

THE BERTRAND RUSSELL PEACE FOUNDATION

## DOSSIER

2005

Number 14

### HIROSHIMA CALLS TO EUROPE

*On 19 January 2005 in Brussels, Mayor Akiba of Hiroshima explained to the Foreign Affairs Committee of the European Parliament how the European Union might take a lead in nuclear disarmament. These excerpts are from his speech. The full text is available online (<http://www.pcf.city.hiroshima.jp/mayors/english/>).*

To the atomic bomb survivors of my city, it is incomprehensible that the world continues to accept the terror of the atomic bomb. The Cold War was a struggle over the course of civilisation, and the nuclear arms race put the very survival of civilisation on the line. In 2005, the Cold War is long over, and yet a nuclear trance still holds sway in our minds. How can we snap out of this trance and save ourselves before it is too late?

Let us be under no illusion. If we do not wake up and take decisive action now, other cities will undoubtedly fall victim to nuclear attack. We must change the course we are on, and I firmly believe that Europe has an historic role to play in leading humanity towards a nuclear-weapon-free future.

In the struggle against nuclear weapons, true leadership flows from pursuing the proper objective: abolition. 'Leadership' that excuses the double standard inherent in the Nuclear Non-Proliferation Treaty will never control proliferation. Today we are being buffeted by a whirlwind arising from decades of neglect of the treaty's disarmament obligations. True leadership hungers for a nuclear-weapon-free world. True leadership works tirelessly to overcome all obstacles. True leadership does not quietly tolerate the nuclear threat.

What prevents Europe from exercising true leadership? The European Union counts two nuclear-weapon states among its members. Are these states providing leadership on nuclear disarmament? Of course, the former and current nuclear superpowers have the lion's share of arms to disarm, but does that exonerate the lesser, other nuclear powers? You insist on waiting until their US and Russian levels approach yours, but are you really pressing them to get there faster and irreversibly? Or are you sheltering them from international pressure to fulfil their obligations?

Most members of the European Union are also members of Nato. I trust you are aware that over 380 nuclear weapons are deployed in 'non-nuclear' European Union states. Leaving aside the larger question of why Nato did not go the way

of the Warsaw Pact, are you aware that Nato plans to rely on nuclear weapons 'for the foreseeable future?' Article VI of the NPT does not call for nuclear disarmament after the foreseeable future. How can Nato pursue in good faith a future it cannot even foresee? Let's be honest. The United States is refusing to foresee a future without nuclear weapons, and that is not the future we want.

My impression is that this great Parliament has on several occasions, most recently last February, made it quite clear that it prefers a nuclear-weapon-free future. Here let me take a moment to express the gratitude of Hiroshima, Nagasaki, the Mayors for Peace network, and disarmament campaigners the world over for the encouragement you gave our campaign when it was just getting on its feet...

Last April in New York, our delegation met with representatives of the European Union's Executive Troika. We were not impressed by the position taken by the European Union at the Preparatory Conference. We have been impressed by the commitment shown by the New Agenda Coalition and its two European members. We were pleased to see that the New Agenda UN General Assembly resolution this year received the support of a wider circle of European states. But the resolution does little more than hold the line established in 2000. We have seen the backsliding that has occurred since 2000.

Is this a pattern we wish to repeat in the 2005-2010 cycle? Most definitely not.

Our sincere desire is to create the political context for a diplomatic breakthrough. The five-year horizon of the review process is crippling the ability of the states parties to really tackle the non-proliferation and disarmament challenges. A great edifice needs to be built, but the step-by-step approach is like designing and building one floor at a time without considering the next, and having never considered the project as a whole. No architect would endorse such an erratic approach. One would have to wonder if the builder really cared about finishing the job.

The entire 'construction project' has to be, at the very least, sketched out in advance, and everyone has to be working off of the same drawings. The so-called '13 steps' of 2000 contain some elements of such a sketch, but one finds upon examination that most of the 'steps' are broad objectives and general proscriptions.

