

Chapter 1

Introduction

“We will help Iraqis build an Iraq that is whole, free and at peace with itself and with its neighbors... that respects the rights of Iraqi people and the rule of law; and that is on the path to democracy.”

– US National Security Advisor Condoleezza Rice¹

On March 20, 2003, the United States, the United Kingdom and a Coalition of allies invaded Iraq and overthrew the government of Saddam Hussein. They claimed to bring peace, prosperity and democracy. But ever since, violence, civil strife and economic hardship have wracked the land. Thousands of innocent people are now dead and wounded, millions are displaced, several of Iraq’s cities lie in ruins, and enormous resources have been squandered.

Much has been written about the war and occupation, but there is little available that presents a comprehensive picture and an assessment of the responsibility of the Coalition. Most public discussion of Iraq today – especially in the United States – focuses on inter-ethnic conflict among Iraqis, the “civil war,” ethnic cleansing, terror bombings and the like. Commentators often blame these tragedies on flawed concepts such as Iraqis’ age-old ethnic hatreds, the extremism of Islam, or the meddlesome impulses of neighboring countries. Anything but the occupation itself.

Although the occupation is the central political reality in Iraq, Coalition influence and Coalition violence too often fade into the background of Western political discourse. When Interior Ministry forces commit yet another atrocity, for instance, few mention that a hundred US advisors work in the ministry and heavily influence its every move.² Amazingly, some commentators and political leaders have re-branded Coalition forces as humanitarian agents who must be allowed to continue their work to promote peace and stability in the unruly country. The Iraq Study Group presented such a perspective, as do the major media and many leading political figures.

This report assesses the war and occupation after the passage of four years. It considers the evidence from the vantage point of international law. It draws extensively on information in the public domain – reports by governments, the United Nations, human rights organizations, and other NGOs, as well as journalists’ accounts. The report considers the role of the United Nations, the legality of the occupation in action, and the human consequences of the conflict. The information assembled presents an argument for a swift end to the occupation and groundwork for a peaceful post-occupation Iraq.

This report considers above all the actions and the responsibility of the United States and the United Kingdom. The US and the UK are powerful nations that claim to defend and promote the global rule of law. As permanent members of the United Nations Security

Council, they present themselves as the guardians of order and justice in the world, insisting on the “rule of law,” and chastising others for violations of law and breaches of the peace. They should be held to the highest standards, since they constantly and vigorously apply such standards to others.

Certainly, there are various kinds of responsibility for the Iraq tragedy. Saddam Hussein was a tyrant who left behind a fractured and badly weakened society. The terrible long-lasting war with Iran (1980-88) and the punishing thirteen years of UN sanctions unquestionably took their toll. Yet the US and UK governments supported Saddam for many years with arms and aid, even while he was carrying out his worst excesses.³ And they authored the thirteen years of comprehensive UN economic sanctions, which harmed the Iraqi people and left Saddam in power.⁴

While the overwhelming majority of Iraqis are innocent victims of the bloodshed and violence, some Iraqis share responsibility for recent events. Some have participated in reprehensible acts – by setting off bombs in crowded city streets, attacking religious shrines, killing innocent civilians, and operating gangs for robbery, kidnapping, extortion and murder. Iraqis in and out of the government have been implicated in sectarian strife, militias, assassinations, bombings, and death squads, as well as massive corruption.

But none of these acts by Iraqis can justify the wrongdoing of the Coalition. Those who started the war and occupation, particularly the US and the UK, must take responsibility for the death and destruction they have wrought, as well as the breakdown of public order, the rise of sectarianism and the economic chaos that their rule has provoked. They destroyed the Iraqi state and now are reaping the consequences. They must also take responsibility for the erosion of international law and the undermining of international cooperation that the war and occupation has created.

The False Arguments for War

Prior to the invasion, the US and the UK pressed the UN Security Council to authorize the “use of force” against Iraq. They argued that force was necessary to prevent the Iraqi government from developing or using weapons of mass destruction that could be targeted against other nations. They declared that Iraq was in “material breach” of Security Council resolutions and they presented evidence to the Council, notably in the famous meeting of February 5, 2003. Secretary of State Colin Powell said then: “What we're giving you are facts and conclusions based on solid intelligence.”⁵ But most Council members were skeptical and in the end the Council did not authorize military action. We now know that Iraq did not possess weapons of this type and had destroyed virtually all of them in 1991, twelve years before the invasion.⁶

