform-oriented elements of government could be blocked by the more conservative elements of the Guardian Council—where the 50% of the clerics appointed by the Supreme Leader can veto any legislation that they deem to be un-Islamic. Only the opinion of these six members, of the 12 member body, is valid when it comes to deciding on the compatibility of legislation with Islamic provisions.

4.7 To this author, these initiatives themselves were disappointingly limited, framed as they were within the Iranian Constitutional framework. That same Constitution leaves many serious human rights issues beyond even the scope of political imagination. Even in the apparent heyday of human rights possibilities in Iran around the turn of the century, for example, the only unchanged piece of human-rights promoting legislation that was adopted unchanged was the 2002 Blood Money law. This was a law which itself started from an extremely discriminatory premise. Even in that case, the passage of the adoption of the law was not smooth. The Guardian Council blocked the legislation and the Supreme Leader himself intervened to call upon them to reconsider its adoption. The adopted law equalised the blood money payable on the death of a Jew, Christian or Zoroastrian man to that of a Muslim man. This may be all very well, except for the fact that they had been valued at half of a Muslim man for the previous 23 years. Furthermore, the question of a penalty for a Muslim, Jewish, Zoroastrian or Christian woman being raised to an equal value to that of the men was beyond the scope of discussion, and the question of why Bahá'ís, whether man or woman, were worthless in this estimation, again was beyond the pale.

4.8 With both the Majlis losing its reformist majority through the electoral machinations of the February 2004 elections and the Presidency being on the verge of becoming less reformist in orientation as a result of the forthcoming June 2005 elections, I fail to understand where the EU is looking for human rights change to stem from. If the source of such change cannot even be imagined, then does this not just amount to blind optimism? An honest appraisal of prospects for change need to be assessed by the EU, so that the EU can better assess whether it can continue its dialogue and, if so, what areas the debate on human rights it needs to highlight and which actors in Iran it needs to focus on.

The Main Points in Summary

1. Engagement with Iran on human rights needs to be understood and assessed within a historical context of at least the past three decades.
2. Shortcomings in Iran's human rights record today need to be assessed in the light of this record.
3. Concern with Iran's human rights record is not new to the post-September 11th world. It does not imply a critique of Islam or Islamic countries per se.
4. A genuine human rights engagement allows little room for diplomatic flexibility, as its terms must be mindful of both the legal underpinnings of human rights and ideological congruence with the universality of rights. Engagement which is not respectful of these criteria cannot correctly be labelled a human rights engagement.
5. This memorandum focuses only on human rights engagement with Iran.
6. In the 1970s the international community, including the UK, were vocal regarding their concerns with the lack of political freedoms and freedom of expression in Iran.
7. After the 1979 revolution, to this list of human rights concerns was added the persecution of religious minorities, gender discrimination, the use of inhuman and degrading punishments, arbitrary executions and the widespread use of torture.
8. The extent of some of these violations may have altered somewhat during the past 26 years, but serious violations remain in all of these areas.
9. The international community was swift and consistent in its condemnation of Iran's human rights record between 1980 and 2002.
10. Despite serious outstanding concerns, and further deterioration in human rights, the international community's engagement with Iran has been piecemeal and inconsistent since 2002.

11. The UK's responsibilities of engagement with Iran on human rights should be judged and assessed in the context of this reality.

12. There is a very long record of the international community choosing to give Iran "the benefit of the doubt" regarding its genuineness in intending to improve its human rights record.

13. Iran has long argued that it would be able to more effectively bring about positive human rights change domestically if international condemnation was halted. There is no evidence that this has been the case, in fact the evidence suggests the contrary.

14. The human rights record since the 1997 coming to power of President Khatami did temporarily improve in a couple of areas, notably press freedoms and the rights of women. However, even these steps were partial and followed by reversals. The record in other areas was largely untouched, in some areas there have also been reversals in Iran's human rights record.

15. The "benefit of the doubt" approach to Iran has failed. It seems to indicate mere condemnation-fatigue or acclimatisation to Iran's human rights violations.

16. Iran's persistent promises that it is improving its human rights situation fly in the face of reality.

17. Iran has long demonstrated her sensitivity to her international reputation and has made relative improvements in her human rights record as the result of such condemnation. Strong reasons, consistent with international human rights standards, are therefore required before condemnation is halted in favour of other policies.

18. Condemnation where condemnation is due plays a necessary role in the promotion of human rights where massive violations continue. Iran is a case in point.

19. The UK has a long diplomatic record with Iran, hence she has a special responsibility in ensuring EU human rights policies with Iran are appropriate.

20. The EU-Iran dialogue should be honestly monitored in the light of the human rights violations occurring in Iran.

21. Mindful of the EU Guidelines on Human Rights dialogue, it is not apparent how Iran fulfilled the criteria for the initiation and continuation of EU dialogue. Civil society was not, or at least not adequately and transparently, involved in this assessment.

22. The EU Guidelines themselves reveal some inconsistencies regarding aims and means.

23. The EU is critical to Iran as a trading partner, but it has seriously underplayed its hand at effecting human rights changes in Iran through this means. It has condoned Iran's human rights record by noting positive change where, at best, these have been horrendously tokenistic.

24. EU human rights dialogue and trade agreement is ostensibly dependent on the willingness of the Iranian government to effect positive human rights change, but where can such positive change stem from?

25. The EU's appraisal of prospects for human rights change in Iran needs to at least imagine the means by which such change can emerge. The record suggests that it is questionable whether there is actually the means to effect such change within the Iranian governmental machinery. The means for human rights change suffered a setback in the February 2004 Majlis elections and will suffer another setback in the June 2005 Presidential elections

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Written evidence submitted by the International Crisis Group

1. THE EXTENT AND SOURCES OF INSECURITY

Violence has spread to affect all sectors of society in all aspects of daily life. Ordinary Iraqi citizens feel insecure in their neighbourhoods and even in their own homes. Traveling outside of urban areas is particularly risky. The fear is less of bomb attacks and other insurgent activity—of which most people see little (other than on TV)—than of the general lack of law and order.

It originates in a number of sources, ranging from criminality to insurgency, with lines sometimes blurred: Insurgents will pay small sums of money to fellow Iraqis to place explosives or carry out light-weapon attacks; criminal gangs that specialise in kidnapping may sell their captives to insurgent groups (especially if it involves foreign victims).

The insurgencies in Iraq today are primarily driven by deep-seated grievances prevailing in two communities: Disaffected Sunni Arabs, who fear being de-privileged after decades of access to power and wealth through their proximity to especially the republican regimes, and equally disaffected members of the Ba'ath party (including many secular Shiites) who have become targets of de-Ba'athification (regardless of their conduct under the previous regime). Members of these two communities could theoretically be drawn

back into the political process if they are given sufficient assurances and power to allay their fears of future punishment, discrimination and repression. They have suggested that, despite their boycott of the January 2005 elections, they are interested in participating in the drafting of the constitution. Many have also indicated their abhorrence of practices such as the beheading of hostages or suicide bombings in crowded civilian areas, which they attribute to foreign fighters.

There are two other groups that fuel the insurgencies: Foreign fighters (Al-Qa'ida-inspired jihadis) and former-regime stalwarts. The first are in Iraq to fight the occupying forces; they have no Iraqi agenda. The latter realise there is no room for them in the new Iraq and will fight so as to create chaos, hoping that this will trigger an early exit of foreign forces and the installation of a strongman who might protect their interests.

There are also the adherents of Muqtada al-Sadr, the so-called Mahdi Army (in reality a ragtag band of part-time fighters based in the urban Shiite slums of Baghdad and several other cities), who fought battles with US forces in April and August–September 2004. They are not politically disaffected as much as the members of an economically marginalised underclass. Much will depend on the success of the new government in restoring law and order, repairing basic infrastructure and creating jobs in order for this group not to be resuscitated for political ends by Muqtada al-Sadr or others.

Finally, there is a much broader group of unemployed Iraqis who serve as a recruiting ground for the insurgent groups, regardless of the latter's ideology or politics, or who may resort to criminality. They include workers of idle state factories, soldiers of the dismissed national army and young Iraqis who have never held a job. Only a massive attempt at employment generation may serve to reabsorb members of this group into legality.

This growing panoply of insurgents and criminal elements have caused the profound insecurity that Iraqis experience today. The most disturbing aspect of this phenomenon, apart from its widespread nature, is how it has fed on citizen inertia to transform and develop itself. Insurgents now move around with ease among a subdued and, in some quarters, even supportive population, including in the capital.

2. TACKLING THE INSURGENCIES AND IMPROVING SECURITY

First of all, it is critical to understand that there is not a single insurgency, and that most of insurgent activity is locally-driven. US commanders have tended to blame foreign fighters like Abu Mus'ab al-Zarqawi for most of the violence. This reflects a failure to appreciate that while these fighters obviously enjoy certain sources of Iraqi support, especially in tribal areas in Al-Anbar (Falluja/Ramadi), Salah al-Din (Tikrit/Samarra) and Nineveh (Mosul) governorates, they are only a small group whose agenda and means of achieving it differ significantly from that of most Iraqi insurgents.

While wholesale assaults on urban centres such as Falluja and Samarra no doubt have succeeded in killing quantities of insurgents, they have (1) failed to prevent the escape of key insurgents, and (2) created a more generalised anger and resentment among a population that feels reinforced in its perception that it is being disenfranchised and marginalised in the new Iraq.

What counter-insurgency efforts have lacked is precision/discrimination in targeting, as well as strong intelligence to ferret out key operators. The deployment of military forces, and especially foreign military forces, in fighting the insurgencies has minimised the potential role of an Iraqi police force and local intelligence gathering. Perhaps even more dangerously, the deployment of elite Iraqi units almost exclusively composed of Kurds in areas such as Falluja, Najaf and Mosul has alarmed Arab communities there and stirred communal tensions. (Kurdish peshmerga fighters are the most battle-hardened, disciplined and reliable forces currently available in Iraq; the temptation is great to deploy them as proof of the rebirth of the Iraqi security forces in a virtual security vacuum.)

The Bush administration has now recognised the importance of building up viable Iraqi security forces, and is making more resources and trainers available for this purpose. It is not clear, however, whether it has also recognised the importance of building up, *in particular*, a viable police force that could restore law and order—the absence of which has been the one issue that has riled ordinary Iraqis more than any other (with power shortages a close second) since the first day after the collapse of the Ba'ath regime.

The key to tackling the insurgencies is to dry up popular support for them and reduce the pool of recruitable young men. Such a strategy will have to be multi-track, consisting of the following components:

Political: Assist the creation of a legitimate government that can effectively govern and deliver essential services to the population and keeps corruption to a minimum. Serious overtures have to be made to bring disaffected Iraqis back into the political fold. Promote an open and inclusive constitutional process.

Economic: Promote the type of reconstruction that draws in the largest number of unemployed. Fix the problems with the power supply.

Security: Build up a police force able to restore law and order. Build up an intelligence capability that can ferret out hard-core insurgents. Build up customs capabilities and other forms of border control to prevent jihadis and funds from entering Iraq. Start reducing the presence and visibility of US forces in populated areas.

3. THE FUNCTIONING OF PRE-ELECTION GOVERNING BODIES

The interim government of prime minister Iyad Allawi was generally seen as a US-installed regime doing Washington's bidding which, moreover, failed to restore law and order (despite the tough talk) or re-start reconstruction, and was deeply corrupt. Whatever government that emerges from the January elections is certain to have a good deal more legitimacy than the Allawi-government (despite the fact that the elections failed to be broadly inclusive; see below), and so in itself is a significant improvement. But much will depend on (1) how effective the new government will be in delivering essential services, (2) how effective it will be in curbing corruption rather than thriving on it, and (3) how capable it will be of distancing itself from US/UK tutelage, lest it also be tarnished with the "proxy" label that undermined its predecessor.

4. STATE OF POLITICAL ORGANISATION

Iraq is in the very early stages of institutional formation. Political parties are rudimentary structures, personality-driven, often sectarian in outlook and without national agendas. In this vacuum, former exiles/expatriates and their political organisations have had a head start, and they are resented for it by a resident population that had to suffer the Ba'ath regime and the deprivations that came with UN sanctions. The empowerment of local government may serve to overcome this destabilising cleavage over time, as it will allow the emergence of home-grown local leaders who can graduate to positions of national power—if Iraq doesn't break up before this happens.

5. THE ELECTIONS AND THEIR IMPACT

On balance, the fact that elections were held was a very positive development, given the level of turn-out, the euphoric responses among those who cast their ballots, the relative freedom and absence of violence in which they occurred, and the likelihood they will yield a political leadership that will more closely reflect the will of the majority of Iraqis than the previous one.

That said, the elections were seriously flawed in the non-participation of a significant component of Iraqi society. This was reflected in the *composition* of the turn-out. The exclusion, or self-exclusion, of most Sunni Arabs, in particular, bodes ill for the stabilisation of Iraq as it is precisely this disaffected group that fuels the primary insurgency. Their absence at the polls was not due merely to an official boycott of Sunni-Arab-based parties such as the Muslim Scholars Association and the Iraqi Islamic Parties (whose members were permitted to run as independents), nor only to violence and intimidation (even in Jordan and the UAE, Sunni Arabs mostly stayed away). Many chose to shun the polls seeing the election as the mechanism by which the Shiite majority would gain political power, a development that was not in their interest and they did not wish to legitimate through their participation. (Evidence suggests that what remains of the non-sectarian "Sunni" Arab middle class in urban centres such as Baghdad and Mosul did vote, if they had the chance.)

For the sake of the country's stabilisation, every effort should be made to bring a broad spectrum of Sunni Arab political actors into the political process and institutions through the back door. They want participation in the army and security services, the cabinet, the ministries, and the committee that will be charged with drafting the constitution. They also want a reversal of de-Ba'athification (though they might agree to the creation of a fair screening mechanisms to weed out those with blood on their hands). Leaders of the United Iraqi Alliance (reportedly strongly backed in this approach by Ayatollah Sistani) have publicly reached out to their Sunni Arab brethren, and some Sunni Arab leaders have suggested they might be willing to re-join the political and, especially, the constitutional process. These are encouraging signs but the obstacles are many: There is no clear, representative Sunni Arab leadership with whom to negotiate and who can deliver (for example, an end to insurgent violence), and none is likely to emerge; each time insurgents attack a Shiite mosque or leader, pressure mounts on the Shiite leadership to allow retaliation (successfully resisted so far); the temptation to invite *only* moderate Sunni Arabs, such as Adnan Pachachi and Ghazi al-Yawar, may be too powerful to resist; and the demands of the Sunni Arab community may prove unacceptable. Still, there is no alternative.