There is a huge amount of work involved properly 'dealing with nuclear disarmament.' When Mayors for Peace advances its 2020 Vision, we are not attempting to force the world into some lockstep march towards our vision of 'nuclear disarmament.' We say, 'Take five years, if you need it. Plan out the process, then take twice that time to implement the plan.' We chose this long timeframe so that no one could doubt that, given the requisite political will, there would be no physical or economic impediments to getting the job done on schedule. So it boils down to one question, 'Shall we begin?'

... European nations or the European Union as a whole could do at the multilateral and international level what Mayors for Peace is doing at the city and national level, recruiting and campaigning actively to achieve that goal by 2020. If Europe wholeheartedly adopts such an attitude, there is not the slightest doubt in my mind that it would find likeminded friends everywhere. Your worthy efforts to stem nuclear proliferation would meet with tremendous cooperation worldwide. If

Europe affirms through action the intended transitory nature of the NPT's double standard, you will make the decisive contribution to realising the only acceptable single-standard: a world made up entirely of non-nuclear weapon states ...

### **VANUNU, ISRAEL AND NUCLEAR PROLIFERATION**

*The Treaty on the Non-Proliferation of Nuclear Weapons is in very grave jeopardy. Why? Of course, there are a number of formerly non-nuclear states which seek to arm themselves. But don't we have to ask 'why?' again? The NPT was designed to offer security by agreement between all states. Most definitely, the Treaty included those states which were presently nuclear-armed. But now there are two categories of states: those with bombs, and those without. Of course, those without feel more or less insecure. If the Treaty cannot be brought to apply to all, it is in grave danger of imploding. A key case was that of Israel, formerly a partisan of non-proliferation and nuclear-free zones. But the Israeli bomb, developed with apartheid South Africa, serves to discredit the very idea of non-proliferation as a propaganda stunt. The history of this deception is recorded in these excerpts from Israel's Bomb: The First Victim – The Case of Mordechai Vanunu by Ken Coates, first published by Spokesman Books in 1988. Mordechai Vanunu was finally released from prison in April 2004, after serving 18 years. On his release, he publicly insisted on full inspection of Dimona and all Israel's nuclear facilities. The Israeli authorities have refused Mr Vanunu permission to travel abroad, and they harass him in his refuge in St George's Cathedral in Jerusalem. Nevertheless, he continues to campaign for the removal of all nuclear weapons from the Middle East.*

On the 6<sup>th</sup> July 1987, thirty-six British Members of Parliament wrote to the Norwegian Nobel Committee to nominate Mr. Mordechai Vanunu of Israel for the Nobel Peace Prize. Since Mr. Vanunu was then held in prison in Jerusalem, this was an unusual nomination. What were the reasons for it?

'On the 5<sup>th</sup> October 1986' reports the proposal, 'Mr. Vanunu published in the *Sunday Times* a detailed story about the Israeli Government's nuclear bomb factory near Dimona in Southern Israel. In addition to a detailed description, Mr. Vanunu furnished the newspaper with photographs and diagrams, and his account of the plan was found to be "entirely authentic" by a number of international experts who subsequently examined it.'

The threat of nuclear proliferation into various hot spots around the world is one of the major perils confronting the international community. It takes prodigious courage for a private citizen to confront his own government on such a sensitive issue. Mr. Vanunu has paid a very heavy penalty. For revealing his knowledge, he was kidnapped in Rome, and secretly taken to Israel, where he was locked in solitary confinement.

As the parliamentarians point out, there is reason for deep concern about the Israeli Government's preparation of nuclear weapons. The decision is a

provocation: if it were not challenged, on what basis could any impartial person reproach the Arab States if they were to follow suit? The nuclearisation of conflict or potential conflict in one of the world's hottest of 'hot spots' can only be a terribly dangerous precedent. To understand better, it is necessary to refer back to a succession of Israeli policy statements on the issue which is really at stake: that of nuclear proliferation.