The governments of the United States and the United Kingdom, with their renowned intelligence services, were almost certainly aware before the war that the evidence for mass destruction weapons in Iraq was weak or even non-existent. Memoirs and other accounts suggest that Bush administration officials were discussing a war against Iraq in early 2001 without reference to WMDs⁷ and that President George W. Bush and Prime

Minister Tony Blair talked about an attack on Iraq at the White House on September 20, 2001.⁸ As UK intelligence chief Sir Richard Dearlove commented in a meeting with Prime Minister Blair in June 2002: “the intelligence and facts were being fixed around the policy” by leaders in Washington.⁹ London was soon at work on a parallel campaign of exaggerated and false claims, including two notorious “dossiers” released by Downing Street.¹⁰ US Secretary of State Colin Powell later described his speech to the Security Council as a “blot” on his record.¹¹

The two countries also claimed that they acted in legitimate “self-defense” under article 51 of the UN Charter. Yet we now know that Iraq posed no clear and immediate threat of offensive military action and the policymakers knew that.¹² Carne Ross, the senior Iraq expert at the UK mission to the UN, later testified that he saw US and UK intelligence traffic on Iraq every working day for four and a half years, and not a single report suggested that Saddam had significant WMD capability or posed a threat to the UK or any other country.¹³

Washington also claimed that Saddam Hussein was giving support to al-Qaeda and promoting international terrorism that threatened the United States. This too was false and those propagating the accusation knew it was not true. A thorough investigation by the Select Committee on Intelligence of the US Senate later showed that these claims were irresponsible and had no basis in fact.¹⁴

Finally, the US and the UK put forward humanitarian arguments, such as liberating the Iraqi people from Saddam Hussein’s dictatorship and his frightful human rights abuses.¹⁵ The war, they contended, would bring freedom and democracy to Iraq. But if Washington and London were so concerned about this issue, why had they earlier cooperated with Saddam, given him arms, aid and military assistance, and even shielded him from censure by UN human rights bodies?¹⁶

The War and the Coalition

As the timing of the conflict approached, Washington assembled a “coalition of the willing” to give its military action greater legitimacy and to lend it the appearance of a multilateral effort, with wide support. Washington announced that its “Coalition” had attracted 49 countries.¹⁷ But some of the members contributed no military contingents, while many others participated only in a symbolic way. Kazakhstan’s contingent in 2003 numbered 29, Moldova’s 24 and Iceland’s just two.¹⁸ The military force that invaded Iraq was almost entirely composed of US and UK combat units. The total force numbered just over 300,000 ground troops, as well as large naval and air assets.¹⁹

Massive aerial bombardment, to “shock and awe,” preceded the ground campaign. The US made use of reprehensible weapons such as napalm, depleted uranium munitions and cluster bombs, an early sign that the Coalition would exercise little moral or legal restraint.²⁰ Saddam Hussein’s troops were no match for the enormous military might brought into the field by the United States. In just under three weeks, on April 8, Coalition forces entered Baghdad. Though many Iraqis welcomed the fall of the dictator,

they did not throw flowers or cheer the arrival of the Coalition troops, as some Washington pundits had predicted. Soon after, on May 2, President Bush gave his “mission accomplished” speech aboard the aircraft carrier Abraham Lincoln.

Destruction of the Iraqi State and the Breakdown of Public Order

In the first days of the occupation, the Coalition demobilized the Iraqi police force and army, laying open Iraqi cities to looting and arson while the Coalition military stood by. Seventeen government ministries were gutted, including the Ministries of Education, Health, Culture and Trade, while Coalition forces protected only the Oil Ministry.²¹ Fires destroyed most Iraqi government records, while thieves made off with furniture, computers, and everything else, even ripping copper wires out of the walls to sell for scrap. Looters simultaneously attacked banks, businesses and even major hospitals. Iraq’s leading cultural institutions were sacked, including the National Museum and National Library and many were badly damaged by fire. Concerned Iraqis, international scholars and humanitarian leaders pleaded with Coalition officials and military commanders to protect Iraq’s institutions and cultural treasures, but to no avail.²²

In the absence of any civil authority, there began robberies, kidnappings, murders and the settling of scores from the old regime. Chaos ruled the neighborhoods and many people sought arms to defend themselves. A strange nonchalance seemed to grip the Coalition leadership. “Stuff happens,” said US Defense Secretary Rumsfeld, shrugging off the looting of the National Museum in a news conference on April 11.²³

In May, the Coalition took a final step to disband the army and cancel all military pensions, stripping 400,000 families of their main livelihood.²⁴ A radical “de-Baathification” was also set in motion, which purged more than 30,000 members of the old ruling party from all official posts, with virtually no effort to exempt those who were innocent of the crimes of the old regime.²⁵ This removed many of the most qualified people from state service, dealing a devastating blow to what was left of the old state apparatus.