Following the formation of a government, the next big challenge will be the drafting of a permanent constitution. The two key issues here will be the nature of Iraq's political structure (How much decentralisation? A separate federal region for the Kurds?) and the role of religion (Implementation of Shari'a law?). Given the heterodox nature of Iraqi society and the fact that no single party was able to carry the elections (the United Iraqi Alliance is a very loose coalition that is unlikely to survive long beyond the formation of a new government), there is some ground for optimism: It will be very difficult for the Islamists to impose their vision on the country; a compromise may be found in the relegation of the question of religion to regional centres through decentralisation. But where will be the limit to Kurdish ambitions?

Other challenges lie ahead. It is difficult at this point to gain a full view of the results of provincial elections, but two trends are noteworthy:

1. In the south, Islamist parties or coalitions seem to have prevailed. Bred primarily in exile, they will now have to demonstrate that they can govern and be inclusive. This means they may not survive

the next elections, currently scheduled for mid-December. Moreover, there is likely to be a power struggle between those who carry the taint of Iranian exile and tutelage and who advocate the implementation of Shari'a law, and those who are secular and have decried Iranian meddling.

2. In predominantly Sunni Arab governorates, voter turn-out was extremely low. The formation of provincial councils in such circumstances would be imprudent, as they could not possibly be considered to be representative or enjoying electoral legitimacy. The problem has been taken to an extreme in Nineveh governorate (Mosul) where, despite the preponderance of Sunni Arabs, the minority Kurds won the elections. The Supreme Council for the Islamic Revolution in Iraq, an Islamist Shiite party that, at the national level, was a primary component of the United Iraqi Alliance, came in second, even though very few Shiites live in Nineveh (mostly Shiite Turkomans). The formation of a Kurdish-dominated provincial council in Nineveh would entail minority rule and likely give rise to sectarian fighting.

The most dangerous provincial election took place in Kirkuk governorate. Here Kurds swamped the polls and swept to victory, facing opposition only from the minority Turkomans (Arabs stayed away). The Kurds now control the provincial council in addition to the security apparatus and the administration (directorates), while they are increasing their numbers and enjoy US military protection. Sectarian animosities in Kirkuk are now so strong that a small spark could ignite sectarian violence; Arabs and Turkomans are known to have started arming themselves, but they would likely be outnumbered and overpowered by the Kurds. The United States has contented itself with telling the Kurds it insists on Iraq's territorial integrity and with preventing major violence from breaking out. It has failed so far, however, to formulate a pro-active policy to accommodate the concerns of all communities in Kirkuk, including the return of displaced Kurds and Turkomans and the fate of those brought in by the previous regimes as part of a strategy of Arabisation. Under the interim constitution (the Transitional Administrative Law) the question of Kirkuk was excluded (specifically postponed) from the drafting of the permanent constitution. However, if, in determining the nature of Iraq's political structure, the drafters of the constitution reach a decision to establish a federal Kurdish region, they will have to delineate the boundaries of such a region; this will inevitably raise the issue of Kirkuk. More insidiously, in the absence of a political settlement in Kirkuk and a passive US attitude, the Kurds are able to continue to "create facts" on the ground, thereby upsetting the delicate political balance in the governorate and making a peaceful solution more difficult.

6. ROLE OF THE INTERNATIONAL COMMUNITY

The US and UK should make every effort in post-election Iraq to:

- Refrain from interfering in Iraqi politics and decision making;
- Step up the building and training of Iraqi security forces, especially the police;
- Encourage a growing role for the United Nations, especially in shepherding the constitutional process, arranging a referendum on the constitution, and organising general elections following the constitution's adoption;
- Halt the slide toward sectarian conflict, especially in Kirkuk, including through support in the Security Council for the appointment of a UN Special Rapporteur for Kirkuk and possibly of a UN Supervisor with powers to impose law;
- Reduce the presence and visibility of their forces in populated areas, especially as viable units of the Iraqi security forces can be deployed.

As we said in a report in December 2004, "What is now required is *dual disengagement*: a gradual US political and military disengagement from Iraq and, no less important, a clear Iraqi political disengagement from the U.S. The new Iraqi state must define itself at least partially in opposition to U.S. policies or it runs the risk of defining itself in opposition to many of its own citizens."

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24 February 2005

Written evidence submitted by Dr Gareth Stansfield

POLITICAL DEVELOPMENTS IN POST-SADDAM IRAQ

Dr Gareth Stansfield is Lecturer in Middle East Politics in the Institute of Arab and Islamic Studies at the University of Exeter. He is also an Associate Fellow of the Middle East Programme at the Royal Institute of International Affairs (Chatham House). A primary focus of his research is on the political development of Iraq, with a particularly emphasis upon transitions to democracy in divided societies. Dr Stansfield lived and worked in Iraq from 1997 to 2001 as part of a programme funded by DFID to assist the Kurdistan

regional authorities in the three northern governorates of Iraq. He gained his PhD from the University of Durham in 2001 in Political Science. From 2002–04, he held a Leverhulme Special Research Fellowship at the University of Exeter. The focus of his study was upon the position of the Shi'i political parties in Iraq, and the interaction between the different communal groups of Iraqi society.

1. There is a dangerous assumption in place behind US and British policy toward Iraq that, ultimately, the integrity of the state of Iraq will, even must, be maintained within its current boundaries. The result of this is that power-sharing strategies have to be identified to galvanise diverse socio-political groupings together within a state. The difficulty is in finding areas of common ground whereby such groups can subscribe to the state institutions being established.

2. Underlying this assumption is that Iraqi society is inherently politically fragmented, with the common divides being of a religious (sunni-shi'i) nature, or ethnic (Arab, Kurdish, Turkmen etc). Many academics would strongly disagree with assuming that Iraqi society can be so clearly defined in such a manner. However, a result of Saddam Hussein's attempts to eradicate civil society institutions in Iraq, followed by years of sanctions, then the empowering of parties that identify themselves according to these communal identities, had created a reality on the ground. This reality is that Iraq's political mobilization now occurs according to ethnicity (particularly for the Kurds), and religion. The notion that there exists an "Iraqi" identity (whether of a secular or religious nature) capable of bridging the divides now apparent in society is increasingly threatened by (i) the deteriorating security environment (ii) the dominance of Shi'i parties in the political process, and (iii) Kurdish autonomous demands.

3. There exists a deep mistrust between these political groups following the elections of 2005. Rather than being a success for democratic development, as many reports indicated, the elections have heightened the possibility of Iraq falling into a situation of civil war in the near future. It is clear that the turnout in Arab Sunni dominated areas was especially low, while the turnout in Arab Shi'i and Kurdish areas was especially high. The resulting National Assembly, which is tasked with constructing Iraq's permanent constitution, is now dominated by a Shi'i bloc, and a smaller, but significant, Kurdish bloc. The fact that Arab Sunni, or secular nationalists, have no voice within the assembly should be viewed as a major hurdle hindering the acceptance of the new constitution. A further problem is that the Shi'i parties and the Kurdish parties are simply worlds apart in terms of how they perceive the future of Iraq (in terms of the role of Islam in the legal framework of the state, and whether the state should be of a unitary or federal nature).

4. If Iraq is not going to be plagued by further violence (perhaps leading to civil war), or even the secession of the Kurdish regions, there are two major tasks which need to be undertaken in this present year. The first is that a mechanism needs to be found which brings seemingly disenfranchised Arab Sunnis and secular Iraqi nationalists into the political process, without such a mechanism being perceived as charity or as a token gesture. This is a very difficult task indeed. Currently, the forces of the "sunni"—associated insurgency against coalition forces and the institutions of the Interim Government have a strong basis of popular support, particularly in the areas north and west of Baghdad (the so-called "Sunni Triangle"). These areas of Iraq, at times, exist outside the authority of coalition and/or Iraqi government forces. By boycotting the elections (for whatever reason), the population in these areas do not consider themselves to be represented in the assembly in Baghdad. Therefore, the only outlet for their opposition is to support the rapidly growing insurgent forces. Policy should therefore be focused as much upon bringing representatives of these groups into the political process.

5. The second task is to find an accommodation between the Shi'i and the Kurds over the future framework of the Iraqi state. The position stated in the Transitional Administrative Law (TAL) of March 2004 is that Islam will be a source of legislation. It is essential that it remains "a" rather than "the". The two leading Shi'i parties (the Supreme Council for Islamic Revolution in Iraq—SCIRI) and al-Da'wa, have both had a long history of pursuing an Islamic state, and it is only in recent years that this more moderate language has been used by them. Many non-Shi'i, or secular, Iraqis fear that the recent electoral success of the Shi'i United Iraqi Alliance (UIA) will embolden the Shi'i leaderships to move back to a more religiously conservative position. The Shi'i also do not support the notion of Iraq becoming a federal state, but are keen to maintain the integrity of a unitary system.

6. The Kurds oppose the notion of Islam having a position in the laws of the state, but have accepted it as "a" source of legislation, as long as they have a power of veto in their region. The status of the Kurdish region is going to become increasingly problematic throughout the year. The Kurds are the most politically and militarily organized of Iraq's political actors, and are now on the verge of consolidating their hold on the north of Iraq. For most Kurds, they now do not consider themselves to be Iraqis, and there is now a popular ground-swell of support for Kurds to seek independence. The Kurdish leadership is more moderate, and seeks autonomy within Iraq, but the levels of autonomy being demanded are extensive.

7. There are therefore two very worrying scenarios for Iraq's immediate future. The first revolves around a continuing sunni-dominated insurgency. Quite simply, the new security forces of the Iraqi government are in no way a match for the insurgents. The insurgents are a mix of ex-Ba'ath forces, and neo-Islamist forces, with the Ba'ath seemingly in command. They are also predominantly Iraqi, rather than being foreign. The insurgents are well motivated, armed and financed, and operate with a degree of impunity in the centre and north of Iraq. It is, of course, essential that the new Iraqi security forces are able to combat these insurgents, yet it will prove very difficult for them to do so without inflaming the already sensitive issues of identity which have emerged. The only peoples who seem willing to join the new forces are either Kurds or Shi'i. Therefore,

the new institutions of security are considered, by those in sunni areas, are considered to be fighting either as Kurds, or as Shi'i, and not as Iraqis. This was certainly the case when Iraqi forces entered Fallujah. Even so, the retention rates of the new forces, and the attrition rates, all suggest that, without coalition back-up, they are quite unsustainable and ineffective. This insurgency has already made parts of Iraq ungovernable, and could force a Shi'i backlash against Sunni areas. Indeed, there is already evidence of sectarian killings occurring in Baghdad.

8. The second scenario relates to Kurdish secession. The Kurds are now in a very strong position and are demanding Kirkuk to be included within their region. The levels of autonomy they envisage would include them to be able to veto Iraqi law from being implemented in Kurdistan, and also bar the Iraqi army from being located in the north. For the Kurdish parties, any attempts to block them from achieving these levels of autonomy could be met with an attempt to secede from the state. It is presumed that, in such a scenario, Turkey would intervene to prevent this. However, with Turkey now more concerned about joining the EU, it is questionable whether it would involve itself militarily in the affairs of Iraq.

9. In sum, 2005 promises to be a most important year in Iraq's political development. For Iraq to move forward in a less volatile manner, the following areas need to be focused upon: (i) bringing the Arab sunni and secular nationalists into the political process (ii) ensuring that the terms of the TAL are adhered to (iii) ensuring that the new Iraqi government is not merely seen as a puppet of the US, in particular, and (iv) promoting the notion of Iraq's future as a federal state.

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Written evidence submitted by FirstWatch International (FWI)

ASSESSING LIBYA'S DISARMAMENT

Thank you for this honor to submit evidence regarding Libya's decision to eliminate its weapons of mass destruction (WMD) programs. It seems to have been a surprise to most, including us at FirstWatch International. But it is a welcomed surprise in that we can now attempt to determine what might work in other cases, and what would not. For this testimony, we will focus on several points such as the reasons behind Libya's decision to relinquish its WMD programs, collaboration among the US, UK, and international community to disarm Libya, Libya's co-operation with the international community to disarm, and what more may need to be done in Libya.

Regarding Libya's decision to relinquish its WMD programs, various rationales for its actions have been suggested. Supporters of the Bush administration believe that their policy of preemption was the impetus behind Libya's decision. They believe that the timing of Libya's decision is directly related to the outcome of the Iraq War and the administration's proactive counter-proliferation strategies, such as the Proliferation Security Initiative (PSI). In an August 2004 speech, Vice President Cheney said, "A year ago, Libya had a secret nuclear weapons program. But after our forces ousted Saddam Hussein and captured him in his hiding spot north of Baghdad, Libya's leader Muammar Qaddafi had a change of heart."¹

Although the dialog with Libya came directly at the start of the war with Iraq, it would be short-sighted to argue that Libya's disarmament was a consequence of the war. It was most likely the nexus of various problems that Libya's decision-makers faced. Ray Takeyh, a well known scholar at the Council for Foreign Relations presented it this way: "When confronted with international isolation, internal dissent, and economic distress, Quaddafi had to move on many fronts and defuse internal and external crises."²

Externally, Libya was looking for a way to re-enter the international community in good standing after years of being treated as a rogue nation. Libya was branded as "rogue" in the 1970s and 1980s due in part to its support for terrorism, and for its involvement in the bombing of Pan Am flight 103 in 1988 over Lockerbie, Scotland, that killed 270 people. Libya's final agreement to compensate the families of victims of that crash preceded Libya's offer to disarm, and thusly may be seen as a signal that Libya was truly attempting to make amends in order to rejoin the international community. Now with Libya being welcomed back into the community of nations, diplomatic doors have been opened, and with that new opportunities have been afforded the Libyans on many levels. The greatest of these must be that of the lifting of economic sanctions and increased trade.

¹ "Vice President's Remarks in Dayton Ohio," Office of the Vice President, 12 August, 2004, <<http://www.whitehouse.gov/news/releases/2004/08/20040812-3.html>>

² Ray Takeyh, "Testimony in front of the Committee on International Relations, US House of Representatives, <<http://www.house.gov/international-relations/108/take031004.htm>> 10 March, 2004.

Internally, Col Quaddafi is known to have felt the burden of sanctions on Libya's economy. Many within the public and the ruling class may have become disillusioned with Quaddafi's past confrontations with the west, and therefore may have been pressuring him to find a way to end sanctions. In addition, the Colonel's son, Saif al-Islam al-Qadhafi, will one day take over as head of state, and he would have an easier time of steering the nation if his father could resolve outstanding issues to bring stability to the country.

Credibility must also be given to western intelligence and international co-ordination under the Proliferation Security Initiative (PSI) to help Libya see the light. We are thinking here about the incident that took place in October 2003, when the US interdicted the German ship, *BBC China* that contained centrifuge components, specifically manufactured and intended for use in Libya's uranium enrichment program. US Undersecretary of State Bolton testified in March 2004 that he believed Libya agreed to admit US and UK inspectors only after the October interdiction. During his testimony he added that Libya did not even admit that they had a nuclear weapons program until after the incident. It appears that this one event may have been the straw that broke the camel's back and gave way to Libya's final decision, months later, in December 2004, to fully disarm.