There is, of course, a long history of public statements by various Israeli spokesmen, on all the issues of nuclear non-proliferation policy. But for the purposes of this argument we have no need to retrace our steps further than the 7<sup>th</sup> June 1981, when the Osirak nuclear reactor in Iraq was bombed by Israeli aeroplanes. In a statement purporting to justify this action, the Government of Israel pledged its continuing support for the principle of non-proliferation, for multilateral arms control agreements, and for UN decisions against nuclear proliferation. The statement, *The Iraqi Threat – Why Israel had to Act*, rehearsed a catalogue of diplomatic initiatives by Israel, in this sense:

'Israel ratified the partial Test Ban Treaty on 15<sup>th</sup> January 1964, and the Outer Space Treaty on 18<sup>th</sup> February 1977. On 10<sup>th</sup> June 1968, Israel voted in favour of United Nations Resolution 2373 adopting the text of the NPT. It did so in the belief that this would enhance practical and satisfactory solutions for the prevention of nuclear weapons proliferation. In subsequent years, Israel has studied the NPT's various aspects in reference to the conditions prevailing in the Middle East, and has concluded that the turbulent and constantly shifting conditions still prevailing in the region prevent the Treaty's implementation in good faith on the part of many of the States in it.

A central assumption of the NPT is the existence of conditions of peace which do not exist today in the area. With the exception of Egypt, the Arab States do not recognise Israel's right to exist, are continuously preparing themselves to destroy it, and are mostly opposed to negotiating with it. A number of Arab States have added reservations with regard to Israel to their signature of disarmament treaties or of the NPT. In addition, Israel is aware that more than a dozen Arab States, as well as Pakistan, are not party to the NPT, and that a number of Arab signatories to the NPT have not fulfilled their obligations in accordance with it.'

After listing a series of allegations concerning the development of nuclear facilities in different Arab countries, the Israeli statement continued:

'Israel believes that the most effective way to prevent the spread of nuclear weapons to the Middle East is the creation of a nuclear weapon-free zone in the region, modelled on the Tlatelolco Treaty, which is based on the initiative of the States of the region, and direct negotiations among them. Israel has repeatedly given expression to this idea and, since 1974, had advocated it *annually* (my emphasis, KC) at the United Nations General Assembly.'

This statement was enlarged in the declaration of the then Foreign Minister Shamir to the United Nations General Assembly on the 1<sup>st</sup> October 1981. After accusing Iraq of assembling 'all the ingredients required for the development of nuclear weapons', he went on:

'Israel had to conclude that a country which acquired a complete fuel cycle and is openly bent on the destruction of Israel will not balk at going ahead with its programme, whether or not it is party to the NPT.

Let me take this opportunity to reiterate Israel's policy that *it will not be the first country in the Middle East to introduce nuclear weapons into the region*. (My emphasis, KC). Faced as it is with the stark realities of the Middle East, Israel must insist on distinguishing between spurious and genuine safety. The only genuine way to remove the nuclear threat to the Middle East can be found in the establishment of a nuclear weapon-free zone, freely and directly negotiated among the countries of the region, and based on mutual assurances, on the pattern of the Tlatelolco Treaty of Latin America.'

Evidently, these statements look very sick in the light of Vanunu's comprehensive revelations about the Dimona nuclear research centre. One travels to Dimona along the road from Beersheba to Sodom. As the *Sunday Times* reported, a fleet of forty buses make this journey every day, and among those travelling on them are 150 workers who are employed in the Machon 2 building which straddles six subterranean levels in which 'the components of nuclear weapons are produced and machined into warhead parts'. Vanunu started work in Machon 2 in 1977. His revelations were shown by the *Sunday Times* to Dr. Theodor Taylor in the United States and after thirty-six hours of deliberations he said:

'There should no longer be any doubt that Israel is, *and for at least a decade, has been*, (my emphasis, KC) a fully-fledged nuclear weapons state. The Israeli nuclear weapons programme is considerably more advanced than indicated by any previous reports or conjectures of which I am aware. The information obtained from Vanunu's statements and photographs as presented to me are entirely consistent with a present Israeli capacity to produce at least five to ten nuclear weapons a year that are significantly smaller, lighter, and more efficient than the first types of nuclear weapons developed by the US, USSR, UK, France and China.'

Both Dr Taylor and Professor Frank Barnaby, the British specialist, were deeply shocked by photographs of a component machined in lithium deuteride. Both authorities believed that the devices shown in this and other photographs provided did not show 'a simple atom bomb but a thermo-nuclear bomb'. As the *Sunday Times* itself concluded: 'The verdict of ten senior and expert scientists approached by the *Sunday Times* is that Vanunu's testimony cannot be faulted'.