The Strange Postwar Role of the Security Council and the UN

Having refused to authorize the use of force, the Security Council sharply reversed course after the invasion. Keen to avoid further tension with Washington and persuaded that no alternative options were available, Council members agreed to several resolutions that conceded legality to the occupation and provided it with financing from Iraq’s oil revenue. Resolution 1483 of May 22, 2003 recognized the US and the UK as “occupying authorities,” an effort to insure compliance with international humanitarian law. At the same time, the resolution also gave the Coalition the right to sell Iraqi oil, to take billions of dollars from the UN’s Oil for Food accounts and to spend as they saw fit for “purposes benefiting the Iraqi people.”²⁶ The Council’s anti-war majority was hopeful that, as the resolution insisted, the UN would play a “vital role” in Iraq, eventually taking over real responsibility. But this was self-deception. The US had no intention of ceding authority to the United Nations and left only the most marginal role to it.

Sergio Vieira de Mello, the UN's Special Representative in Baghdad, tried to stake out an independent function for the UN, but the US-led administration in Iraq gave him little room for maneuver, rejecting his proposals for broad consultation with Iraqis of all political persuasions. The "vital role" foreseen by the Security Council never materialized. On August 19, 2003, a truck bomb destroyed UN headquarters in Baghdad, killing Vieira de Mello and thirteen members of his staff. Thereafter, the organization drastically reduced its presence in the country and moved its Iraq operations to Amman, Jordan.

Yet in October 2003, the Security Council took another fateful step with Resolution 1511. In exchange for US-UK promises that a political process would soon lead to elections and a turnover of authority to Iraqis, the Council gave an official UN mandate to the occupation, making the Coalition a "multinational force" (MNF). The US and the UK afterwards stepped up their claims that they were acting on behalf of the UN and that the UN has provided legal authorization for what they do.

Since that time, despite the many violations of international law by the Coalition, the Council has twice renewed the mandate.²⁷ But it has never exercised any meaningful oversight of the MNF nor has it had a frank and full discussion of the Iraq matter. A few ambassadors, like Juan Gabriel Valdes of Chile and Adolfo Aguilar Zinser of Mexico, tried to press the issue early on, but Washington forced their governments to recall them, making it very clear that no dissent would be tolerated.²⁸ As other ambassadors have reported ruefully since then, Washington does not even accept questions when it presents periodic reports to the Council in the name of the MNF.²⁹

US Rule in Iraq

In place of the Iraqi state, the US established the Coalition Provisional Authority (CPA), a governing body without Iraqi participation, headed by Paul Bremer, a Pentagon appointee.³⁰ Bremer set up his offices in Saddam's former Republican Palace and ruled the country by decree, with almost unlimited powers. To protect the unpopular CPA from a growing Iraqi resistance movement, Bremer organized a tightly-controlled, four square mile security area in the middle of Baghdad known as the "Green Zone," where the CPA and the military high command could live and work in relative safety. With virtually no Arabic speakers and only the most minimal knowledge of the country, Bremer and his team of youthful Republican enthusiasts from Washington set out to rebuild Iraq according to neo-conservative principles.

Bremer radically restructured Iraq's public institutions and the Iraqi economy. He issued over a hundred sweeping decrees. In one of the first such "Orders," he suspended all tariffs, customs duties and import fees, opening Iraq's economy to the effects of free trade after years of protectionism. Meanwhile, the CPA was freely spending Iraq's oil revenues and the billions taken over from the UN Oil-for-Food account. CPA staff and military officers handed out millions in cash, in hopes of winning Iraqi friends and "jump starting" the Iraqi economy. A spirit of corruption, beginning in the CPA itself, quickly

took root. Halliburton, Parsons, Fluor and other huge construction companies, took billions in “reconstruction” contracts.³¹ Behind the scenes, planning was under way for the privatization of Iraq’s fabulous oil resources, from which US and UK companies like Exxon, Shell and British Petroleum expected an enormous profit. While Bremer gave wide publicity to a newly-created Iraq stock exchange, Iraq’s banking system was dysfunctional, its industry collapsing, and even its vital oil sector sinking. Unemployment and poverty rose steadily.