Yet another school of thought argues that Libya wanted to have a jewel to give to the west when they negotiated disarmament, and therefore concocted the whole enrichment program, as a Trojan horse so to speak. This would be a difficult, if not impossible, theory to prove. Yet given years of confrontation, denial, and deceit in the past, it cannot be completely ruled out.

Robert Litwak, Director of International Studies at the Woodrow Wilson International Center for Scholars recently called it, "a classic engagement strategy," by all involved. He said that "Libya was not a clear case of capitulation in the wake of Iraq intervention." Rather, it was a, "convergence of the centrifuge interdiction, which reinforced the continued credibility of US military power and Western security assurances of regime survival for Libyan dictator Qadhafi—that is, the United States' willingness . . . to take "yes" for an answer on disarmament." In Litwak's view, "Without reassurances from the global community that it would allow Qadhafi to remain in power . . . the dictator would have had no real incentive to disarm."³

Regarding the past and current state of co-operation between Libya, the US, UK, and the IAEA, we'd have to say that the relationship could be characterized as less than perfect and oftentimes bordering on having heavy friction. During the IAEA's February 2004 visit to Libya, Libyan officials told the Agency that Libya had agreed to transfer to the US sensitive design information, nuclear weapon related documents, and most of the previously undeclared enrichment equipment. The Agency made it clear that these items constituted a part of the Agency's evidence and were to remain under Agency seal and legal custody until the Agency has been able to verify the correctness and completeness of Libya's declarations. Instead of approaching the IAEA, the international authority in this area, the Libyans held bilateral agreements with the US and UK to relinquish its WMD equipment and designs. It appears that the Libyans wanted the Agency to be in charge of the investigation and dismantlement, but that idea may have been contrary to US and UK negotiators' wishes. This embarrassed the Agency, and could have damaged its credibility at a time when the international community is looking to it to play a stronger role in stopping both Iran and North Korea from developing nuclear weapons. Libya's actions, in this case, may have made it more difficult for the Agency to perform its duties in other parts of the world.

In our view, the IAEA should have been the first and foremost authority to disarm Libya. It has the mandate and should be given the resources to do so. That was not the way that it was played out. Libya's strategic objectives appear to have been better served by dealing directly with the US and UK. The IAEA was consulted later, after deals were made between Libya and the first two parties. However, since disarmament was the ultimate goal in this situation, it is insignificant which party dismantled and removed the equipment. With the help of the US and UK, the IAEA has been able to obtain access to Libyan facilities and equipment in ways that it may not have been able to in any other country. For instance, once US personnel removed centrifuges and other supporting material from Libya and shipped it to its holding place in the US, Agency inspectors were able to take samples and examine that equipment with more depth and discrimination than would ever be afforded it even under any safeguards agreements. Libya has also been very forthcoming about dealings with the black market that was led by A Q Khan. Director General El Baradei said that, "the information from Libya has been crucial in exposing the smuggling network and finding out what is going on with Iran's nuclear program."⁴ Therefore we can conclude that, although the IAEA's leadership would have been preferred, the desired objective—that of disarming Libya, was achieved. A well developed and organized effort that includes the IAEA and other states, can present a useful model for disarmament. The IAEA would benefit tremendously from the advantage of individual states' superior detection capabilities and bilateral negotiating strategies, and potentially coercive capabilities. Those together with the Agency's experience and impartiality to monitor, verify, and detect undeclared activities, make the equation a good one.

³ "New Proliferation Challenges: Dealing with Hard Cases and Strengthening the Regime," Woodrow Wilson International Center for Scholars and International Institute for Strategic Studies, pp 3–4; Ronald Bruce Smith also considered several interispects of Libya's decision, and therefore we'd suggest you investigate that source during your examination, Source: Ronald Bruce "Libya Is Not Iraq: Preemptive Strikes, WMD and Diplomacy", Middle East Journal, vol 58, no 3, Summer 2004.

⁴ Michael Adler, "UN Nuclear Chief Wraps up Libya Talks Praising Progress," AFP, 24 February, 2004.

On the question of Libya's cooperation so far, from what we can tell by reviewing the IAEA and open source documents it appears that Libya has been transparent. In February 2004, the IAEA reported that, "Libya has shown active co-operation and openness. This is evidenced, in particular, by Libya's granting to the Agency unrestricted access to all locations the Agency requested to visit, by its prompt response to Agency requests for information, and by its decision to act as if an Additional Protocol were in force as of 29 December 2003." The Libyans have been forthcoming and co-operative with the US and British inspectors who visited various sites and helped to dismantle and remove technologies related to Libya's WMD programs. Another encouraging example involves an incident in March 2004 when new material (one container of L-2 components) arrived in Libya. Libyan officials promptly notified the Agency of its arrival and relinquished it for removal. This act demonstrates, at least on the surface, Libya's sincerity, and willingness to comply and co-operate fully. As the Agency has reported to its members, "These are welcome developments."

The only possible area where Libya's co-operation may be lacking, at times, is in answering Agency's questions regarding outside suppliers to its nuclear program. In May 2004, the IAEA reported that, "Libyan authorities have 'usually' provided clear answers to Agency questions and have provided some supplementary declarations." However Libyan authorities have not always been able to provide supporting documents to augment their short December 2003 "time line." According to the Agency report, "Lack of supporting documents limits the Agency's ability to fully confirm the completeness of Libya's declarations in some areas' . . . In another example, it has been noted that resolving the mystery of the origin of uranium that Libya had obtained from a foreign supplier has been difficult. According to IAEA inspectors, solving the mystery has been complicated by conflicting statements from one Libyan who said the uranium came from North Korea, and another who said the material came from A Q Khan.

NEXT STEPS

After reviewing the latest IAEA reports on its activities in Libya, it appears that work is still underway to complete verification of that nation's declarations. In some case, it has been difficult, but the IAEA is continuing its efforts. One example of difficulties facing the inspectors was reported by the IAEA in February 2004, when it said that it could not complete all planned verification activities in the UOC storage location at Sabha, due to the lack of documentation and organized storage conditions.⁵ It appears that after a year, the storage was organized, and the IAEA did verify that Libya's declarations were correct. However, these types of conditions continue to exist in other locations in Libya, in addition to other challenges such as analyzing suspected uranium contamination to determine its origin.

The work of verification will continue, and the work of debriefing scientists and technicians to understand the extent of outside assistance should continue. These may be the valuable lessons that we can learn from Libya. How were they able to evade detection since the 1980s, even following Libya's signature of the NPT in 1975? The IAEA traveled to Libya many times over the past decades to verify that country's declarations and activities. How could they have evaded detection? What went wrong?

Following Libya's December 2003 decision to abandon and dismantle its WMD-related programs, the IAEA, in cooperation with the UK, the US and other countries, such as Russia, has conducted a tremendous amount of work to verify the completeness and correctness of its declarations and to ensure that nuclear-related programs and equipment will not be used for illicit purposes in future. Much more work remains to be done, however.

Several other issues related to verification and the dismantlement of Libya's nuclear program, while not on the list of specific tasks set out by the IAEA, are nonetheless important. The first involves ensuring that all orders previously placed by Libya for material and equipment for its nuclear program have either been received or cancelled, and are not on their way to the country from foreign locations. A case in point is the container on the ship that arrived in the Libyan capital of Tripoli later, in 2004, carrying components for L-2 centrifuges. The ship arrived months after the American-led teams intercepted and seized five containers full of centrifuge parts at Taranto in October 2003.

Second, the IAEA will need to continue to investigate past training programs for Libya's scientists and monitor future research activities, particularly in the area of uranium enrichment, conversion and reprocessing. Libya's new agreements with the international community will facilitate admissions to Western universities to study disciplines previously restricted to them. Also promised to Libya in return for dismantling its WMD programs is greater economic aid. With the lifting of decade-long sanctions on nuclear exports in September 2003, and with Libya opening up to the international community, foreign technical

⁵ "Implementation of the NPT Safeguards Agreement of the Socialist People's Libyan Arab Jahahiriya," IAEA, March 2004, p 3.

assistance, including IAEA technical cooperation, will be much more readily available to the country in the future than it has been at any point in its post-monarchical history. Although sanctioned by the NPT to aid countries in the employment of nuclear technologies for civilian purposes, some of these activities may also be used to further nuclear weapons programs. The IAEA and the international community must continue to be diligent in their investigation and monitoring of past and future developments in Libya, and proceed with cautious optimism.

In its May 2004 report, the IAEA asserted that, “the existence of [a] procurement ‘network’ was of decisive importance in Libya’s clandestine nuclear weapon programme.” Libya’s indigenous scientific and technical capability is arguably the least developed in the Middle East. Libya was able to take advantage of the “indifference displayed by a lot of Western suppliers,” as well as the willingness of a few, motivated and well connected individuals to circumvent weak export regulations, to make significant progress towards developing a nuclear capability. Understanding the full extent of the foreign network will not only help the IAEA completely understand Libya’s program, but also determine the potential proliferation activities of other nations. Following Libya’s December 2003 decision to abandon and dismantle its WMD-related programs, the IAEA, in co-operation with the UK, the US and other countries such as Russia, has completed a tremendous amount of work to verify the completeness and correctness of its declarations and to ensure that nuclear-related programs and equipment will not be used for illicit purposes in future. Much more work remains to be done, however.

Several other issues related to verification and the dismantlement of Libya’s nuclear program, while not on the list of specific tasks set out by the IAEA, are nonetheless important. The first involves ensuring that all orders previously placed by Libya for material and equipment for its nuclear program have either been received or cancelled, and are not on their way to the country from foreign locations. A case in point is the container on the ship that arrived in the Libyan capital of Tripoli in early 2004, carrying components for L-2 centrifuges. The ship arrived months after the American-led teams intercepted and seized five containers full of centrifuge parts at Taranto in October 2003. The arrival of the container raises questions regarding the effectiveness of US counterproliferation initiatives, and suggests that the PSI cannot be counted on as the sole tool for tracking down illicit shipments of WMD-related materials.

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In its reports, the IAEA asserted that, “the existence of [a] procurement ‘network’ was of decisive importance in Libya’s clandestine nuclear weapon program.” Libya’s indigenous scientific and technical capability is arguably the least developed in the Middle East. Libya was able to take advantage of the “indifference displayed by a lot of Western suppliers”, as well as the willingness of a few, motivated and well connected individuals to circumvent weak export regulations, to make significant progress towards developing a nuclear capability. Understanding the full extent of the foreign network will not only help the IAEA complete its inquiry into Libya’s past nuclear activities, but it will also help to ensure that nuclear equipment and technology will not flow from supplier states to would-be proliferators in future.

Lessons Learned

First, we seem only now to understand that countries, if persistent, can eventually obtain the technical capability to develop weapons of mass destruction. This is evidenced in the case of Libya, Pakistan, Iraq, North Korea, and most certainly in Iran. Countries have been able to pursue the acquisition and development of technologies, only raising suspicion at times, and somewhat uninhibited by international controls.

Can the Libyan case be applied to others countries pursuing WMD? The jury is still out, but it seems highly unlikely. Although some in the Bush administration continue to call on other countries, in particular

Iran, North Korea, and Syria, to follow what is now being called the Libya or Tripoli model of disarmament, officials in those countries reject this concept. Here are some examples of what they are saying:

“The Bush group has . . . revealed its intention to coerce and launch a preemptive attack against the DPRK. . . . If the United States thinks that the Libya-styled method of abandoning the nuclear program and the Iraq-styled method of invasion, also work on our country, there is no more foolish and useless act than this.”⁶

“Earlier this year, the North said it would never take the path of ‘some Middle East countries’ and disarm itself voluntarily.”⁷

“Some in the United States and Europe believe that through pressure they can force the Islamic Republic of Iran to retreat. What is important in our country today and should be regarded as a red line is not that we should achieve this technology, for we have already achieved it; the issue is that we must preserve it.”⁸

CONCLUSIONS

As attempts are made to convince Iran and North Korea to curtail their nuclear ambitions, some experts and government officials are pointing to the Libyan case as a workable model to persuade countries to roll back their weapons programs. However, those “in the know” are expressing their disdain for this concept. They believe that Libya is not an appropriate paradigm, and that the West should not be fooled into believing that other nations are going to go the way of Libya and give up their WMD assets so easily. Although the dialogue with Libya came directly at the start of the war with Iraq, it would be short-sighted to argue that Libya’s disarmament was a consequence of that conflict, and that such results might be emulated elsewhere and should be expected. In the final analysis, the reasons most commonly cited for Libya’s actions are the dire state of its economy, caused in part by the economic sanctions introduced after Libya was implicated in the 1998 bombing of a Pan Am airliner over Lockerbie, Scotland, and Gaddafi’s desire to bring his country out of international isolation. Libya’s admission came voluntarily and with a high degree of cooperation, which is in stark contrast to the current behavior of Iran and North Korea.

In the aftermath of these events, the IAEA’s ability to detect and stop countries that might be developing nuclear weapons has again been called into question. Observers highlight uncomfortable similarities between the agency’s failure to detect the nuclear programs of Iraq and North Korea, and the present case of Libya. As some analysts note, though, with budgets approximately 10 times larger than the IAEA’s, the American and Israeli intelligence agencies also failed to produce credible evidence of Libya’s nuclear weapons program prior to it coming forward. While its detection capabilities have drastically improved since the early 1990s, particularly through comprehensive safeguards and the Additional Protocol system, the IAEA remains limited in terms of its finances and legal authority. The way in which Libya was persuaded to disarm may yet prove to be a useful model for further examination. Perhaps individual states, especially nuclear weapon states, should engage in greater cooperation with the IAEA in carrying out more intrusive forms of detection, interdiction and verification. The IAEA could take advantage of individual states’ superior detection capabilities and bilateral negotiating strategies, and couple them with its own experience and impartiality to monitor, verify, detect and possibly prevent potential violations of countries’ nonproliferation obligations.

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3 March 2005

⁶ “DPRK Party Organ Urges US to Possess ‘Correct Position’ in Resolving Nuclear Issue,” Pyongyang Nodong Sinmun, 21 September, 2004.

⁷ “ROK Yonhap: Libyan Leader Sends Congratulations to NK on Foundation Day,” Seoul Yonhap, 20 September, 2004.

⁸ “Iran: Interview With Two Academics About Iran’s Nuclear Program,” Tehran Ya Lesarat ol-Hoseyn, 24 November, 2004, p 7.