If we accept this evidence, it is evident at once that Mr. Shamir's statement at the United Nations General Assembly must have been quite untrue, even at the time he made it. If Israel had already become 'the first country in the Middle East to introduce nuclear weapons into the region', the promise to refrain from this action in future can only be understood as a deliberate and particularly damaging dishonesty. There are many ways to mislead the General Assembly without telling actual lies: but on the 1<sup>st</sup> October 1981 it is quite evident that Mr. Shamir went far beyond any licence which might conceivably be given to diplomatic evasion. His statement was absolute and categorical.

Perhaps the Israeli spokesman is not the only diplomat to have offended in this way, grave though it is to do so. There is, however, a more serious question. On

this and a large number of other occasions, as the Israeli Government statement points out, Israel has advocated the conclusion of a Treaty establishing a nuclear weapon-free zone throughout the Middle East. To assure the United Nations that Israel 'will not be the first' to introduce nuclear weapons, and to demand the creation of a nuclear-free zone, whilst all the time producing and storing a full-scale nuclear arsenal, is to present a package calculated to undermine not only the United Nations but also the very idea of nuclear-free zones. That such misleading declarations have been uttered 'annually' hardly mitigates the offence. The Israeli Government itself continuously insists that it wishes to see the establishment of adequate guarantees in this field. As it argues in the text we have already cited: 'Restraints of a technical or institutional nature alone can hardly protect the area from nuclear proliferation.' To appeal for the creation of a nuclear-free zone, whilst at the same time secretly building a major stockpile of nuclear weapons, is to furnish an unusually compelling kind of proof for this statement!

The creation of the Israeli bomb, and its analogue in South Africa, confronts us with a quite new, and very major problem of enforcement of non-nuclear commitments in the military field.

The first lesson of the Vanunu story is clear: that considerable agnosticism is required when evaluating the successive claims of governments which are poised upon the acquisition of nuclear weapons. In retrospect, we now see the French involvement in Israeli nuclear programmes, and in the initial provision of the Dimona reactor in a very clear and sinister light. It is not at all surprising that Israeli leaders can mislead the United Nations, when we remember how they responded to the enquiries of the United States Government about what was going on at Dimona in the early 1960s. 'We are building a textile factory', replied the Israelis. Now it is possible to see the meaning of various other key events in Israel's military evolution: the French embargo on arms supplies; the pressures of the American administration for ratification of the Non-Proliferation Treaty; the later hiatus over the supply of Pershing missiles. There has evidently been some serious complicity in this act of nuclear provocation, and there are embarrassing questions to be answered in more than one of the world's chancelleries.

The first serious effort to find answers to these questions has been extensively reported in the *Christian Science Monitor*. The newspaper gives an account of a study by Gary Milhollin, which makes precise allegations of a violation of undertakings given to the Norwegian Government, when a quantity of heavy water was supplied in 1959.

Mordechai Vanunu has recorded that 88 pounds of plutonium are produced each year at Dimona, which quantity can be used to make something between eight and ten bombs annually. Heavy water is necessary to this process, and the Norwegian delivery amounted to 20 tons. It was obtained against firm pledges that it would only be used for peaceful purposes. It was agreed that the Norwegian authorities could maintain rights of control and inspection over the

uses to which the water was put. But Milhollin has established that, up to the moment of Vanunu's revelations, no attempt was made from Oslo to monitor the observance of these pledges.

After the *Sunday Times* publication of the real situation at Dimona, the Norwegian Government requested Israel to allow an appropriate inspection of the uses of the heavy water. It proposed that the International Atomic Energy Agency (IAEA) should be invited to investigate and report. The Israelis refused any such inspection. At the talks in question, the Israelis conceded that the heavy water was being used at Dimona, and that Plutonium was being produced with it. Per Paust, the spokesman of the Norwegian Foreign Ministry, was reported as saying that the Israelis maintain that any IAEA report would be biased, and continue to insist that they have breached none of their obligations to Norway...All these questions are absolutely urgent, if the non-proliferation regime is to retain any credibility whatever. But it is equally imperative to re-examine a whole history of nuclear co-operation between Israel and South Africa, with the same open-mindedness.