Repression

In the absence of a functioning local police, Coalition forces faced directly the increasingly unhappy populace. Troops were totally unfamiliar with the local culture and unable to communicate with the people in their language. These inexperienced and unprepared soldiers were heavily armed and backed up by deadly air power and long-distance artillery. Their first impulse was to take up positions in the heart of Iraqi cities, provoking immediate conflict.

In Falluja, soon after taking control, US forces seized a school in the city center as a military outpost. Fallujans demanded the facility back for their children. On April 28, 2003, just five days after the US army moved into the city, several hundred protesters assembled in front of the building. It was a key test of democratic dissent after the dictatorship. Edgy US soldiers opened fire on the crowd with automatic weapons, killing seventeen and wounding more than seventy.³² Two more bloody incidents followed in the next three days. Falluja soon became a center of the anti-occupation resistance. Similar incidents took place in Mosul and other cities.

As clashes of this kind spread, the Coalition reacted with increasingly repressive force. Military squads began to enter and search houses, kicking down doors, destroying furniture, shouting orders (in English) and arresting inhabitants.³³ In neighborhood sweeps, troops summarily arrested hundreds of Iraqis, subjecting them later to abusive interrogation. Soon, thousands of Iraqis were locked up in Coalition jails and prison camps, without charge and with no opportunity to defend themselves in court.³⁴ Torture began in the very earliest weeks.³⁵

The Coalition also used extensive covert operations, with thousands of special forces including Army Rangers, Navy Seals, Delta Force, and the UK Special Air Services.³⁶ Additionally there were CIA and MI6 units, special groups of Military Intelligence and other “black ops” forces. In the name of the search for Saddam and the pursuit of terrorists, these shadowy forces carried out secret military-type operations, seizure of suspects and extremely brutal interrogations in secret camps.³⁷

Finally, the Coalition brought to Iraq large numbers of private military contractors, soon to number in the tens of thousands.³⁸ Some, like employees at Blackwater, DynCorp and CACI International, were former US Special Forces soldiers, police officers, intelligence service personnel and others with special skills in clandestine warfare, interrogation, force protection, and the like. Heavily armed and exempt from any accountability, even

under the military justice system, these soldiers of fortune were highly-paid and drawn from many countries in addition to the US and the UK.³⁹ They were deployed as interrogators in Coalition prisons, bodyguards for Coalition officials in the Green Zone, “force protection” units, special warfare squads, trainers of Iraqi commando units and much more.⁴⁰ They epitomized the option of violence and repression that was the unwavering strategic choice of the occupation authorities.

Coalition-Sponsored Militias, Commandoes, and Death Squads

The Coalition created or expanded Iraqi irregular forces. Before the invasion, the US and the UK had given covert support to Kurdish peshmergas -- party/tribal militias in Iraqi Kurdistan.⁴¹ In 2003, they numbered tens of thousands of fighters. Coalition commanders announced that the peshmergas could keep their weapons and maintain their units, since they were considered as operating “under Coalition supervision.”⁴² Peshmergas enforced Kurdish rule over non-Kurdish minorities in the North. And the Coalition command used peshmergas to attack insurgent targets in the North and Center. This policy promoted Kurdish separatism and greatly increased Sunni and Shia resentment against the Kurds.

The US had also armed, trained and funded a sizeable militia of the Iraq National Congress under the leadership of Ahmad Chalabi, an Iraqi exile who was a Pentagon favorite and tipped as a future prime minister. This militia, called the “Free Iraq Forces,” was set up in 2002 and enjoyed multi-million dollar funding by the Pentagon.⁴³ Very shortly after the invasion, the US air force flew Chalabi and 600 of his militia into Nasiriya in the South.⁴⁴ A multi-million dollar CPA contract (nominally to guard oil installations), later reportedly bankrolled the militia, as did a stipend to the INC/Chalabi from the Pentagon of \$342,000 a month.⁴⁵ Chalabi’s forces fought pitched battles with rivals in Baghdad. Many accused them of car theft, fraud, illegal seizure of assets of former Baathists, and outright murder.

