The post-invasion planning for Iraq was handled, in my opinion, in this alternative decision-making process, which in this case constituted the Vice President, the Secretary of Defence and certain people in the Defence Department who did the 'post-invasion planning' which was as inept and incompetent as any planning anyone has ever done. It consisted of largely sending Jay Garner and his organisation to sit in Kuwait until the military forces had moved into Baghdad, and then going to Baghdad and other places in Iraq with no other purpose than to deliver a little humanitarian assistance, perhaps deal with some oilfield fires, put Ahmed Chalabi or some other similar Iraqi in charge, and leave. This was not only inept and incompetent, it was daydreaming of the most unfortunate type, and ever since that failed we’ve been in a pick-up game that’s costs us over 2000 Americans killed in action, and almost a Division’s worth of casualties.

You call this alternative decision-making as a process. You seem to be laying the blame pretty squarely at the door of Dick Cheney. Am I correct in assuming that?

In the two decision-making processes into which I had the most insight, the detainee abuse issue, and this issue of post-invasion planning for Iraq, I lay the blame squarely at his feet. I look at the relationship between Mr Cheney and Mr Rumsfeld as being one that produced these two failures in particular. And I see that the President is not holding either of them accountable, or at least up to this point he is not. And so I have to lay some blame at his feet, too.

You are talking about the abuse, alleged abuse by American forces, aren’t you?

I am. And I concluded that we had had an impassioned debate in the statutory process, and in that debate two sides had participated. One
that essentially wanted to do away with all restrictions, and the other which said ‘no, Geneva should prevail’, and the President walked right down the middle. He made a decision that Geneva would, in fact, govern all but al Qaeda and al Qaeda look-alike detainees. Any other prisoners would be governed by traditional methods, international law, Geneva and so forth.

**BBC** Who was calling for doing away with all the normal practices, if you like?

**LW** Who is right now, very publicly, lobbying the Congress of the United States advocating the use of terror – the Vice President of the United States.

**BBC** There was a presidential memo ordering that detainees be treated in a manner consistent with the Geneva Conventions that forbid torture. Are you saying that Dick Cheney ordered that to be ignored?

**LW** My critics have said that the President’s continuing phrase in what you just quoted, ‘consistent with military necessity’, was an out, under which almost anything could be done. If I’m a soldier in the field, an NCO, a private or a corporal, and I need to shoot even a detainee who might be threatening to kill one of my buddies, or even me, I can do that. It does not mean that I can go into a darkened cell with the detainee shackled with his hands above his head, to the wall, and beat him, so that eventually he dies and the Army Coroner declares it homicide. And two years later, when the Army quits obfuscating, and throwing obstacles in the way of the investigations, people are actually punished for having murdered two individuals in Bagram, Afghanistan in December 2002. And there were more than seventy such deaths, questionable deaths of detainees, under US supervision when I left the State Department. And I have people now telling me that the death toll is up to around ninety.

**BBC** The question of detainee abuse. Are you saying that the implicit message allowing it to happen was sanctioned by Dick Cheney? It came from his office?

**LW** You see two sides of this debate in the statutory process. You see the side represented by Colin Powell, Will Taft, all arguing for Geneva. You see the other side represented by John Yoo from the Department of Justice, Alberto Gonzales, you see the other side being argued by them, and the President compromising. Then you see the Secretary of Defence moving out in his own memorandum to act as if the side that declared everything open, free, and anything goes actually being what’s implemented. And so what I’m saying is under the Vice President’s protection, the Secretary of Defence moved out to do what they wanted to do in the first place even though the President had made a decision that was clearly a compromise.

**BBC** It’s quite difficult to believe that Colin Powell wasn’t aware of what was
Extraordinary Rendition

going on, that this alternative decision-making process was going on. Why didn’t he do something?

LW You don’t know that it’s happening.

BBC If what you say is correct, in your view is Dick Cheney then guilty of a war crime?

LW That’s an interesting question. It was certainly a domestic crime to advocate terror. And I would suspect that it is, for whatever it’s worth, an international crime as well.

BBC You’ve got also John Kerry recently accusing President Bush of orchestrating one of the great acts of deception in American history and saying that flawed intelligence was manipulated to fit a political agenda. Colin Powell would be tarred with that same brush, wouldn’t he? Did he feel that he had correct information about Iraq’s alleged weapons of mass destruction when he outlined the case against Saddam?

LW He certainly did. And so did I. I was intimately involved in that process, and to this point I have more or less defended the administration. I have basically been supportive of the administration’s point that it was simply fooled, that the intelligence community, including the UK, Germany, France, Jordan, other countries that confirmed what we had in our intelligence package, that we were all just fooled. Lately, I’m growing increasingly concerned because two things have just happened here that really made me wonder. One is the questioning of Sheikh Al Libi* where his confessions were obtained through interrogation techniques other than those authorised by Geneva. It led Colin Powell to say at the UN on 5 February 2003 that there were some pretty substantive contacts between al Qaeda and Baghdad. We now know that Al Libi’s forced confession has been recanted, and we know, we are pretty sure that it was invalid. More important than that, we know that there is a Defence Intelligence Agency dissent on that testimony, even before Colin Powell made his presentation. We never heard about that. Follow that up with Curveball, and the fact that the Germans now say that they told our CIA well before Colin Powell gave his presentation, that Curveball, the source for the biological mobile laboratories, was lying, and was not a trustworthy source, and then you begin to speculate, you begin to wonder was this intelligence spun, was it politicised, was it cherry picked? Did, in fact, the American people get fooled? I’m beginning to have my concerns.

*The New York Times subsequently reported (8 December 2005) that Mr Ali Libi made his most specific claims linking al Qaeda to Iraq after the United States handed him over to interrogators in Egypt.