The nuclear test which took place in the South Atlantic on 22<sup>nd</sup> September 1979 was monitored by a United States satellite. The explosion, which gave off a characteristic double flash, took place at a height of eight kilometres, which is commensurate with the performance of the G5 Howitzer, which has been manufactured in South Africa since the United States supplied Pretoria with a range of modern artillery delivery systems. The Americans have also supplied the South Africans with 300,000 shell casings, adequate to deliver a two to three kiloton nuclear device.

It has been confirmed that forces of the South African fleet were present in the South Atlantic in the area of the explosion at the time that it took place. And further, it is credibly alleged that the 1979 explosion was a joint Israeli-South African achievement, as necessary to the Israelis for verifying their technology as it was to the South Africans for threatening their neighbours. That the United Nations were persuaded to record a verdict of 'not proven' about this explosion tells us a good deal about the respect of some of its experts for the rules of evidence.

Valuable evidence for a new investigation has been presented by Jane Hunter in her most disturbing work on *Israeli Foreign Policy* (Spokesman Books 1987).

'In 1965, after South Africa brought its Safari safeguarded reactor on line, Israeli scientists began advising South Africa on their Safari 2 research reactor. In 1968, Professor Ernst Bergmann, the 'father' of Israel's nuclear program, went to South Africa and spoke strongly in favour of bilateral co-operation on the development of nuclear technology.

According to the authors of a novelized treatment of Israel's nuclear program – barred from publication by the Israeli censor – as early as 1966, South Africa had invited Israel to use its land or ocean space for a nuclear weapons test. Led at that time by Prime Minister Levi Eshkol, Israel declined the invitation. However, according to the Israeli authors, whose sources included Shimon Peres, an enthusiastic intimate of the Israeli nuclear program, and Knesset Member Eliyah Speizer, during his April 1976

visit to Israel Premier Vorster again extended the invitation to Israel to conduct a nuclear test.

It is commonly held that Israel wanted a test venue far from the Middle East in order to uphold its longtime position that it would not be the first to introduce nuclear weapons into the region. This “position”, hinging on some arcane reading of the word “introduce”, is as meaningless as the endlessly heard term “peace process.”

The following year, a Soviet satellite picked up unmistakable signs of preparation for a nuclear test in the Kalahari Desert. Fearing that such a test “might trigger an ominous escalation of the nuclear arms race,” the United States, Britain, France and West Germany joined the USSR in pressuring South Africa to abort the test. As to the bomb that was to be tested, “I know some intelligence people who are convinced with damn near certainty that it was an Israeli nuclear device, said a high-ranking Washington official.”

At three o’clock in the morning on September 22, 1979, Israel and South Africa conducted a nuclear weapons test where the South Atlantic and Indian Oceans merge.

A newly recalibrated US Vela intelligence satellite recorded the characteristic double flash of light. It was a small blast, designed to leave very little evidence. The CIA told the National Security Council that a two or three-kiloton bomb had been exploded in “a joint South African-Israeli test”. A Navy official revealed that US spy planes over the test area had been waved away by South African Navy ships and forced to land secretly in Australia. The CIA knew (and later told Congress) that South African ships were conducting secret manoeuvres at the exact site of the test. The South African military attaché in Washington made the first ever request to the US National Technical Information Service for a computer search on detection of nuclear explosions and orbits of the Vela satellite.

Almost immediately the Carter Administration convened a special panel to conduct an investigation of the incident. The panel heard reports from the US Naval Research Laboratory, the Defense Intelligence Agency, and the CIA; and representatives of the Los Alamos National Laboratory, the Department of Energy and the State Department presented evidence to the panel supporting the occurrence of a nuclear explosion. Their findings were summarily dismissed by the Carter White House, which after a delay of seven months declared:

Although we cannot rule out the possibility that this (Vela) signal was of nuclear origin, the panel considers it more likely that the signal was one of the zoo events (reception of signals of unknown origin under anomalous circumstances), possibly a consequence of the impact of a small meteoroid on the satellite.

Moreover, as new information became available, it was simply ignored. In one critical instance, evidence of radiation observed in the thyroid glands of Australian sheep was discounted. The initial lack of this ‘smoking gun,’ traces of radiation, suggested to a Los Alamos scientist that the low-yield weapon tested had been a neutron bomb. However, the Carter panel had used the absence of radiation as a prime excuse in its cover-up.