Written evidence submitted by the BBC World Service

BBC WORLD SERVICE: RESPONSE TO ORAL EVIDENCE SESSION WITH PROFESSOR JOFFE AND DR ROBERTS—THE WORLD SERVICE IN MOROCCO AND ALGERIA

This submission deals specifically with the following comments made by Dr. Hugh Roberts and Professor George Joffe during the oral evidence session with the Foreign Affairs Select Committee on 1 February 2005:

Dr Roberts: “There is a predisposition in all of these countries (North African littoral countries) to respect the World Service. If you want my own judgment on its performance, I think that radio is far superior to the television in terms of the seriousness of its coverage, especially its political coverage; there is far less cliché in the radio coverage, but even there, there is a certain amount of cliché. On the whole, it is not bad and it is certainly not something to be worried about. Where Algeria is concerned, I would say this: that I think there has been a tendency in the World Service to rely on people, a rather rapid turnover of people covering Algeria, who do not really know the place. This ultimately suggests a lack of commitment to doing the country justice and it carries with it the implication of a certain indifference to the place, which is a pity. I think that may be the way the BBC World Service actually operates: it distrusts the idea of the specialist or the person who really knows the terrain. That is something which comes across in errors in the discussion, in the coverage they provide.”

Professor Joffe: “. . . As far as the World Service is concerned, it is a great pity that the World Service has not been prepared to locate its correspondent for North Africa in Morocco; he is actually located in Tunis, which is a long-standing arrangement but it is a pity because it means Morocco gets neglected. I think that one hears far too little about North Africa in general and Morocco in particular, not just on the World Service main services, but also on the Africa service. If you compare it with, say, French international radio, coverage on North Africa is much better. It is a pity because this is part, in effect, of the European periphery and it is directly connected to interests in this country. We have a growing Moroccan community in Britain which has been here for quite some time. We have an interest therefore in knowing what is going on. I have to say that the Moroccan embassy here has gone out of its way to try to promote cultural exchange and contact, but there has been very little support for that from the British side.”

BBC Newsgathering

As the world’s largest and most successful newsgathering operation, the BBC is committed to covering the story in depth whilst upholding its core values of accuracy, trust and reliability. Consequently, it employs correspondents who are genuine experts in their fields and deploys them to locations in which they can demonstrate and reinforce that expertise.

In response to Dr Roberts’ comment that “. . . radio is far superior to the television. . .”, the BBC’s correspondents work across radio and television, and operate under the same strict editorial guidelines.

The Producers’ Guidelines state that the BBC’s worldwide reputation is dependent on “the dedication to public service broadcasting of generations of programme makers,” and “. . . we expect today’s producers and editors, whether working in radio, television or online, to continue (to be guided by this good practice).” It would be quite wrong to suggest that correspondents provide reports of a lower standard for TV, than for radio.

The World Service makes full use of the BBC’s pool of correspondents, backed up by its own extensive network of local reporters who contribute to the 42 language services.

Morocco

George Joffe’s comment about the World Service’s North Africa correspondent is incorrect. In fact the BBC has had a correspondent based in Rabat, Morocco for many years. The current post-holder is Pascale Harter, a North African specialist, who provides a full service of news and features for BBC World Service programmes, including Focus on Africa and other African programmes.

The World Service also has Durusimi Thomas, who was based in Tunisia for a year ahead of the African Cup of Nations. After that he was moved to Morocco when the country was bidding to host the World Cup so that he could provide “on the spot” coverage of the story.

The BBC maintains a presence in Morocco because of the importance of the Maghreb to our broader coverage of the region. From her Moroccan base, Pascale makes frequent trips to Tunisia and Algeria for the BBC.

Algeria

Dr Roberts questions the World Service's commitment to Algeria: the BBC has a permanent presence in the country in the form of highly-regarded Said Chitour (in post since 2003) who keeps the World Service's newsgathering department fully informed of events there.

The World Service also uses Mohamed Arezki, who has been working for the BBC in Algeria for several years.

The BBC has a regular group of Middle East experts who report from Algeria, and they all consult Said Chitour before and during their trips. They include:

- John Simpson, the BBC's World Editor, who for several years has made regular trips to Algeria. He has built up a considerable knowledge of the country and has demonstrated this in his broadcasts on the World Service and World TV.
- The BBC's Heba Saleh is another expert on Algeria. She is Cairo-based and follows Algerian developments closely. She too has made frequent visits to Algeria and has covered North African affairs for years. She is often heard on the World Service Arabic and English services.
- The BBC also uses Pascale Harter inside Algeria. She has been in post in North Africa for two years and again has made regular visits to the country.

It is very rare for a reporter outside this group of experts to be deployed to Algeria. To say that there is a "rather rapid turnover of people covering Algeria" is completely misleading.

The BBC has full commitment to telling the Algeria story and telling it with a regular group of correspondents who actually know the background to the country. The World Service has access to these Algerian experts, and frequently makes use of them, as well as its own in-house experts, in its output.

BBC World Service Trust in Algeria

The World Service Trust identified Algeria as one of its target countries, although it has not proved to be an easy place to operate.

Seminars were organised for journalists to debate ethical and professional issues related to their work. These seminars took place this year in such countries as Syria, Lebanon, Egypt and Morocco where they proved to be very valuable and successful.

However, in Algeria visas were not issued by the authorities to enable the seminar to take place so it had to be cancelled. The commitment on our part was there but the response from the country itself was disappointing.

World Service's Programming on North Africa

Professor Joffe said that the World Service carries little coverage on North Africa in general. As the Committee is well aware, the World Service is committed to covering worldwide news and current affairs, which includes coverage of the Maghreb region.

As well as the North African based reporters and correspondents listed above, the World Service has Rana Jawad, a reporter based in Tripoli, Kamal Ben Younese in Tunisia reporting for Focus on Africa, Network Africa, the Arabic Service and the French Service, Hassan Alaoui in Morocco reporting for the French and Arabic Services, and Oumaina Ahemed in Algeria, reporting for the Arabic Service.

In 2003 the World Service opened its own office in Cairo, where it has a team of 30 staff producing live material from the region in Arabic and also filing material in English and other languages.

The World Service's news output on North Africa (including items carried by Focus on Africa) for the two-week period starting 23 January 2005 is listed in the Appendix.

In addition to the pieces listed, Pascale Harter has made programmes on World Service output about the roll of Imams, terrorist connections that lead to Morocco and a half hour programme about Moroccan chant music.

More recently, Mounira Chaieb, presenter of the World Service's landmark series Young in The Arab World, visited Morocco, amongst other Middle Eastern countries, and interviewed young people on their hopes and aspirations. Her programmes highlighted important issues affecting the Moroccan population, such as unemployment, migration and the potential contradiction between Islam and modernity.

The Africa Cup of Nations, held in Tunisia last year, was covered in enormous detail by the African Service.

Africa Live, the World Service's live one hour long Africa discussion programme, recently hosted a Pan African debate on North Africa and its influence on the continent.

Indeed, the World Service has identified Africa as a key area for investment following last year's Spending Review settlement, resulting in plans for more editions of *Africa Live* and *Network Africa*.

So to summarise, the World Service carries a great deal of coverage about North Africa and it gives it due prominence in the English output. The expertise that resides within the World Service is also available to the rest of the BBC, and it is often utilised.

Nearly 25 million people tune in regularly to the World Service in Africa—many of these listeners tune in because of the extensive regional news coverage we provide.

APPENDIX

News items on North Africa carried by World Service in English for period: 23/01/05 to 07/02/05 (including Focus on Africa)

Egypt

04.01.05 Sarah G iv Nawal al-Saadawi: political lobby group attempting to change constitution to allow more than one candidate to stand for president. (Focus)

03.02.05 Pete iv Magdi Abdelhadi, bbc staff: Oum Kalsoum 30 year anniversary (Focus)

Libya

26.01.05 Rana Jawad rep: 10 appear in court accused of torturing confessios out of Bulgarian nurses accused of infecting hundreds of children w HIV (Focus)

29.01.05 Joseph Warungu iv Rana Jawad re: Libya's national oil company has held its first open auction for oil and gas exploration rights in the country today (Focus)

01. 02.05 Rana Jawad rep on educational system and efforts to privatise public sector (Focus)

07.02.05 Ranah Jawad (des) re: Private airline company Buraq Air clinched 366 million USD deal with Boeing for the purchase of six new aircraft. (Focus)

Morocco

23.01.05 Pascale Harter on Arab satellite channels & Morocco state media

28.01.05 Pascale Harter (des) re: Row erupted over comments in Islamist newspaper on the cause of the tsunami (Focus)

29.01.05 Joseph Warungu iv Pascale Harter re: Demonstrations supporting Islamist paper's claims that Tsunami was act of God sent to punish Asia for sex tourism (Focus)

31.01.05 Pascale Harter iv Mustapha Khalfi, PJD spksp: support of Attajdid article claiming the Asian Tsunami was an act of God punishing Asia for its sex tourism industry (Focus)

06.02.05 PH on Moroccans held in Guantanamo Bay set to appear on trial in Rabat.

07.02.05 PH on accusations of torture by Moroccan Guantanamo Bay prisoners.

Algeria

27.01.05 Mo'ed Arezki Himeur email rep on heavy snow in Algiers (Focus) PH on election of President Abdelaziz Bouteflika as leader of ruling party.

Tunisia

30.01.05 PH on French PM visit to Tunisia—Jean-Pierre Raffarin calls for democratic reform.

31.01.05 Stephane Mayoux iv Kamal Ben Younes re: whether Human Rights had featured on French PM's agenda during his 24-hour visit to Tunisia (Focus)

Mauritania

03.02.05 PH on the ending of the mass coup trial & acquittal of the country's former president.

Canary Islands

06.02.05 PH on illegal immigrants found off the shore of Tenerife (18.46)

06.02.05 PH on illegal immigrants found off the shore of Tenerife (20.06)

Written evidence submitted by Jenny Warren

IRAN AND THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

The UN's International Atomic Energy Authority (IAEA) has a multilateral mandate under the nuclear Non-Proliferation Treaty to monitor and verify a member state's nuclear programme.

In September 2002, Iran as an NPT signatory informed the IAEA that it had failed to declare its programme to produce nuclear fuel. IAEA inspectors then carried out a full investigation of its nuclear activities. A nuclear "dialogue" between the European Union and Iran made an important contribution to Iran's decision to suspend its programme, pending further EU-Iran negotiations. Russia, as contractor for Iran's nuclear power station, negotiated a bilateral agreement with Iran ensuring the return of spent nuclear fuel to Russia.

Iran is interesting as an example of how the international community has been able to resolve a difficult situation that threatens our peace and security through a policy of constructive but critical engagement.

The IAEA's verification of Iran's nuclear programme was carried out in full accordance with its mandate from the international community. It makes an interesting comparison with Iraq, Libya, and North Korea, where the IAEA was thwarted in its efforts to act on behalf of the international community.

As in Libya, the multilateral Organisation for the Prevention of Chemical Weapons has been able to carry out its mandate under the Chemical Weapons Convention to inspect Iran's chemical plants.

IRAN AND THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

In his State of the Union speech on 29 January 2002, President Bush named Iran as part of an "axis of evil" of regimes that already have or are trying to develop weapons of mass destruction. Since then, the United States has pursued a confrontational policy of seeking to impose international sanctions and threatening the use of military force against Iran on the basis of this allegation.

In 1992, the European Union had started a "dialogue" to restore relations with Iran, which improved considerably following the election of a reformist President in 1997. In May 2002, just four months after President Bush's speech, the European Union decided to start talks on a long-term Trade and Cooperation Agreement in "constructive but critical engagement" with Iran. Britain, France, and Germany led the negotiations, which are scheduled to conclude in 2005.

As a signatory of the Non-Proliferation Treaty (NPT), Iran had informed the International Atomic Energy Authority (IAEA) about the construction by Russia of a nuclear power station, which has been monitored by IAEA inspectors since work began. Scheduled for completion in 2005, its nuclear reactor has been designed to use the type of "low enriched uranium" nuclear fuel that is used in civilian power stations throughout the world. Russia and Iran have negotiated an agreement that the fuel will be returned to Russia for reprocessing. The reactor is the same kind as the one that the United States agreed to build for North Korea in 1994, on similar terms.

In September 2002, however, Iran informed the IAEA that it had failed to declare a programme to produce its own nuclear fuel, as it was required to do under the NPT's nuclear safeguards agreement. It said this was because of its concern that more sanctions would be applied to exports of nuclear materials and equipment to Iran than had already been imposed by the United States and the Nuclear Suppliers' Group of countries. The precedent set by the Israeli Air Force's bombing of Iraq's nuclear reactor in 1981, with US approval, was undoubtedly another reason for Iran attempting to conceal its nuclear programme.

Iran's failure to inform the IAEA about its nuclear programme raised the possibility, however, that it was producing the type of "highly enriched uranium nuclear fuel" that could be used in nuclear weapons rather than in a power station.

In December 2002, the United States directly accused Iran of developing a nuclear weapons industry.

At the end of February 2003, the IAEA Director General met with his counterpart in the Atomic Energy Organisation of Iran in Tehran in order to finalise arrangements regarding verification of its newly declared programme.

The talks were held just one month before the United States and Britain invaded Iraq and began bilateral negotiations with Libya on its nuclear programme.

IAEA INSPECTIONS

While every country has the right under the Non-Proliferation Treaty (NPT) to produce nuclear fuel for nuclear power stations, it also has the duty to declare its nuclear programme under the Treaty's safeguards agreement. Given Iran's failure to do so, the IAEA had an international mandate to verify whether its programme was geared to generating nuclear power or producing nuclear weapons.

Beginning in March 2003, IAEA inspectors carried out extensive investigations of all Iran's nuclear-related sites. They paid special attention to those associated with the processing of uranium and plutonium, the uniquely essential inputs for nuclear weapons. Their main focus, however, was on the uranium-enrichment process, which is technologically a more accessible method of producing weapons-grade nuclear fuel than the process of separating plutonium for nuclear weapons.

The IAEA also obtained information from member states regarding exports to Iran of uranium and the centrifuge equipment needed to enrich uranium.

In the early months of inspections, Iran concealed some important nuclear projects until presented with evidence by the IAEA, and delayed access to a number of sites including defence industry workshops. In October 2003, however, the government changed its approach. Firstly, it announced that it would declare all its current and projected nuclear-related programmes and grant IAEA inspectors unrestricted access to all of its nuclear-related sites with immediate effect: it signed the relevant NPT protocol on 18 December. Secondly, it decided that it would suspend its programme to produce nuclear fuel as a voluntary, confidence-building measure, while maintaining its overall right to develop nuclear power. (Iran provided the IAEA with detailed information about the scope of its suspension in December 2003 and February 2004.)

In November 2003, the IAEA reported that so far there was "no evidence that undeclared nuclear material and processes were related to a nuclear weapons programme." . . . "The materials would require further processing before being suitable for weapons purposes". That is, there was no evidence to date that Iran had produced or imported weapons-grade nuclear fuel.

A year later, in November 2004, the IAEA summarised its findings in a comprehensive report on Iran's nuclear programme.