The Scorpions were yet another irregular Iraqi force, built by the CIA and operating from the beginning very clandestinely.⁴⁶ This force came to light most prominently in the brutal beating (and eventual death) of an Iraqi detainee in US custody in November 2003.⁴⁷

By the fall of 2003, Washington had clearly opted for a dirty war. A war-funding bill, proposed by the Pentagon and passed by Congress in November included \$3 billion in monies for Iraqi militias.⁴⁸ After mid-2004, the Coalition made increasing use of Iraqi irregular forces as well as special units set up under the nominal control of the Iraqi Ministry of the Interior.

Pentagon sources and news reporters spoke of this policy as “the Salvador option,” referring to US counter-insurgency tactics in Central America in the 1980s.⁴⁹ James Steele, a special advisor in the US embassy who had played a key role in the dirty wars of Central America, was assigned to advise many of these units.⁵⁰ New irregular units, set up in the summer and fall of 2004, included the Hilla SWAT Team, the Iraqi Freedom Guard, the Amarah Brigade, and the Special Police Commandos, sometimes referred to

as the Wolf Brigade.⁵¹ Many were trained and armed by the Coalition.⁵² Some functioned as death squads, carrying out targeted assassinations. Many of the Iraqi commanders were former officers of Saddam's secret police and special army units, restored again to favor after the wholesale de-Baathification purges.⁵³ Some of these groups were extremely violent and undisciplined and they sometimes ran amok, looting, burning, torturing and executing.

Violence multiplied. Ethnic and religious groups as well as political parties set up militias for their own defense (or for aggressive political ends). SCIRI, the leading Shia political party, expanded its Badr Brigades, while cleric Moktada al-Sadr strengthened his Mahdi Army.⁵⁴ Neighborhoods and political leaders hired armed guards. Government figures used official police and army units as semi-independent militias. Armed gangs came into being to carry out lucrative kidnappings in cities as well as armed robbery and the seizure of goods on highways. The Coalition, by playing the militia card, had redoubled the violence in the country and further undermined the state.

“A Free and Sovereign Iraq”

From the beginning, the United States and its partners insisted that they were establishing a democratic Iraq that would soon be a model for the entire region. But in practice, they ruled with minimal consultation and little understanding of the country and its people. For a year, the Coalition Provisional Authority ruled Iraq from its confines in the Green Zone, promulgating orders, decrees, memoranda and public notices.⁵⁵ Most of the CPA staff worked on six-month assignments and had little opportunity to learn about the country before heading home.⁵⁶

Bremer and the CPA set up a “Governing Council” made up of US-handpicked Iraqis, friendly to the occupation.⁵⁷ Many had spent decades in exile and they had few roots in contemporary Iraq. Some, like Iyad Allawi and Ahmad Chalabi, had worked for years directly on Washington's payroll.⁵⁸ By naming the Governing Council on the basis of sectarian affiliation and “balance,” the CPA gave prominence to the sectarian dimension of Iraqi politics and deepened sectarian rivalries.⁵⁹ “Divide-and-rule” tactics seemed to be at work.

At the end of June 2004, the CPA turned over “sovereignty” to Iraqis and dissolved itself. The Coalition announced that a “sovereign” Iraqi Interim Government was now in charge and in New York the Security Council welcomed the transition.⁶⁰ The new Interim Government had been hand picked by Bremer, with the assistance of UN special envoy, Lakhdar Brahimi. Though supposedly composed of technocrats, it contained familiar personalities, chosen and presented (again) according to sectarian identity.⁶¹ CIA-linked Allawi was the new Prime Minister. Bremer finally departed with most of his staff, but an enormous US presence remained.

The trappings of sovereignty had been put in place. Iraq again had ministries, civil servants, a nascent police force and army, as well as prisons, a Ministry of Finance, even an intelligence service. And, of course, there were elections -- touted by the Coalition as

proof of success and the ultimate benchmark of democracy. But the reality was quite different. Ambassador John Negroponte, who followed Bremer, continued to exercise overwhelming influence in the country, at the head of the world's largest US embassy. Each ministry had dozens of US "advisors" guiding policy.⁶² The army was entirely under US command and the intelligence service took its orders (and payroll) from the CIA.⁶³

The initial elections for the 275-member Iraqi National Assembly took place on January 30, 2005. Because of dangerous security conditions, international election experts supervised the elections from outside the country, relying on information from mostly partisan Iraqi monitors. The International Mission for Iraqi Elections declared that the elections "generally met recognized standards."⁶⁴ Critics, though, complained that the elections were organized on a flawed basis with a single national constituency and unified lists of candidates, that no meaningful campaigning had been possible, and that the elections had taken place under conditions that violate international human rights standards.⁶⁵ Another cloud over the election was the extremely low Sunni turn out.