A State Department official explained, coming clean on the test ‘would be a major turning point in our relations with South Africa and Israel if we determined conclusively that either had tested a nuclear bomb. It makes me terribly nervous just to think about it. Of course, by deciding to ignore reality the Carter administration – and following in its footsteps, the Reagan Administration, which went on record May 21, 1985 as upholding the Carter ‘verdict’ – destroyed the already tattered credibility of the non-proliferation posture of the United States.’

The Non-Proliferation Treaty, and the idea of nuclear-free zones, can neither of them continue unaffected by the nuclearisation of the military forces of Israel and South Africa. If there is still time to maintain the civilised commitment of Africa and the Arab world to non-nuclear defence policies, it must be evident that that time is rapidly speeding away. Mordechai Vanunu has removed the last veil which had been concealing this ugly situation.

In warning us of these perils, Mordechai Vanunu has earned our support and help. Writing from his confinement, he sent me this inspiring message:

'I hope you received my last letters to you. Last week I received the autobiography of Bertrand Russell. Thank you very much. In this very interesting book I find I share some things in common with the life of Russell. I am also governed by unbearable pity for the suffering of mankind.

I believe many people would like to do more for those who suffer without reason, like all the refugees in the world. I tried to help them when I was a student. This activity guides me to my next action.

Even now in these inhumane prison conditions, I feel good, because I believe I did my duty and followed my conscience.

I am happy to know that many people support and understand what I did, and my hope is that more people will do more things to stop nuclear proliferation throughout the world.

We are now in a great moment when the US and the USSR are signing an agreement to reduce nuclear weaponry in Europe. This is a good step in the right direction: to destroy all the nuclear weapons in the world.

I want to thank you for your action for peace, and for spreading news of my case to more people.'

### THE CASE OF DR AMER AL SAADI

In Spokesman 84 we reported the case of Dr Amer al Saadi, who presented to the world's press the Iraqi declaration on weapons of mass destruction which was prepared in compliance with the UN Security Council resolution 1441. After surrendering to US forces, in April 2003, shortly after their entry into Baghdad, Dr al Saadi was held in solitary confinement without charge. The British Government claimed the reason for his continued detention was that he posed 'an imperative threat to security'. Under a regulation signed by the US Proconsul in Iraq, Paul Bremer, on 27 June 2004, just before he handed over to Iyad Allawi, such prisoners can be held without charge for 18 months from that date, with reviews for a further period of 18 months when each 18-month period expires. In effect, they may be held indefinitely.

Certainly, Dr al Saadi's case raises important issues of human rights. But it also raises crucial issues of international law. Alleged Iraqi non-compliance with resolution 1441 over the declaration has been claimed as part of the legal justification for the war on Iraq. But no detailed omissions have been made

public. In what respects was the Iraqi declaration incomplete? How was it false, as Jack Straw claimed in February 2003, shortly before the invasion of Iraq? It's true that Iraq's declaration was censored on submission to the United Nations, and only 3,000 of its 12,000 pages were circulated to the non-permanent members of the Security Council (see Spokesman nos. 77, 78, 81). And, of course, the declaration has never been published. However, the Duelfer Report of the work of the Iraq Survey Group, dated 30 September 2004, has re-affirmed that no weapons of mass destruction have been found in Iraq.

With the help of MPs from several parties, the Russell Foundation has raised Dr al Saadi's case with the British Government. The issues are set out in the following exchange of letters with Baroness Symons, Minister of State at the Foreign Office.

*Baroness Symons wrote to Paul Marsden MP on 17 January 2005*

Dear Paul,

Thank you for your letter of 17 December 2004 to the Foreign Secretary enclosing one from Professor Ken Coates, of The Bertrand Russell Peace Foundation Ltd, 112 Church Street, Matlock Derbyshire DE4 3BZ on Iraq. I am replying as the Minister responsible for our relations with Iraq.