While continuing to inspect all areas of Iran's nuclear programme, the IAEA had focussed on its substantial efforts over the previous two decades to produce its own nuclear fuel. In 1985, Iran had started to develop a programme to enrich natural uranium. In 1987 and again in 1995, it had obtained blueprints for centrifuge equipment from an illicit trafficking network; in 1991, it imported a quantity of natural uranium from China, which was put under NPT safeguards in March 2003; and between 1997 and 2003 it had assembled and tested centrifuge equipment. Iran's main uranium-enrichment site, which is currently under construction, was placed under IAEA safeguards in March 2003.

In March 2004, Iran told the IAEA that its inspectors could begin to verify the voluntary suspension of its nuclear fuel programme, but then immediately limited the scope of this suspension. In November, it finally agreed to suspend its entire programme. On 29 November 2004, after more than two years of extensive investigations, the IAEA confirmed that Iran had suspended all its nuclear-related activities and that all the declared nuclear material had been accounted for and was not diverted to the production of nuclear weapons. It would continue to monitor Iran's nuclear power programme on a routine basis in accordance with the Non-Proliferation Treaty's safeguards agreement and the protocol on granting IAEA inspectors unrestricted access to all nuclear-related sites.

Two matters needed to be investigated further before the IAEA could confirm that there was no undeclared production of nuclear fuel in Iran and therefore no hidden attempt to produce fuel for nuclear weapons.

In June 2003, IAEA inspectors had tested centrifuge equipment in Iran and discovered traces of the kind of weapons-grade highly-enriched uranium that was used in the atomic bomb that was dropped on Hiroshima on 6 August 1945.⁹ They therefore needed to find out whether the contamination came from the domestic manufacture of centrifuge parts or, as Iran maintained, from imported components. Their assessment supported Iran's claim but they still needed to obtain confirmation from the country that had supplied most of the components for this equipment.

At the March 2004 meeting of IAEA Governors, the US representative had suggested that the IAEA should "follow up on any indications that A Q Khan might have provided nuclear weapons design information to Iran". IAEA investigations so far have disclosed an illicit trafficking network of dealers, based in Pakistan, that supplied Iran with centrifuge equipment, components, and blueprints between 1994 and 1999.

Comment

The IAEA's comprehensive inspection of Iran's nuclear programme over a period of two years was a notable achievement for its efforts to counter the proliferation of nuclear weapons in the 21st century.

Through its investigations, the IAEA was able to reassure its 188 member states at the end of 2004 that Iran's nuclear programme had been fully verified and was now being routinely monitored. It had insisted from the start that Iran should agree, voluntarily, to "a robust system of verification" by signing the NPT's

⁹ This type of highly-enriched uranium (HEU) is also used in the reactors that power nuclear-propelled submarines such as Trident.

additional protocol granting unrestricted access to all its nuclear-related sites. Otherwise, it could not positively confirm that Iran had no programme to develop nuclear weapons. This was a lesson learned from IAEA inspections in Iraq since 1991.

The IAEA's investigation of the source of contamination of centrifuge equipment with weapons-grade uranium was crucial in establishing the existence of an illicit trafficking network of countries (including NPT member states), companies, and dealers that supplied Iran with the materials and equipment it needed to start its nuclear fuel programme.

It was also a notable achievement that the IAEA's 35 Governors succeeded in approving consensus resolutions on Iran's nuclear programme. They include the representatives of the five nuclear-weapon states that are permanent members of the UN Security Council: the United States, Russia, Britain, France, and China. Iran was a member of the Board of Governors from 2002–03 (September). In November 2004, India, Pakistan, South Korea, South Africa and Brazil were among the Non-Aligned countries represented on the Board.

EU-IRAN NUCLEAR DIALOGUE

A nuclear dialogue between the European Union and Iran became an essential component of the IAEA Board of Governors' policy position on Iran's nuclear programme.

After informing the IAEA about its nuclear programme in September 2002, Iran had invited countries attending the IAEA's annual conference to participate in its plan to build more nuclear power stations. In May the following year, Iran passed legislation allowing foreign investment for the first time since the 1950s.

The IAEA had presented its first formal report on the extent of Iran's undeclared nuclear programme in June 2003. On a visit to Tehran at the end of June, the foreign secretary Jack Straw announced that Iran had proposed a reciprocal deal Iran would not develop a nuclear fuel programme if the EU agreed to help Iran develop its nuclear power industry.

The EU negotiators accepted the deal but insisted that, before any negotiations on a long-term Trade and Cooperation Agreement could begin, Iran would have to sign the NPT protocol granting the IAEA unrestricted access to all its nuclear sites and agree to the temporary suspension of its nuclear programme. (As contractor for Iran's first nuclear power station since 1995, Russia too urged Iran to cooperate fully with the IAEA and confirmed that it would not deliver any nuclear fuel until Iran signed their negotiated agreement on returning the used fuel to Russia.)

In October 2003, Iran accepted the EU's terms, formalised in an agreed Statement by the Iranian Government and visiting EU Foreign Ministers, which was posted on the IAEA website. In March the following year, however, Iran decided to resume processing its own nuclear fuel until the EU made a firm offer on supplying it with nuclear technology.

The nuclear dialogue continued for another year. At the beginning of November 2004, the foreign secretary Jack Straw ruled out British support for any US military action against Iran.

On 15 November, the EU and Iran reached a formal agreement, reaffirming their commitments to the Non-Proliferation Treaty and Iran's right to develop nuclear power.

Iran committed itself to full cooperation with the IAEA and the complete suspension of its uranium-enrichment and plutonium-separation activities, on a voluntary basis; the IAEA would be asked to verify and monitor this suspension.

The EU and Iran agreed to begin negotiations on a long-term agreement that "will provide objective guarantees that Iran's nuclear programme is exclusively for peaceful purposes. It will equally provide firm guarantees on nuclear, technological and economic cooperation and firm commitments on security issues." The EU promised to support Iranian membership of the IAEA's Expert Group on Multilateral Approaches to the Nuclear Fuel Cycle.

Once suspension of Iran's nuclear fuel programme had been verified by the IAEA, negotiations on a Trade and Cooperation Agreement would be resumed. The EU also promised to support Iran's 1996 application to join the World Trade Organisation (WTO), which has been blocked by the United States since it was put on the agenda in 2001. (The EU supported Iran's WTO application in December 2004 and resumed negotiations on the Agreement in January 2005.)

The EU and Iran also stated that their long-term agreement will provide firm commitments on security issues. In particular, they reaffirmed the commitment made in the Tehran Agreed Statement of October 2003, "to promote security and stability in the region including the establishment of a zone free from weapons of mass destruction in the Middle East in accordance with the objectives of the United Nations."

The EU-Iran agreement was communicated to the IAEA on 26 November 2004 for circulation to its member states. As soon as the IAEA had verified Iran's suspension of its nuclear programme three days later, its Board of Governors approved a consensus resolution on Iran's nuclear programme, "noting with interest" the agreement between the EU and Iran. They confirmed that Iran did not have nuclear weapons and that its nuclear programme would continue to be monitored on a routine basis.

US-IAEA policy

As a member of the IAEA Board of Governors, the United States made unsubstantiated assertions that Iran was aggressively pursuing a nuclear weapons programme. It sought to impose international sanctions on Iran through referral to the UN Security Council by the IAEA but found little support from the other Governors. Moreover, China and Russia made it known that they would veto any such move by the Security Council. Ultimately, the US Governor supported all the IAEA Board's consensus resolutions.

EU-IRAN TRADE AND COOPERATION AGREEMENT

Nuclear issues

Negotiations on Iran's nuclear programme are a vital component in the EU's constructive but critical engagement with Iran as an alternative to sanctions and military intervention. They are equally important in averting any destabilising confrontation between the United States and Iran.

In December 2004, the EU and Iran finally began negotiating a long-term agreement that will provide "objective guarantees" that Iran's nuclear programme is exclusively for peaceful purposes and "firm guarantees" on EU nuclear cooperation. The negotiations are due to be reviewed in March and concluded by July 2005.

For its part, the EU wants "objective guarantees" that Iran's nuclear fuel production is used solely for generating nuclear power. It is concerned that Iran now has the potential to develop nuclear weapons and could opt out of the Non-Proliferation Treaty, once it had them. Reportedly, it is now pressing Iran to close down its nuclear fuel programme, in response to pressure from the United States.

Comment

Action by the IAEA, backed up by the UN Security Council, would provide the best "objective guarantee" that Iran's nuclear fuel would not be diverted to the production of nuclear weapons.

Following the IAEA's comprehensive verification of Iran's existing programme and its exposure of an illicit trafficking network, continued monitoring by IAEA inspectors will provide the first "objective guarantee" Further guarantees are needed, however, to prevent the proliferation of nuclear materials and technology.

The IAEA has proposed seven measures to strengthen the Non-Proliferation Treaty for consideration at the five-yearly Review Conference in May 2005 this year. One proposal, which draws on its experience in Iran (and Libya), is to establish the NPT's additional protocol on unrestricted access to nuclear-related sites as the norm for all states. Two other proposals relate to situations where a country is pursuing an undeclared nuclear programme.

Firstly, the IAEA calls on all NPT states to pursue and prosecute any illicit trading in nuclear materials and technology, in accordance with UN Security Council Resolution 1540. The Resolution attaches particular importance to international cooperation within the framework of multilateral treaties such as the NPT rather than non-inclusive multilateral arrangements such as the Nuclear Suppliers' Group.

Secondly, the IAEA wants the UN Security Council to act swiftly and decisively in the case of any country that withdraws from the Non-Proliferation Treaty. As a first step, sanctions could be imposed that target a country's government rather than its people. The IAEA's Director General has expressed his own view that the UN Security Council should ultimately be able to authorise collective pre-emptive military action where there is a grave threat to international peace and security.

For its part, Iran wants "firm guarantees" that the EU will deliver the nuclear fuel and technology it needs for its nuclear power industry. It is concerned that, if it closes down its own nuclear fuel programme, the EU could go back on its guarantees under pressure from the United States. It has three main grounds for concern.

The United States has applied a range of sanctions against Iran over the last 25 years—since 1981. As recently as April last year, it imposed financial penalties under the Non-Proliferation Act 2000 on 13 companies, mainly Russian ones, that had supplied Iran with material and equipment for its nuclear power programme.

As reported in an Iranian English-language newspaper, EU countries have failed over the past 25 years to fulfil bilateral agreements they made to supply Iran with nuclear technology for which it had already paid. These included the construction of two power stations and the delivery of nuclear fuel by France, the delivery of natural uranium from (apartheid) South Africa which had been diverted to Britain, and the delivery of equipment by Germany when it withdrew from the nuclear power station project.

The Nuclear Suppliers' Group bans exports of nuclear technology to Iran.

Comment

The EU, however, has a record of strong opposition to the United States' 1996 Iran-Libya Sanctions Act that penalises EU companies which invest in Iran's oil and gas industry; major British/Dutch, French and Italian oil companies have continued to invest there. In negotiating a long-term agreement on Iran's nuclear programme, the EU is similarly motivated by a strong interest in expanding trade and investment in Iran.

The United States is currently reviewing its policy on Iran. On a stop-over visit to Slovakia for a meeting with President Putin at the end of February 2005, President Bush said "it was important that the 'EU3'—Britain, France and Germany—also represented Nato and the US in their negotiations with Iran". (Financial Times, 25 February 2005)

Three days later, Russia and Iran signed their agreement on the delivery of nuclear fuel to Iran and the return of spent nuclear fuel to Russia for re-processing.

EU-Iran trade and investment

The European Union and Iran both want a successful outcome to their negotiations on Iran's nuclear programme as a necessary condition for achieving a longterm agreement on technological and economic cooperation.

Whether as oil exporter or importer, company or investor, they have a shared interest in the modernisation and expansion of Iran's oil and gas industry. Iran is OPEC's second largest oil producer (after Saudi Arabia); it has the world's second largest reserves of natural gas; and it is the world's third largest producer of copper. Oil products account for more than 80% of EU imports from Iran, while oil provides about 80% of Iran's export earnings. With a population of 70 million and its substantial oil revenues, Iran is also a major regional market for EU countries (especially Germany, France, Italy, and Britain), which supply 40% of Iran's imports.

Major EU oil companies such as Shell hope to win contracts to develop large onshore oilfields from Iran's state-owned national oil company. At the end of February 2005, a British trade mission spent a week in Iran assessing business opportunities in the oil, chemical, mining, electricity, packaging, the motor industry and in agriculture.

CHEMICAL WEAPON INSPECTIONS

In July 2004, the Director General of the Organisation for the Prevention of Chemical Weapons (OPCW) went to Iran to discuss its implementation of the Chemical Weapons Convention, which has been monitored by OPCW inspectors since 1997. He also visited their international training and treatment centre, where he commended Iran for its valuable work in this field in collaboration with the OPCW. During his visit, the Iranian government stated that, of the tens of thousands of its citizens, both civilians and soldiers, who were the victims of mustard gas attacks by Iraq during the Iraq-Iran war in the 1980s, over 60,000 were still receiving some kind of medical treatment.

The UN Security Council had known about the use of chemical weapons in the Iraq-Iran war (1980–88) since 1984. Chemical weapons inspectors, sent to investigate by the Secretary General, had reported since 1986 that chemical weapons had been used on many occasions by Iraqi forces against Iranian forces. The Security Council had then passed a number of resolutions on "The situation between Iran and Iraq" deploring these attacks. It was not until 1988, however, that the Security Council finally called for strict controls on exports of chemicals that could be used in the production of chemical weapons. This was done in the context of discussions in the Conference on Disarmament on establishing the Chemical Weapons Convention, which opened for signature in 1993 and came into force in 1997. Iran signed the Convention in 1993 and ratified it in 1997.

SOURCES

IAEA documents

In Focus: IAEA and Iran, News Update on IAEA and Iran, 29 November 2004. (www.iaea.org)

IAEA Board of Governors Reports and Resolutions

Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran: Report by the Director General, IAEA Board of Governors, June, September, November 2003; February, June, September, November 2004.

Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran: Resolution adopted by the Board, IAEA Board of Governors, September, November 2003; March, June, September, November 2004.

Statements to IAEA Board of Governors

Director General's Intervention on Iran at IAEA Board of Governors Meeting, 18 June 2003; Statement by the Board, 19 June 2003 (issued by the Chairwoman).

Statements at IAEA Board of Governors Meeting, September 2003.

Statement by the Iranian Government and visiting EU Foreign Ministers, 21 October 2003.

Statement on the Implementation of the NPT Safeguards . . . , Director-General for International Political Affairs, Foreign Ministry, Iran, IAEA Board of Governors, 13 March 2004.

Excerpt from the Record of the 1094th Meeting of the Board of Governors: 4. Nuclear verification, IAEA GOV/OR. 1094, 13 March 2004.

Note by the Secretariat on Iran Statement on the Implementation of Safeguards IAEA, 30 March 2004.