The process of drafting and approving a new Constitution was also problematic, leading to further sectarian rancor. The referendum ground-rules, stipulated in the interim constitution, were changed at the last minute before the vote of October 15, 2005⁶⁶ and voting irregularities cast a shadow over the results.⁶⁷ Instead of the widely-expected rejection, the constitution was declared adopted. Parliamentary elections followed on December 15 with an outcome that gave power to sectarian blocs of Kurdish and Shia parties. The political process had become increasingly sectarian and rising violence made issue-based campaigning virtually impossible. When finally a new constitutional parliament took office in early 2006, the fleeting hopes generated by the elections had already begun to fade among the Iraqi public. Months of maneuvering were required to form a government. The political leadership under Prime Minister Nouri al-Maliki proved weak, sectarian and incapable of uniting the country. Symbolically sited in the fortified Green Zone along with the huge US embassy, the parliament and the government leaders had little room for political maneuver. Corruption flourished in the ministries. Militias multiplied. The government's authority scarcely had any meaning, inside or outside the Green Zone.

A Landscape of Massive Illegality

In the chapters that follow, this report examines the tragic landscape of the occupation. It shows in detail how US forces used indiscriminate and especially injurious weapons and how the Coalition failed to act to prevent the destruction of Iraqi institutions and cultural heritage, including hospitals, universities, libraries, museums and archeological sites. The report also shows how the Coalition used massive military might that badly damaged or destroyed a dozen of Iraq's cities, displacing hundreds of thousands of people.

Coalition forces have held thousands of Iraqis in unlimited detention without charge or trial, subjecting many to abusive interrogation and torture. Coalition troops routinely kill Iraqi civilians at checkpoints, during house searches, and during military operations of all

kinds and Coalition troops have committed murder and atrocities. A “reconstruction” program has squandered billions of dollars in Iraqi funds through theft, fraud and gross malfeasance.

The report documents how hundreds of thousands of Iraqis have died. More than four million have been displaced, including over two million that have fled the country. Poverty is widespread, illness and mortality of children exceptionally high, and food insecurity rising steadily. Iraqis vigorously oppose the long-term bases that the US is constructing and the enormous embassy complex that symbolizes hegemony. By an overwhelming majority, Iraqis want the Coalition to withdraw, as repeated public opinion polls show.

For some readers, the broad themes of the report will be familiar. But the chapters seek a deeper and more complete picture than has previously been available. The report describes a landscape of massive illegality and violence. Documenting the many gross violations of international law, the report calls on the international community to address the Iraq crisis and find alternatives for the future. Peace cannot return to Iraq as long as the occupation continues.

¹ White House, *Press Briefing by National Security Advisor Dr. Condoleezza Rice* (April 4, 2003)

² Yochi J. Dreazen and Christopher Cooper, “Behind the Scenes, US Tightens Grip on Iraq’s Future” *Wall Street Journal* (May 13, 2004). Also see Bradley Graham and Robin Wright, “Aid to Iraq Ministries To Shift to Pentagon” *Washington Post* (September 26, 2005)

³ See Mark Phythian, *Arming Iraq: How the U.S. and Britain Secretly Built Saddam’s War Machine* (Boston, 1997)

⁴ The sanctions continued for many years against the wishes of most members of the Security Council because the US and the UK could use their vetoes to block any effort to bring the sanctions regime to an end. See Global Policy Forum et al, *Iraq Sanctions: Humanitarian Options and Implications for the Future* (August, 2002)

⁵ UN Security Council Meeting 4701 on Iraq, Verbatim Transcript S/PV.4701 (February 5, 2003) p.5

⁶ See US Central Intelligence Agency, *Comprehensive Report of the Special Advisor to the DCI on Iraq’s WMD* (September 30, 2004)

⁷ Richard Clarke, *Against all Enemies* (New York, 2004) Clarke was the chief counter-terrorism expert on the National Security Council in the Bush administration’s early years.

⁸ Sir Christopher Meyer, *DC Confidential* (London, 2005). Meyer was the UK ambassador in Washington at the time.