Professor Coates asked about Dr al Saadi. The Multi-National Forces in Iraq have the right (in accordance with the authority conferred by Security Council resolution 1546) to intern individuals who are deemed to pose an imperative threat to security. Such individuals must be released as soon as it is considered that they no longer pose such a threat. Dr al Saadi is being held by US forces because he is deemed to pose an imperative threat to security. He is not in the custody of UK forces and the UK Government has no role in deciding whether he should be released.

We understand that Dr al Saadi's case is under regular review but a decision on whether to release him has not been made. US officials have told us recently that Dr al Saadi's case will be reviewed shortly, in accordance with Article 78 of Geneva Convention IV. The British Embassy in Baghdad has raised Dr al Saadi's case with the US Embassy in Baghdad and the Iraqi Interim Government.

Professor Coates refers to Dr al Saadi's involvement in Iraq's Declaration on WMD to the UN in December 2002. Following the UN weapons inspectors' return to Iraq on 27 November 2002, their reports to the Security Council made clear that Iraq's co-operation had been neither full nor immediate. The Iraqi declaration of 7 December 2002 was incomplete, just as all its previous 'full and final' declarations had been.

Professor Coates might be interested in our view on the latest report by the Iraq Survey Group, published on 6 October 2004, which confirmed that there were no WMD stockpiles in Iraq. However, the report makes clear Saddam Hussein's intention to resume the regime's WMD programmes once sanctions were lifted. This report reveals extensive new evidence showing that Saddam Hussein did

indeed pose a threat to the international community, in the following ways:

- it shows he never abandoned his intentions to resume a chemical weapons effort when sanctions were lifted;
- it shows that Saddam was in multiple breach of UN Resolutions, and retained the intellectual capability to re-constitute WMD programmes when he could;
- he was pursuing to that end an aggressive strategy to subvert the UN oil for food programme and bring down UN sanctions;
- his strategy for sanctions lift was succeeding;
- sanctions – and thus the policy of containment – were eroding
- Iraq was in striking distance of a *de facto* end to sanctions;

I hope this clarifies the government's views on the issues raised by Professor Coates.

Yours sincerely,  
Baroness Symons

*On 25 January, Ken Coates of the Russell Foundation wrote to Baroness Symons.*

Dear Baroness Symons,

Paul Marsden MP has kindly sent me your reply of 17 January to my enquiries about the continuing detention in solitary confinement at Camp Cropper in Iraq of Dr Amer al Saadi. It raises some further questions about his case.

You claim that the Multi-National Forces in Iraq may 'intern individuals who are deemed to pose an imperative threat to security'. But Colin Powell's letter annexed to UNSC resolution 1546 (which, I must assume, constitutes your authority for this statement) asserts its rights against '*security threats posed by forces seeking to influence Iraq's political future through violence* (our emphasis). This will include combat operations against members of these groups, internment where this is necessary for imperative reasons of security...'

How can these provisions be applied to Dr al Saadi? He has threatened no violence, and he gave himself up to the occupying forces in April 2003, and has been detained in solitary confinement ever since.

In earlier correspondence (with Alan Simpson MP), you said that security internees are held in accordance with Coalition Provisional Authority Memorandum 3 dated 27 June 2004. Section 6 paragraph 5 of the Memorandum states that 'Security internees who are placed in internment after 30 June 2004, must in all cases only be held for so long as the imperative reasons of security in relation to that internee exist and in any case must be either released from internment or transferred to the Iraqi criminal jurisdiction not later than 18 months from the date of induction into an MNF internment facility.' Of course, Dr al Saadi has been held for 20 months, since April 2003. What precise 'imperative reasons of security' are said to apply in his case?

Paragraph 6 says 'an application shall be made to the Joint Detention Committee (JDC) for approval to continue internment for an additional period'. Is the United Kingdom Government represented on this Committee? Has Dr al

Saadi's case come before the Committee? If so, what decision was taken? What position did the UK representative take in respect of Dr al Saadi's case?

You say that 'US officials have told us recently that Dr al Saadi's case will be reviewed shortly, in accordance with Article 78 of Geneva Convention IV'. Article 78 states that 'Decisions regarding ... internment shall be made according to a regular procedure to be prescribed by the Occupying Power ... This procedure shall include the right of appeal for the parties concerned.' What if any provision for appeal applies in the case of Dr al Saadi?