Communication of 13 June 2004 from the Permanent Mission of the Islamic Republic of Iran concerning the Report of the Director General contained in GOV/2004/34, Information Circular 630, 16 June 2004.

Statement to the IAEA General Conference by President of the Atomic Energy Organization of Iran, September 2004.

Communication dated 26 November received from the Permanent Representatives of France, Germany, the Islamic Republic of Iran and the United Kingdom concerning the agreement signed in Paris on 15 November 2004, IAEA Information Circular 637.

Statements of Director General to Board of Governors, IAEA, 25, 29 November 2004.

Iran officially demands EU3 deliver uranium, UF6, and nuclear equipment, www.tehrantimes.com, 6 January 2005, listed as an external resource link on IAEA website.

Other sources

Financial Times cuttings, May 2002–December 2004. Over the last couple of years, the FT has covered all major developments regarding Iran's nuclear programme and the EU-Iran negotiations on a Trade and Cooperation Agreement.

Foreign Policy Aspects of the War against Terrorism, Foreign Affairs Committee, Second Report of the Session 2003-04, HC 81, The Stationery Office, February 2004 Iran's nuclear programme, paras 192–221.

Iran, Foreign Affairs Committee, Third Report of Session 2003–04, HC 80, The Stationery Office, 19 March 2004.

Iran Key Facts, LTK Trade and Investment, 20 May 2004. (www.uktradeinvest.gov.uk)

Iran Jack Straw welcomes signature of nuclear agreement, 15/11/04. (www.fco.gov.uk)

Country Profile—Iran, 16 December 2004 (www.fco.gov.uk)

Iran's nuclear programme, IISS Strategic Comments, v 10, 9 November 2004.

EU3-Iran Nuclear Deal Exposes Underlying International Tensions, Roger Howard, RUSI Newsbrief, December 2004.

OPCW Director General Visits Islamic Republic of Iran, Press Release, 26 July 2004 + link to Iranian statement on visit. (www.opcw.org)

UN Security Council Resolutions on "The situation between Iran and Iraq" chemical warfare, February 1986–August 1988. (www.iaea.org)

Nuclear Terrorism: The Danger of Highly Enriched Uranium (HEL), Pugwash Issue Brief 2002, v.2, no.1, September 2002.

Jenny Warren

1 March 2005

Written evidence submitted by the International Maritime Organisation

On behalf of the Secretary-General, I refer to your letter of 22 February 2005 requesting the IMO's perspective on the impact of the Proliferation Security Initiative (PSI), the Container Security Initiative (CSI) and the ongoing threat of terrorism at sea, particularly in strategic locations such as the Straits of Hormuz and the Malacca Straits.

By way of response I would point out, firstly, that the PSI and the CSI are initiatives of a State Government and, as such, the Secretariat of IMO is not in a position to provide a perspective on their impact.

However, I would like to bring to the attention of the Foreign Affairs Committee of the House of Commons the following activities of IMO which relate to policy aspects of the war against terrorism.

Since its inception in January 1959, the Organization always had as an integral part of its mandate the duty to make travel and transport by sea as safe as possible. This mandate has continually evolved to meet the changing conditions and requirements of the international maritime community. In its early days, IMO concentrated on the formulation of international conventions, codes, recommendations and performance standards relating to the safety of ships and to the protection of the marine environment. The Organization thus provided an international framework of co-operation through which ships and port facilities have been able to detect and deter acts which threaten security of maritime transport.

During the late 1970s, at the request of one of its Member States, it began to consider the subjects of barratry and maritime fraud. In 1983, piracy and armed robbery against ships were added to the IMO agenda.

Thereafter, in 1986, following the *Achille Lauro* incident, IMO adopted practical measures to tighten security both aboard ships and onshore with the aim of preventing terrorist attack acts against passengers and crews on board ships. As a corollary measure, it also developed the Convention for the Suppression of Unlawful Acts Against the Safety of Ships, 1988 and its Protocol relating to Unlawful Acts Against Fixed Platforms Located on the Continental Shelf. These instruments, which entered into force in 1992, empower States to take appropriate legal action (including extradition and prosecution) against anyone accused of perpetrating unlawful acts against international shipping.

In the wake of the tragic events of 11 September 2001 in the United States of America, the Secretary-General of IMO consulted on the need to review the measures already adopted by the Organization to combat acts of violence and crime at sea. This resulted in the unanimous adoption by the twenty-second session of the Assembly of resolution A.924(22) of 20 November 2001 on Review of Measures and Procedures to Prevent Acts of Terrorism which Threaten the Security of Passengers and Crews and the Safety of Ships. In anticipation that significant changes would need to be made to IMO's foremost treaty on ship safety—the International Convention for the Safety of Life at Sea, 1974 (SOLAS Convention)—the Assembly also agreed to hold a Diplomatic Conference on Maritime Security in December 2002, to adopt new regulations to enhance ship and port security and avert shipping from becoming a target of international terrorism.

The 2002 Diplomatic Conference, which was attended by 109 Contracting Governments to the SOLAS Convention, as well as a number of United Nations specialized agencies, intergovernmental organizations and non-governmental international organizations, was chaired by Mr Frank Wall, CMG (United Kingdom). It adopted a series of wide-ranging new security measures which represented the culmination of a great deal of intense work which had taken place at IMO during the preceding year. These measures, which entered into force on 1 July 2004, are contained in a new chapter XI-2 of the SOLAS Convention and thus have the force of international law. They are supported by the new International Code for the Security of Ships and of Port Facilities (the ISPS Code) which establishes the detailed security-related requirements, consisting of Part A (the provisions of which are mandatory) and Part B (the provisions of which are recommendatory).

Although the work within IMO was initiated as a result of the events of 11 September, the end results address aspects of security beyond terrorism and cover as well the whole spectrum of security such as attempts to commit petty thefts, piracy and armed robbery, attempts to board a ship as a stowaway or illegal migrant.

The maritime security measures apply to ships engaged in international trade and to port facilities¹⁰ serving such ships. They are aimed at establishing a security conscious culture amongst seafarers, ship owners, ship operators, maritime sector services providers and port facility operators, users and service providers and focus on enhancing awareness and vigilance.

These measures are preventative in character and, in situations where security is breached or of a security incident, the response is a matter for the police and the security services of each State.

In essence, the SOLAS chapter XI-2 and the ISPS Code take the approach that ensuring the security of ships and port facilities is basically a risk management activity and in order to determine what security measures are appropriate, an assessment of the risk must be made in each particular case. The ISPS Code provides a standardized, consistent framework for evaluating security risk, enabling SOLAS Contracting Governments to offset, through appropriate security instructions, changes in security threats with changes in vulnerability for ships and port facilities.

The maritime security measures also establish the right of a State which is a SOLAS Contracting Government to deny the entry of ships into its ports or to expel from its ports ships when it considers that the ship in question either does not comply with the provisions of the special measures to enhance maritime security or presents a threat to the safety or security of persons, ships, port facilities and other property.

¹⁰ Port facility is a location, as determined by the Contracting Government or by the Designated Authority, where the ship/port interface takes place. This includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate.

The measures also require States to provide general guidance on the measures considered appropriate to reduce the security risk to ships flying their flag when at sea. In addition, coastal States are expected to offer advice, and where necessary assistance, to ships operating, or intending to operate, in their territorial sea in order to reduce the security risk.

The use of a ship engaged in lawful trade for the purpose of generating funds to finance terrorist activities is not explicitly addressed in the measures. However, ships are required to carry on board documentary evidence attesting the employment of the ship (ie who decides the chartering and who the charterers are) and the employment of the seafarers working on board. These are to be made available to the competent authorities of each State for the investigative work of their security services.

The measures are currently in force in 153 States (including the United Kingdom of Great Britain and Northern Ireland) and by 17 March 2005 they will be applied by 155 States. It is estimated that approximately 20,000 seagoing ships have complied with the measures. The estimated number of port facilities which are required to comply with the measures is of the order of 9,500. The information available suggests that 94% of SOLAS Contracting Governments have approved port facility security plans for 97% of port facilities.

In broad terms States have the treaty obligation to establish and to maintain the necessary legislative and administrative infrastructure so as to give full and complete effect to the provisions of SOLAS chapter XI-2 and the ISPS Code. They must also monitor and take appropriate enforcement action to ensure the compliance of ships flying their flag and that of port facilities located within their territory with the provisions of the SOLAS chapter XI-2 and of the ISPS Code. In addition, they have the right to take control and compliance measures against ships entering or in their ports irrespective of the flag such ships are entitled to fly.

Only seven months have lapsed since the entry into force of these special measures. Their success in the long run can only be determined by establishing whether they have achieved the objectives of the ISPS Code and have protected the maritime transport sector. However, one can argue with confidence that the introduction of the measures has not caused any adverse effects to the continuation of the world trade.

Although SOLAS chapter XI-2 and the ISPS Code have been designed to protect ships and port facilities from terrorist acts they contain elements which address aspects relating to the proliferation of weapons of mass destruction.¹¹ In particular, they require ships and port facilities to operate in accordance with approved security plans and to have in place, inter alia, appropriate “measures and procedures to prevent weapons or any other dangerous substances and devices intended for use against persons, ships or ports, and the carriage of which is not authorized, from being introduced into port facilities or on board ships”. It is up to each of the SOLAS Contracting Governments to consider how best to use the Code in pursuing the objectives set by United Nations Security Council Resolution S/RES/1540(2004) or by United Nations General Assembly Resolution A/RES/59/80¹².

At the early stages of the development of the special measures it was recognized that the collaboration of several organizations was required in order to address the security of containers and, specifically, the security of closed cargo transport units (closed CTUs). Bearing in mind:

- the inter-modal and international nature of closed CTUs movements;
- the need to ensure security of the complete transport chain and the respective roles of all those involved;
- the role of frontier agencies, in particular Customs Administrations, in controlling the international movement of closed CTUs;
- the competencies and work of the World Customs Organization (WCO) in the area of international maritime transport; and
- the long-standing co-operation of IMO with the WCO in the area of international maritime transport,

and that the Conference adopted a resolution requesting the WCO to consider, urgently, measures to enhance security throughout international movements of closed CTUs. It is understood that WCO has undertaken work on the matter and IMO expects to be advised of relevant details during the first semester of 2005.

As an interim solution, the Conference adopted SOLAS regulation XI-2/8.1 which provides that “The master shall not be constrained by the Company, the charterer or any other person from taking or executing any decision which, in the professional judgment of the master, is necessary to maintain the safety and security of the ship. This includes denial of access to persons (except those identified as duly authorized by a Contracting Government) or their effects and refusal to load cargo, including containers or other closed cargo transport units.”

¹¹ The United Nations Security Council Resolution S/RES/1540(2004) was adopted on 28 April 2004.

¹² Adopted on 16 December 2004.

In relation to your request to provide information on strategic locations such as the Straits of Hormuz and Malacca, the Protection of Vital Shipping Lanes was discussed during the ninety-second (21-25 June 2004) and ninety-third (15-19 November 2004) sessions of the IMO Council. To this end please find enclosed documents C 93/15 and Add.1 which discuss the Protection of Vital Shipping Lanes and in particular of the Straits of Malacca and Singapore and a self-explanatory extract from the Record of Decisions of the ninety-third session of the Council of IMO.

It is also noted that the fifty-ninth session of United Nations General Assembly addressed the work of IMO in relation to the protection of shipping lanes of strategic importance and significance and, to this end, operative paragraph 49 of resolution A/RES/59/24 on Oceans and Law of the Sea which was adopted on 17 November 2004 states:

“49. Notes the concerns of the Council and the Secretary-General of the International Maritime Organization with regard to keeping shipping lanes of strategic importance and significance safe and open to international maritime traffic and thereby ensuring the uninterrupted flow of traffic, and welcomes the Council’s request in this regard, that the Secretary-General of the International Maritime Organization continue work on the issue in collaboration with parties concerned and report developments to the next session of the Council of the International Maritime Organization;”

Following the terrorist attacks of 11 September 2001, the Legal Committee of IMO began a parallel exercise to comprehensively review the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988, and its Protocol of 1988 relating to Fixed Platforms Located on the Continental Shelf (SUA Convention and Protocol) in 2002. The original SUA Convention characterizes certain acts committed on board or against ships as unlawful and deems those who perpetrate them to be international outlaws liable to arrest and trial or extradition. The acts share the common denominator of being acts which in some way interfere with the safe navigation of a ship. The idea behind the Convention was to ensure that such persons would not find legal refuge, at least not in the territory of those States which are Parties to it.

The draft protocol to the SUA Convention currently under consideration proposes two main sets of amendments to tackle terrorism in its modern manifestations. These are, firstly, amendments to article 3, which establishes the list of offences that are to be regarded as unlawful acts for the purposes of the treaty. Secondly, the proposed amendments introduce a totally new provision which establishes the right and sets out the procedures to be used in connection with the boarding on the high seas of foreign-flagged commercial vessels by officials of another State Party.

Several of the proposed new offences are relatively uncontroversial. They include:

- using against or on a ship any explosive, radioactive material or prohibited weapon in a manner that causes or is likely to cause death or serious injury or damage;
- discharging, from a ship, such a substance or oil, liquefied natural gas, or other hazardous or noxious substances in sufficient quantities or concentration that causes or is likely to cause death or serious injury or damage;
- using a ship in a manner that causes death or serious injury or damage; or
- threatening, with or without a condition, to commit one of the above offences.

More problematic are those new offences, the so-called transport offences, which seek to make the carriage by sea of prohibited weapons, explosive or radioactive material or nuclear material unlawful acts within the meaning of the protocol. Equally controversial is the proposed dual-use provision which would make it an offence to transport by sea any equipment, materials, software or related technology which are capable of being used for benign as well as for malignant purposes.

The other main provision of the draft protocol is article 8(bis). If adopted, it will allow law enforcement officials of one State Party to board and search foreign flagged vessels located in the EEZ or on the high seas, which are reasonably suspected of being involved in, or being the target of, terrorist attacks. The powers extend to questioning, searching or detaining anyone on board the vessel or to search and detain the ship or its cargo.

Since its introduction, this draft article has undergone several changes. These are aimed primarily at ensuring that no boarding takes place without express authorization from the flag State and that proper safeguards are observed in all cases of boarding which take due account not only of the safety and security of the ship and its cargo and the commercial or legal interests of the flag State but also of the human rights of all persons on board. In this respect, the Legal Committee was concerned, in particular, to safeguard the rights of seafarers and to protect them from undue harassment or other infringements of their human rights.

The proposed amendments are expected to be finalized by the Legal Committee in April 2005, with the aim of a diplomatic conference being convened in October 2005 which would adopt the new SUA Protocols.