⁹ “Iraq: Prime Minister’s Meeting, 23 July [2002]” Secret memorandum of a meeting of senior UK civil servants and ministers at 10 Downing Street, leaked to the Sunday Times and published May 1, 2005. Its authenticity has never been disputed. See Walter Pincus, “British Intelligence ‘Warned of Iraq War’” *Washington Post* (May 3, 2005)

¹⁰ Assessment of the British Government, *Iraq’s Weapons of Mass Destruction* (September 24, 2002) and UK 10 Downing Street, *Iraq: Its Infrastructure of Concealment, Deception and Intimidation* (February 3, 2003)

¹¹ “Powell Calls Pre-Iraq U.N. Speech a ‘Blot’ on his Record” *Associated Press* (September 8, 2005)

¹² Lord Goldsmith, the chief legal officer of the UK government dissented from the self-defense argument in his private advice to the Prime Minister (March 7, 2003), saying that only a resolution of the Security Council authorizing the use of force would make the UK military engagement legal under international law

¹³ Ross worked at the UK’s UN Mission for four and a half years, from December 1997 until June 2002. His testimony was kept secret and only made public 30 months later after pressure from members of Parliament. See “Full Transcript of Evidence given to the Butler Inquiry, Supplementary Evidence Submitted by Mr. Carne Ross, Director, Independent Diplomat,” dated June 9, 2004, published by the

Independent (December 15, 2006). See Colin Brown and Andy McSmith, “Diplomat’s Suppressed Document Lays Bare the Lies Behind Iraq War” *Independent* (December 15, 2006)

¹⁴ US Senate, 109th Congress, 2nd Session, *Report of the Select Intelligence Committee on Postwar Findings on Iraq’s WMD Programs and Links to Terrorism and How They Compare with Prewar Assessments* (September 8, 2006). A report by the Inspector General of the Department of Defense, released to the Congress on April 5, 2007, came to the same conclusion. See “Hussein-Qaeda Link ‘Inappropriate,’ Report Says” *Bloomberg News* (April 6, 2007)

¹⁵ White House Press Release, *Remarks by the President to the Military Personnel and Their Families Marine Corps Base Camp Lejeune, North Carolina* (April 3, 2003)

¹⁶ See Dilip Hiro, “Outside Powers,” in *The Longest War* (New York, 1991) and Mark Phythian, *Arming Iraq: How the US and Britain Secretly Built Saddam’s War Machine* (Boston, 1997). Also see Human Rights Watch, *Annual Report: Iraq* (1989)

¹⁷ White House Press Release, *Iraq Coalition* (March 27, 2003)

¹⁸ See for example US Department of State, Office of the Coordinator for Counterterrorism, “Patterns of Global Terrorism” (April 29, 2004); US CENTCOM, “International Contributions to the War on Terror” (January 10, 2005); Sewell Chan, “Rumsfeld Thanks Kazakhstan” *Washington Post* (February 26, 2004); Globalsecurity.org, *Iraq Coalition Troops* (February 2007)

¹⁹ Jim Garamone, “More than 100,000 Coalition Troops in Iraq” *American Forces Press Service* (March 31, 2003)

²⁰ See chapter 3 of this report: Indiscriminate and Especially Injurious Weapons.

²¹ The White House website notes that the Ministry of Health was “completely looted”. For details on the Oil Ministry see Andras Riedlmayer, “Yes the Oil Ministry Was Guarded” *Iraq War and Archeology* (May 7, 2003)

²² See detailed information in Chapter 2: Destruction of Cultural Heritage.

²³ Department of Defense, *News Briefing by Secretary of Defense Donald Rumsfeld and General Richard Meyers* (April 11, 2003). See Sean Loughlin, “Rumsfeld on Looting in Iraq” *CNN* (April 12, 2003)

²⁴ See Coalition Provisional Authority, Order Number 2: *Dissolution of Entities* (May 23, 2003)

²⁵ Toby Dodge, “Staticide in Iraq” *Le Monde diplomatique* (February 2007)

²⁶ The US eventually took more than \$8 billion – the remaining balances in the UN Oil-for-Food account.

²⁷ See UN Security Council Resolutions S/RES/1637(2005) and S/RES/1723 (2006)

²⁸ Maggie Farley and Richard Boudreaux, “Mexico’s Envoy to UN Leaves, With Defiance” *Los Angeles Times* (November 22, 2003)

²⁹ Private communication with former ambassadors on the Council.

³⁰ Bremer had served in the State Department for many years and from 1989-2000 had been a Managing Director of Kissenger Associates. His biographies describe him as a counter-terrorism expert. See the bio presented by the CPA website <http://www.iraqcoalition.org/bremerbio.html>

³¹ See chapter 9 of this report: Corruption, Fraud and Gross Financial Negligence.