Of course, Dr al Saadi has been detained in solitary confinement for 20 months. In February 2004, the International Committee of the Red Cross, in its report on the detention of prisoners in Iraq, said:

'The internment of persons in solitary confinement for months at a time in cells devoid of daylight for nearly 23 hours a day is more severe than the forms of internment provided for in the Third and Fourth Geneva Conventions (investigation of criminal offenses or disciplinary punishment). It cannot be used as a regular, ordinary mode of holding of prisoners of war or civilian internees. The ICRC reminds the authorities of the Coalition Forces in Iraq that internment of this kind contravenes Articles 21, 25, 89, 90, 95, 103 of the Third Geneva Convention and Articles 27, 41, 42, 78, 82, 118, 125 of the Fourth Geneva Convention.'

What steps does your Government intend to take to bring the United Kingdom into compliance on this matter? Since you have not been able to offer a legal basis for Dr al Saadi's detention, what are you going to do to secure his release, and compensate him for his illegal sufferings?

You are right to assume that I might be interested in your arguments about the Iraq Survey Group report. Of course, this is quite distinct from the case of Dr al Saadi, which deserves an answer for its own sake. But I shall write to you about the ISG report in the next few days.

Yours sincerely,  
Ken Coates

*On 3 February, Ken Coates wrote again to Baroness Symons, this time about the Duelfer report of the Iraq Survey Group which re-confirmed the non-existence of weapons of mass destruction in Iraq.*

Dear Baroness Symons,

In my letter of 25 January, I promised to write to you separately in response to your points about the report of the Iraq Survey Group, published on 6 October 2004, in so far as these touch on the al Saadi case.

You say that the report reveals 'extensive new evidence' of the threat Saddam Hussein posed to the international community. Certainly, it compiles interesting information about Saddam's Iraq since the late 1980s and the end of the Iraq-Iran war, in particular the statements attributed to Mr Tariq Aziz and other former associates of Saddam Hussein who have been questioned by their captors since

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the invasion and occupation of their country. Mr Duelfer claims that Saddam's lieutenants 'understood WMD revival was his goal' but nonetheless admits that 'the former regime had no formal written strategy or plan for the revival of WMD after sanctions. Neither was there an identifiable group of WMD policy makers or planners separate from Saddam.' In the light of these comments, what particular evidence of the threat posed by Saddam have you in mind? Does your case rest on the Duelfer report alone, or are you bearing other evidence in mind? If so, what?

The report even contains statements attributed to Dr al Saadi to the effect that scientific scrutiny of proposals for new military developments was overridden, and poor and unworkable developments were pushed through because of their sponsorship by those close to Saddam. In truth, isn't the picture of Iraq painted by Duelfer one of a country weakened by years of sanctions and inspections, conscious of its regional vulnerability, particularly to Iran, and corrupted by unrestrained nepotism and battles for influence? Indeed, Lord Butler may perceive some similarities between the mechanics of authoritarianism in Iraq and closer to home. But the difference is that Saddam was, by this time, too weak to attack anyone.

You say that Saddam was pursuing 'an aggressive strategy to subvert the UN oil for food programme and bring down UN sanctions', and that this strategy was meeting with some success. But the sanctions were imposed by the UN Security Council, and the United Kingdom and the United States had the power to veto any proposal to lift them. Are you renouncing the veto? If not, who could 'bring down' the sanctions? Do you suggest that the UK would have lost a vote in the General Assembly?

Surely the Iraqi declaration of December 2002 emerges as a key document, yet it receives only brief attention in the Duelfer report. Have you read the declaration? Has the Foreign Secretary? Which, if any, officials have been allowed to see it? Shouldn't the declaration now be placed in the public domain in as full a form as practicable? If the government remains unwilling to publish the full text, will it at least publish a list of those points in which the declaration is deemed deficient, in order to substantiate your claim that it was 'incomplete'?

Are you ignoring the conclusions of the Butler report which stipulated that your September Dossier on Iraq's Weapons of Mass Destruction had stripped away all the caveats and caution necessary to present as accurate a picture as possible of a complex situation? Does this policy of editorial management persist in respect of these documents?

Yours sincerely,  
Ken Coates