From IMO’s perspective, the exercise to revise the SUA Convention and its Protocol complements the implementation of SOLAS chapter XI-2 and the ISPS Code. The increase in the range of “unlawful acts” coupled with the new powers to board, search and, if necessary, arrest suspect vessels and individuals on the high seas will undoubtedly give “teeth” to the Convention by significantly enhancing the law-making and

law enforcement capability of States in the battle against terrorists. While the SOLAS chapter XI-2 and ISPS Code establishes the practical framework for preventing acts of terrorism, the SUA Convention and Protocol, in their revised format, sends a very clear message to those responsible for terrorist acts that they will not be tolerated.

I trust that the information supplied above will be of assistance to the Committee.

RP Balkin

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7 March 2005

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WINNING THE WAR ON TERROR- PSYCHOLOGY AS A STRATEGIC FRAMEWORK

The West is exposed to threats from a growing number of terrorist groups and states who will sooner or later be armed with weapons of mass destruction. We are presently braced for a major Al Qaeda attack. Despite the best efforts of our security forces, it is likely that we will remain vulnerable to a range of potential enemies.

International Relations have been traditionally understood through economics, geopolitics, sociology and law.ⁱ These models are failing to provide comprehensive solutions to emerging security problems. One way to fill this strategic gap is to remember that behind the abstract concepts and theories of international relations lie people. Psychology provides a framework to assess and manage our relationships with other peoples. The fundamental driver is the individual human whose emotions, cognitions, and relationships determine their behaviours within groupⁱⁱ and intergroup dynamicsⁱⁱⁱ.

Terrorists are people, just like us. So instead of viewing our dealings with them as an open-ended “War of Terror,” it is far more usefully understood as the result of a dysfunctional relationship between the Muslim world and the West. This relationship can be improved and the underlying causes of terrorism and “rogue” regimes can be reduced.

Keeping a clear head

When terrorists commit brutal acts against innocent people, this creates very strong feelings in all concerned. After the initial shock come fear, anxiety and anger. These feelings may be unbearable but still have to be dealt with in order to be able to function. Ideally, this is done through grief, expression of feelings and mutual support followed by dialogue, rational analysis and development of an effective strategy.

There are many possible pathological responses that handicap effective action. A temptation is to blame others, to rally around over-idealised leaders, to seek revenge, and to stop talking to the people we don't like or understand. Fear can drive us to behave in ways which generate further hatred and thus create new terrorist recruits. Sometimes with conscious intent, leaders may resort to one of many possible psychological defence mechanisms. These include demonising the enemy—such as Osama Bin Laden and the fundamentalists. One can scapegoat or stereotype^{iv} another group as bad or mad. A cathartic aggressive act such as a war, maybe in Iraq, can be used to dissipate tension and displace energy^v. Instead of falling into this trap, we need to keep a clear head and open mind just when it is most difficult to do so.

Them and us

Under threat, group emotions become intense and can be irrational. A cohesive group under threat often becomes more unified, support their leaders more and identify more strongly with their own group as distinct from the enemy^{vi}. They tend to idealise their own leader. If a leader wishes to provoke and maintain a conflict, this group dynamic can be very usefully exploited.

Bin Laden said, “These young men realized that an Islamic government would never be established except by the bomb and rifle. Islam does not coincide or make a truce with unbelief, but rather confronts it.” This statement is the mirror image of George Bush's that, “you are either with us or against us” and reference to “the axis of evil.” It gives people the comfort that things are very simple and clear.

When people are anxious and afraid, there is a loss of tolerance for ambivalence, uncertainty and complexity which makes simplistic and extreme positions more attractive leading to polarisation. Those who share some of the views and identity^{vii} of the terrorists are forced to take sides.

Taking revenge is a natural impulse after an attack, especially if it is felt to be undeserved or viciously motivated. “Revenge is a dish best served cold.” It is also important to realise that pure revenge, actual or perceived, is likely to strengthen the resolve of the enemy and increase the support they receive. Some people felt that the attack on Afghanistan was unconsciously motivated by displaced anger and revenge.

Understand the enemy

We need to understand why we have been attacked to prevent it from happening again. We need to win the hearts and minds of those who may support, or become, terrorists. In the past, this kind of approach was dismissed as naive idealism. In the current security situation, it is simply rational self-interest.

To unlock more effective strategies we should remember that terrorists are individuals and teams affected by morale, motivation, leadership and teamwork, just like everyone else. A powerful recipe for violence is to feel that one's identity, well-being or existence is threatened; that one is not respected; not listened to; exploited and that there is no hope that peaceful means can improve the situation. This combination of feelings makes people feel violent impulses and makes them more likely to act violently or support those acting violently.

Death for suicide bombers and fighters can mean union with their god and brethren. It can thus seem to feel good. For most westerners, it means loss of attachment to life, family and friends.^{viii}

Fundamentalism provides the believer with absolute truth, simplicity, certainty, security and comfort. Unfortunately, reality is complex and no such systems are accurate. It is hard to argue with fundamentalist belief systems because they have a simple, emotionally charged answer for everything and their own fundamental reference points.

Terrorist's behaviour makes it difficult to have dialogue, to be open and reasonable. Their behaviour and the feelings of exasperation of those attacked can provoke a counter-terrorist response which reinforces their belief system and wins them more recruits.

Winning hearts and minds

Governments are used to taking into account the positions and feelings of other governments. Even the mightiest power, the US, has to work to gain the support of governments of small countries, like Qatar, in order to achieve its aims.

The opinions of the populations of undemocratic countries like Jordan or Saudi Arabia have traditionally carried little weight. Western, especially US, foreign policy has tended to focus on realpolitik amongst the leaders of those countries.

The widening availability of mass communication, the Internet, air travel and of weapons of mass destruction is shifting the balance of power towards the developing countries and within them, towards their people. For those who value universal democracy and human rights, this is a good thing.

September 11 and subsequent terrorist attacks have made it very clear that the opinions of the general population, individuals and subgroups in developing countries can have a direct impact upon the physical, psychological and economic security of even the most powerful country. A powerful military and intelligence infrastructure is necessary but not sufficient to secure a country's people.

Public diplomacy

From a Western viewpoint, priority should be given to winning the hearts and minds of the Arab and Muslim public. President Bush said he is not going to give each terrorist therapy until they change their behaviour. The most committed terrorists are probably not open to persuasion at this time. However, many of their followers and potential followers may be. Indeed, even the most determined terrorists can make peace and cooperate with former enemies as numerous peace processes have shown. Thus at every stage of the "War on Terror," it is essential to communicate as effectively as possible with all parties.

The US and UK have woken up to this and have allocated more resources to public diplomacy. The US set up a radio station, Radio Sawa to broadcast in Arabic. The British government has tried hard to influence the Arab media through a more determined PR operation. The British Council has stepped up a gear in its longstanding work to improve cultural relations with other populations.

Improving communication and understanding

Communication requires the recipient to at least listen, understand and process the message from the person sending it. A message is more persuasive if it is perceived to be balanced and come from a credible source. Recent BBC interviews with the intended audience of the US Arabic Radio Sawa generally showed that they enjoyed the music but were very sceptical about the message. Many felt that communications from the US are not credible as they disguise other motivations such as control of oilfields or simply because it is seen as propaganda.

Many media interviews of people in the Middle East and Europe have detected a strong perception that the foreign policy of the US is inconsistent and hypocritical. The US tends to justify its foreign policy in terms of morality and justice, as opposed to pure self-interest. In these terms, US insistence that Iraq must comply with UN resolutions is incongruent with its lack of equal determination in the case of Israel. In the eyes of most Arabs and many Europeans. This inconsistency makes the US government case less credible and, in some, generates anger and hostility.

Similarly, while most Arabs appeared to be horrified by the murders on September 11, it angers many that the lives of Palestinians or Iraqi's lost, in their view as a result of US policy, are seen as less valuable than New Yorkers. This perceived lack of respect for other people is a powerful motivator of violence.

We should support journalists as best we can to give a true and independent picture of the world to both people at home and abroad. The budget for the BBC world service is tiny and there is huge potential for expansion in both radio and TV for relatively low cost.

We can provide support to people within other countries to help promote communication within and between countries, especially in those where the governments attempt to control this.

Building trust and reputation

Actions speak louder than words. Reputations are based more upon what people do rather than what they say. So there is a limit to what PR management can achieve. With mass communication, people worldwide see how each country behaves on a global scale and experiences the effect of that behaviour locally.

It is vital to consider the long term impact of behaviour.^{ix} To gain the respect of people, countries need to act consistently, honestly and sincerely.^x The tradition in international relations has been far from that. It is in our long term interests to be liked, respected, trusted as well as to be strong.

Perceived double standards

If one tried to manage the relationship between friends and family by acting solely in self-interest and justifying it in other terms, it would quickly cause problems. Increasingly, this is true of international relations.

The argument that the possession of weapons of mass destruction by Saddam Hussein justifies disarmament by force and regime change may or may not be valid. However, if it is true for him, why not for North Korea, China, Israel, India or Pakistan? Certainly, it leads many to disbelieve the genuineness of the motivations behind the policy on Iraq.

Another major flaw in the policy of the West in the eyes of the developing world is the perceived double standards on freedom and democracy. There is a compartmentalisation between what standards and morality are considered appropriate for us, people like us and others. This is linked to identity and cultural relativism.

If democracy, security, prosperity and freedom are good for the West, why are they not good for Arabs? There have been several traditional justifications for this. The moral argument is that it is not for the West to interfere in internal affairs of others. The cultural relativist argument is that Arabs and Arab culture is different and that it is their natural choice to have absolute monarchies and one party states. The developmental argument is that Arab cultures are not yet ready for democracy and that it is not for the West to hurry them along. These arguments are weakened by the inconsistency in their application globally.

Thus the cynic is free to conclude that the real reason for Western support for the regimes in the Middle East is simply about maintaining control over resources and trade.

Tackling resentments

Israel always tops the list of Arab grievances against the West. I don't want to comment on the rights and wrongs of this complex situation. There is no doubt that Arabs feel very intensely that an injustice has been done and continues to be done to the Palestinian people. They feel angry and powerless and this is a powerful motivator for violence and hatred. Until justice is done and seen to be done, there will be no resolution of this problem.

We ought to try to facilitate dialogue and a just solution. It is important to ensure that the intended audience is aware of our efforts and believes them to be genuine and sincerely motivated.

Israel and the West are certainly responsible for genuine grievances for Arab peoples. However, the intensity of this bad feeling is hugely magnified by the lack of freedom within those countries. The US, Israel and the West in general provides a convenient scapegoat for the anger, frustration and energy away from the many grievances that Arab peoples have against their own governments. When they cannot freely criticise their own governments or address issues of direct relevance to themselves, Israel and the West provide safe targets for expression of pent up emotions.

If we are to stop being the scapegoat for their internal problems and the victim of subsequent terrorism, we need to support those in Islamic countries who seek to promote free expression, democracy and a free media. This would redirect a lot of this frustration back where it belongs—at the doors of their own governments and give those people the power so solve their own problems.

Axis of Freedom

Hundreds of thousands of Arabs attempt to migrate to the US, Europe and Australia every year. It seems likely that they want a share of the relative freedom, security and opportunity available there. Given the ongoing power shifts in the world, it would be wise for Western governments to be seen to align themselves with these aspirations and at the very least, not be perceived to stand in their way by being seen to support so many undemocratic regimes.

In practical terms, this help can come in many ways. We can provide resources to NGOs in other countries which promote democratic values. They need money, materials, protection, asylum, facilities and moral leadership. Liberal students in Teheran, for example, would be helped with money, video cameras, internet access, satellite phones, computers, asylum and moral support.

Promoting mutual interests

There are many NGOs from the West promoting better education, health, freedoms, human rights, justice and environments for other peoples. Where this results in reducing the causes of conflict and hatred and improving our relationships they should be promoted, protected and supported.^{xi}

Defining the War

Defining who is fighting who is essential to devising a strategy and executing it with support. Tony Blair, among others, tried hard in the aftermath of September 11 to insist that this was not a clash of civilisations, or religions, countries or races but was a conflict between decent, peaceful people and terrorists. The challenge is to make this both true and believable for the non-Western audience.

The challenge is to remain engaged in relations with that decent majority and to improve the quality of the relationship to maximise the chance of cooperation and peace and to minimise support for Al Qaeda.

If we are to fight a war, it needs to be a war of ideas and values which are not specific to any country, religion or race. The best starting place is to genuinely stand for relations between people based upon respect, trust, mutual understanding and cooperation. Most people would say that we try to do that already. However, the challenge is not just to think it and say it, but to genuinely do it and be seen to do it.

CONCLUSIONS

Our security is increasingly dependent upon building healthy relationships with other peoples through a sustained effort to facilitate dialogue, with as much emphasis on listening and empathy, as on force, persuasion and manipulation. We will need to have alliances and networks of states, groups and individuals who share the core values of freedom, democracy and human rights. We need to “win the hearts and minds” of people the world over.

We need to take a consistent approach to our international behaviour to build mutual trust, respect, understanding and cooperation. We must be determined to defend and promote our core values, but also open to change our behaviour where other’s grievances are valid. Where possible, we should try to resolve disputes, address frustrations and resentments and to remove the causes of humiliation and injustice where possible. People everywhere seek security, prosperity, freedom and purpose just as do those in the West.

While these aims would always have been the expressed intention of the West, now it really is urgently in our rational self-interest.

- (i) Fifty Key Thinkers in International Relations, Martin Griffiths, Routledge, 1999
- (ii) Bion WR Experiences in Groups. 1998 Routledge
- (iii) Intergroup Relations, Marilyn Brewer & Norman Miller, Open University Press, Buckingham, 1996
- (iv) Introduction to Social Psychology, Hewstone, Stroebe, Codol, Stephenson, 1989, Blackwell.
- (v) The Psychology of War, Lawrence Le Shan, Helios Press, New York, Second Edition, 2002
- (vi) Groups: theory and experience, Napier & Gershenfeld, 6th ed, Houghton & Muffin, New York, 1999
- (vii) Personal Identity, National Identity and International Relations, William Bloom, Cambridge Studies in International Relations: 9, Cambridge University Press, 1990
- (viii) Terrorism and War—the unconscious dynamics of political violence, Edited by C Covington, P
- (ix) Williams, J Arundale and J Knox, Karnac, London 2002
- (ix) Political Psychology and Foreign Policy, Eric Singer, Valerie Hudson (Editor) Westview Press. Hardcover—June 1992
- (x) Working with Emotional Intelligence, Daniel Goleman, Bloomsbury 1998.
- (xi) After the Terror, Ted Honderitch, 2002

WINNING HEARTS AND MINDS

Iraq and the Arab World

The influence of domestic public opinion on international relations

Up to and including the First World War, it was possible for governments to conduct diplomacy and declare war on behalf of their people with minimal consultation.