³² In another incident on April 30, US forces opened fire again on a crowd, killing three and wounding sixteen. See Human Rights Watch, *Violent Response: the U.S. Army in al-Falluja* (June 17, 2003) According to HRW, Fallujan protester were also outraged that US observers posted on the high rooftop could see into the privacy of local dwellings, dishonoring the women.

³³ See chapter 7 of this report: Killing Civilians, Murder and Atrocities.

³⁴ See chapter 4 of this report: Detention and Prisons.

³⁵ See chapter 5 of this report: Prisoner Abuse and Torture.

³⁶ Seymour Hersh, “Moving Targets” *New Yorker* (December 15, 2003). Also see Matthew B. Stannard, “Special Forces Have Scoped Iraq for Weeks” *San Francisco Chronicle* (March 21, 2003)

³⁷ Thom Shanker, “Special Operations in Iraq: High Profile But in the Shadow,” *New York Times* (May 29, 2007) and Human Rights First, “Command’s Responsibility,” (February, 2006)

³⁸ The US Government Accountability Office estimated that as of March 2006 there were approximately 181 private security companies, with over 48,000 employees working in Iraq. See US Government Accountability Office, Testimony Before the Subcommittee on National Security, Emerging Threats, and International Relations, Committee on Government Reform, Statement of William Solis, Director Defense Capabilities and Management, *Rebuilding Iraq: Actions Still Needed to Improve the Use of Private Security Providers* (June 13, 2006)

³⁹ Human Rights Watch, *Private Military Contractors and the Law* (May 5, 2004)

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- ⁴⁰ See Jeremy Scahill, *Blackwater* (New York, 2007) and Amnesty International USA, *Human Rights Responsibilities of Private Companies Operating in Iraq*.
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- ⁴² Patrick E. Tyler, "U.S. May Let Kurds Keep Arms, Angering Shiites" *New York Times* (May 24, 2003)
- ⁴³ US General Accounting Office, Report to Congressional Requesters, *State Department: Issues Affecting Funding of Iraqi National Congress Support Foundation* (April 2004)
- ⁴⁴ Johanna McGeary, "Who Will Call the Shots?" *TIME* (April 14, 2003)
- ⁴⁵ Knut Royce, "A Start-Up Company with Connections" *Newsday* (February 15, 2004)
- ⁴⁶ Dana Priest and Josh White, "Before the War, CIA Reportedly Trained a Team of Iraqis to Aid US" *Washington Post* (August 3, 2005)
- ⁴⁷ Human Rights First, *Command's Responsibility* (February 2006) p. 8. The detainee was Major General Abed Hamed Mowhoush.
- ⁴⁸ Robert Dreyfuss, "Phoenix Rising" *The American Prospect* Volume 15, Issue 1 (January 1, 2004)
- ⁴⁹ Michael Hirsh and John Barry, "The Salvador Option" *Newsweek* (January 14, 2005)
- ⁵⁰ Peter Maass, "The Way of the Commandos" *New York Times Magazine* (May 1, 2005). Another important advisor who had been involved in US Latin American counter-insurgency operations was Steven Casteel.
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- ⁵³ Michale Hirsch and John Barry, "Special Forces May Train Assassins, Kidnappers in Iraq" *Newsweek* (January 14, 2005) and Peter Maas, "The Way of the Commandoes" *New York Times Magazine* (May 1, 2005)
- ⁵⁴ Beehner, *op.cit.*
- ⁵⁵ Between May 2003 and June 2004, CPA Administrator Paul Bremer issued 100 orders, 12 regulations, 17 memoranda and 12 public notices. See Coalition Provisional Authority website: <http://www.iraqcoalition.org>
- ⁵⁶ Special Inspector General for Iraq Reconstruction, *Lessons in Human Capital Management* (January 2006) p.14
- ⁵⁷ Coalition Provisional Authority Regulation Number 6, *Governing Council of Iraq* (July 13, 2003)
- ⁵⁸ For example, see Joel Brinkley, "Ex-C.I.A. Aides Say Iraq Leader Helped Agency in 90's Attacks" *New York Times* (June 9, 2004)
- ⁵⁹ Raad Alkadiri and Chris Toensing, "The Iraqi Governing Council's Sectarian Hue" *Middle East Research and Information Project* (August 20, 2003)
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