Increasingly since then, governments with a substantial foreign policy have become used to the need to inform, consult and manage their increasingly sophisticated and assertive domestic constituencies. The US applied the lessons learned from Vietnam to the Gulf war. Even the Chinese government has to respond to some degree to internal public opinion on matters such as Taiwan and the Spy Plane incident. It would be naive to suggest that foreign policy is fully democratised, but it is moving slowly in that direction.

The influence of foreign public opinion on international relations

Governments are used to taking into account the positions and feelings of other governments. Even the mightiest power, the US, has to work to gain the support of governments of very small countries like Bahrain and Qatar in order to achieve its aims.

However, little attention has been paid to what the people's of other countries think, except to the degree that it influences their governments. Thus the opinion of people in democracies has carried some weight. For example, the strong anti-war feeling of the German people made Chancellor Schroeder come out against war with Iraq in the recent elections, in spite of the clear damage that that may do to relations with the US. US public diplomacy in Germany is thus vital to gain the government's support where desired.

On the other hand, the opinions of the populations in less democratic countries like Jordan or undemocratic countries like Saudi Arabia have traditionally carried little weight. Western, especially US, foreign policy has continued to focus on realpolitik amongst the leaders of those countries.

The balance of power is shifting towards the populations of developing countries

The widening availability of mass communication, the Internet, air travel and of weapons of mass destruction is, in some cases, shifting the balance of power towards the developing countries and within them, towards their people. For those who value universal democracy and human rights, this is a good thing.

However, 11 September and subsequent attacks have made it very clear that the opinions of the general population, individuals and subgroups in developing countries can have a direct impact upon the physical, psychological and economic security of even the most powerful country. A powerful military and intelligence infrastructure is necessary but not sufficient to secure a country's people.

The need to win hearts and minds

From a Western point of view, priority should be given to winning the hearts and minds of the Arab and Muslim public.

The US and UK have woken up to this and have allocated more resources to public diplomacy. The US set up a radio station, Radio Sawa to broadcast in Arabic. The British government has tried hard to influence the Arab media through a more determined PR operation. The British Council has stepped up a gear in its longstanding work to improve cultural relations with other populations.

There still appears to be an implicit assumption that managing the media, which treads the fine line between PR and propaganda, will be enough to placate the masses. There is evidence that this is not enough.

Persuasive communication

Communication requires the recipient to at least listen, understand and process the message from the person sending it. A message is more persuasive if it is perceived to be balanced (both pros and cons) and come from a credible source. Recent BBC interviews with the intended audience of the US Arabic Radio Sawa generally showed that they enjoyed the music but were very sceptical about the message. Many felt that communications from the US are not credible as they disguise other motivations such as control of oilfields and simply because it is seen as propaganda.

Many media interviews of people in the Middle East and Europe have detected a strong perception that the foreign policy of the US is inconsistent and hypocritical. The US tends to justify its foreign policy in terms of morality and justice, as opposed to pure self-interest. In these terms, US insistence that Iraq must comply with UN resolutions is incongruent with its lack of equal determination in the case of Israel, in the eyes of most Arabs and many Europeans. This inconsistency makes the US government case less credible and, in some, generates anger and hostility.

Similarly, while most Arabs appeared to be horrified by the murders on September 11, it angers many that the lives of Palestinians or Iraqi's lost, in their view as a result of US policy, are seen as less valuable than New Yorkers. This perceived lack of respect for other people is a powerful motivator of violence.

Perception of motivation

The argument that the possession of weapons of mass destruction by Saddam Hussein justifies disarmament by force and regime change may or may not be valid. However, if it is true for him, why not for North Korea, China, Israel, India or Pakistan? Those countries may wonder if they are next on the list. Certainly, it leads many to disbelieve the genuineness of the motivations behind the policy on Iraq.

It is possible that a lot of the emotional energy in the current pressure on Iraq is displaced fear, desire for revenge, need to do something, to control as a displacement from the anxiety generated by fear, powerlessness etc as a result of September 11.

Perceived double standards and self-interest

Another major flaw in the policy of the West in the eyes of the developing world is the perceived double standards on freedom and democracy. There is a compartmentalisation between what standards and morality are considered appropriate for "us" and "people like us" and "others." This is linked to identity and cultural relativism.

If democracy, security, prosperity and freedom are good for the US, why are they not good for Arabs? There have been several traditional justifications for this. The moral argument is that it is not for the US to interfere in internal affairs of others. The cultural relativist argument is that Arabs and Arab culture is different and that it is their natural choice to have absolute monarchies and one party states. The developmental argument is that Arab cultures are not yet ready for democracy and that it is not for the West to hurry them along. These arguments are weakened by the inconsistency in their application globally.

Thus the cynic is free to conclude that the real reason for Western support for the regimes in the Middle East is simply about maintaining control over resources and trade.

Hundreds of thousands of Arabs attempt to migrate to the US, Europe and Australia every year. It seems likely that they want a share of the relative freedom, prosperity and opportunity available there. Given the ongoing power shifts in the world, it would be wise for Western governments to be seen to align themselves with these aspirations and at the very least, not be perceived to stand in their way.

Coalition building

To achieve its aims in Iraq and on the War on Terror, the US needs the support, participation and at least the acquiescence of other countries. Those countries must make the decision as to which side, if any, to support. This decision depends upon the perception of ones' interests, the alternatives, the expectation of risks, costs and benefits, allegiance, attachment, identity and mass group dynamics.

Iran and Saudi Arabia have much more to gain by regime change and disarmament in Iraq than the US. But why should they risk becoming a target and take on other costs-financial, military, political and cultural by openly supporting the US? It would be much easier for them to sit back and let the US bear all the costs and risks.

Why should Germany, France, Russia and China support the US position? They may lose out if the regime changes to one installed or favourable to the US. They stand to gain by opposing action if the regime stays the same. Whatever happens, they reduce their risks and costs by avoiding getting involved.

WINNING THE WAR ON TERROR

Terrorists could attack "anyone, anywhere, any time"

There has been an increase in global terrorism recently. A US marine was killed by militants in Kuwait. A French oil tanker was attacked near Yemen. Over 200 people were killed in the bombing of the tourist district in Kuta, Bali. It is likely that there will be more attacks. The Prime Ministers of both the UK and Australia said that terrorists could attack "anyone, anywhere, any time." Many leaders are openly speculating about the risk that a terrorist group will access and deploy a weapon of mass destruction. Clearly, there is an urgent need to reduce this risk.

Maintaining clarity and effectiveness in the face of terror, fear and anger

When terrorists commit brutal acts against innocent people, this creates very strong feelings in all concerned.

After the initial shock come fear, anxiety and anger. These feelings may be unbearable but still have to be dealt with in order to be able to function. Ideally, this is done through grief, expression of feelings and mutual support followed by dialogue, rational analysis and development of an effective strategy.

Unfortunately, there are many possible pathological responses that are a handicap to effective action.

People may stop listening to and communicating with their adversaries. This may not matter if you can destroy your enemy with acceptable costs to yourself.

Them and us

Group feelings become quite intense and can be irrational. A cohesive group under threat, as epitomised by Londoners during the WW2 Blitz, often become more unified, support their leaders more and identify more strongly with their own group as distinct from the enemy. They tend to idealise their own leader. If you wish to provoke and maintain a conflict, this can be very useful. Milosovic was the master of this tactic in the Balkan Wars.

Defining who is fighting who is essential to devising a strategy and executing it with support. Tony Blair, among others, tried hard in the aftermath of September 11 to insist that this was not a clash of civilisations, or religions, countries or races but was a conflict between decent, peaceful people and terrorists. The challenge is to make this both true and believable for the non-Western audience.

There is often a loss of tolerance for ambivalent or moderate positions leading to polarisation such as “you’re either with us or against us.” Those who share some of the views and identity of the “terrorists” are forced to take sides. With six billion people mixed up into thousands of identities, groups and sub-groups, this can be counterproductive and not very persuasive. Some Americans asked, “Why do they hate us so much?” Many people, even in Western Europe, felt that the US in some way deserved and had brought upon themselves the September 11 attacks. For someone who has been injured, bereft or who feels threatened, this may seem to be an intolerable position, but they will need to understand why they have been attacked to prevent it from happening again.

Taking revenge is a natural impulse after an attack, especially if it is felt to be undeserved or viciously motivated. “Revenge is a dish best served cold.” It is also important to realise that pure revenge, actual or perceived, is likely to strengthen the resolve of the enemy and increase the support they receive. Some people felt that the attack on Afghanistan was displaced anger and revenge. If this was not the case, more work is needed to persuade the Muslim world of this.

Motivation for terror

A powerful recipe for violence is to feel that one’s identity, well-being or existence is threatened; that one is not respected; not listened to; exploited and that there is no hope that peaceful means can improve the situation. This combination of feelings makes people feel violent impulses and makes them more likely to act violently or support those acting violently. This doesn’t make it right, but it gives a clue as to how to tackle the causes.

Displacing the anger onto a scapegoat and the need to “do something”

The motivations for the pressure being put on Iraq by the US and UK are complex. Part of the conscious or unconscious motivation may be the displacement of anger against a frustrating invisible enemy onto a visible, accessible one. Part of it may also be the defensive need to do something to get a sense of control or progress.

Fundamentally, we are dealing with the relations between individuals and groups of people

The intense fear caused by the threat and the difficulty and complexity of the challenge to reduce it can make it hard to think and see clearly. One way to bring clarity is to remember that, fundamentally, we are dealing with the relations between individuals and groups of people. We probably take this for granted, but by grounding ourselves in this basic reality, we can unlock more effective strategies.

It is vital to win the hearts and minds

In many conflicts over the years, people have come to realise that it is vital to win the hearts and minds of the populations as a whole. Terrorists do not exist in a vacuum. They need a supply of new recruits, finance, and logistical and other support.

Everyone has the potential to be a terrorist or a peaceful citizen, Communicate with your enemy, your friends and those in between, Respect and understand your enemy

As President Bush said, he is not going to give each terrorist therapy, until they change their behaviour. The most committed terrorists are probably not open to persuasion at this time. However, many of their followers and potential followers may be. Indeed, even the most determined terrorists can make peace and cooperate with former enemies as numerous peace processes have shown. Nelson Mandela was once a terrorist. Thus at every stage of the “War on Terror,” it is essential to communicate as effectively as possible with all parties.

Terrorists are not robots on automatic pilot. While they are not the average person, it seems unlikely that they are all evil psychopaths bent on the destruction of others without regard for themselves or others. They are individuals and teams who are affected by morale, motivation, determination, leadership, teamwork etc just like anyone else.

Thus it is vital to communicate with them, ideally face to face or in private channels, like the IRA, or at least through the media.

It is necessary to listen to them. The labels of “mad,” “fanatic,” or “evil” serve to make it harder to understand who they are, their aims, strategy and motivation and thus how to respond effectively.

So how does this psychological discussion bear upon the practicalities of the War on Terror? Isn't the current portfolio of strategies adequate?

Existing Strategies for The War on Terror

There are many active strategies for “The War on Terror.” The US and allies successfully removed the Taliban from power and restricted the freedom of Al Qaeda in Afghanistan. Law enforcement agencies have uncovered some conspiracies in Morocco and Singapore. Public vigilance allegedly prevented the destruction of a transatlantic flight by the “shoe bomber.” Increase intelligence activity has, at least, led to the arrest of some individuals and provided modest early warnings of attacks. Diplomatic efforts have improved the sharing of information and cooperation between allies and between adversaries such as the US and Iran. There is the opportunity to increase the opportunities and hope for the poor and disempowered. There are efforts to improve communication with the Arab populations through the media. There are even radical discussions of promoting freedom, democracy and openness to the populations of Muslim countries. In some quarters, there has been a rethinking of their position on the situation of the Palestinian people.

A psychologically sophisticated strategy can help win the War on Terror. More effective listening, understanding and empathy can improve clarity of analysis. It will enable us to detect and address some of the causes of troubled relations between the West and the Muslim World. It can help us understand the motivations and strategy of the terrorists and their supporters. It can inform the battle for hearts and minds through public diplomacy in the media and other channels. It can enable leaders to choose the right language, symbols, values and arguments to win the war of words.

Psyplomacy is inviting experts from around the world in psychology, psychiatry and psychotherapy to help put this analysis and strategy together.

Please visit the Psyplomacy Forum and Articles section to explore this further.

Dr Nicholas Beecroft BSc, MBBS, MRC Psych MBA

11 March 2005

Letter to the Parliamentary Relations and Devolution Department, Foreign and Commonwealth Office, from the Clerk of the Committee, 28 October 2004

At its last meeting, the Committee discussed the Government's Response to its Seventh Report of Session 2003–04, *Foreign Policy Aspects of the War against Terrorism*, Command Paper 6340. It subsequently instructed me to write and seek further information on a number of points.

1. Further to the recommendation in paragraph 26, the Committee wishes to receive a complete list of the states contributing to the Multi-National Force in Iraq, including the number of troops provided by each. It also wishes to receive details of what steps are being taken to broaden this group of countries, in particular to include Islamic states.

2. Further to the recommendation in paragraph 85, the Committee wishes to receive details of how many waivers of immunity from Iraqi legal process have been issued under CPA Order Number 17.

3. Further to the recommendation in paragraph 141, the Committee wishes to receive clarification on the Government's response, in particular its comment: "The two PoWs for whom the UK had been the detaining power prior to 28 June *remained in US custody until their transfer to the Central Criminal Court of Iraq.*" When were the two PoWs transferred to US custody? Have they now been transferred to the Central Criminal Court of Iraq?

4. Further to the recommendation in paragraph 157, the Committee notes that the need to ensure that there is a sufficient body of expertise in the United Kingdom to enable better communication with the Arab and Islamic world is a matter of urgency. The Committee wishes to receive a progress report on what the Government is doing on this matter.

5. Further to the recommendation in paragraph 180, the Committee wishes to receive details of what resources the international community is setting aside for the parliamentary elections in Afghanistan and which countries have failed to disburse money pledged for the presidential election.

6. Further to the recommendation in paragraph 232, the Committee wishes to receive details of which countries have promised equipment and troops to NATO's commitment to Afghanistan, and of any outstanding requirements.

7. Further to the recommendation in paragraph 276, the Committee wishes to receive a note on the implications of the decision of the Pakistan parliament to allow President Musharraf to remain head of the army for the process of democratisation in Pakistan and for Pakistan's participation in the Commonwealth.

8. Further to the recommendation in paragraph 326, the Committee wishes to receive further details on how the United Kingdom is working with the Russian Federation to deal with the nuclear proliferation threat posed by Iran.

9. Further to the recommendation in paragraph 330, the Committee wishes to receive an updated account of what the FCO is doing to dismantle the Russian Federation's WMD surplus.

10. Further to the recommendation in paragraph 395, the Committee wishes to receive a note on what precise steps the United Kingdom is taking or considering taking in relation to Israel's planned withdrawal from Gaza.

A response not later than 17 November would be appreciated.

Steve Priestley
Clerk of the Committee

28 October 2004
