

Intelligence Cooperation and the War on Terror

Anglo-American security relations
after 9/11

Adam D.M. Svendsen



Studies in Intelligence Series

Intelligence Cooperation and the War on Terror

This book provides an in-depth analysis of UK–US intelligence cooperation in the post-9/11 world.

Seeking to connect an analysis of intelligence liaison with the wider realm of Anglo-American Relations, the book draws on a wide range of interviews and consultations with key actors in both countries. The book is centred around two critical and empirical case studies, focusing on the interactions on the key issues of counterterrorism and weapons of mass destruction (WMD) counter-proliferation. These case studies provide substantive insights into a range of interactions such as 9/11, the 7/7 London bombings, the A.Q. Khan nuclear network, the prelude to the 2003 Iraq War, extraordinary renditions and Special Forces deployments. Drawing on over 60 interviews conducted in the United Kingdom and United States with prominent decision-makers and practitioners, these issues are examined in the contemporary historical context, with the main focus being on the years 2000–5.

This book will be of much interest to students of intelligence studies, foreign policy, security studies and International Relations in general.

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Interviews

Non-attributable sources

While researching for this study, over 60 (elite) interviews (i) were conducted in the United Kingdom and United States. In a variety of ways, at least a further 60 prominent people were consulted (c), and kindly provided helpful insights and guidance. Several meetings and conferences were also attended across the United Kingdom, and in the United States, Italy and Canada. Naturally, due to the sensitive nature of this subject, the majority of these interactions took place ‘off the record’ and/or under the Chatham House Rule. In this study, the label ‘non-attributable source’ is used in endnotes to identify contributions from these sources.

Abbreviations

7/7	7 July 2005 – London bombings
9/11	11 September 2001 – Terrorist attacks on the United States
ASIO	Australian Security and Intelligence Organisation
ASIS	Australian Secret Intelligence Service
ASAS	Australian Special Air Service
BND	Bundesnachrichtendienst (German Intelligence)
‘C’	Chief of the Secret Intelligence Service (UK)
C ₄ I(SR)	Command, control, communications, computers and intelligence or information (surveillance and reconnaissance)
CBRNE	Chemical, biological, radiological, nuclear, and (high-yield) explosive agents and weapons (WMD)
CENTCOM	US Military Central Command, Tampa, Florida (US)
CENTRIXS	Combined Enterprise Regional Information Exchange System (US)
CESG	Communications-Electronics Security Group, part of GCHQ (UK)
CI	Counter-intelligence
CIA	Central Intelligence Agency (US)
CIS	Coalition Information Sharing
COMSEC	Communications security
CSI	Container Security Initiative (US)
CSIS	Canadian Security Intelligence Service
CTC	Counter-Terrorism Center (US)
DCI	Director of Central Intelligence (US)
DEA	Drug Enforcement Administration (US)
DHMO	Defense HUMINT Management Office (US)
DHS	Department of Homeland Security (US) or Defense HUMINT Service (US)
DI	CIA Directorate of Intelligence (US)
DIA	Defense Intelligence Agency (US)
DIS	Defence Intelligence Staff (UK)
DNI	Director of National Intelligence (US)
DO	CIA Directorate of Operations – National Clandestine Service, since 2005 (US)
DoD	Department of Defense or the Pentagon (US)

DoJ	Department of Justice (US)
ECHR	European Convention on Human Rights
ELINT	Electronic intelligence
EU	European Union
EUCOM	US European Command, RAF Molesworth, Cambridgeshire, UK (US)
FAC	Parliamentary Foreign Affairs Committee (UK)
FBI	Federal Bureau of Investigation (US)
FBIS	Foreign Broadcast Information Service (US) – replaced by OSC in November 2005
FCO	Foreign and Commonwealth Office (UK)
G8	Group of Eight
GCHQ	Government Communications Headquarters (UK)
GEOINT	Geospatial intelligence
GIG	Global Information Grid program
HEU	Highly enriched uranium
HMCE	Her Majesty’s Customs and Excise (UK)
HUMINT	Human intelligence
IA	Information assurance
IAEA	International Atomic Energy Agency (UN)
IC	Intelligence community
ICT	Information and computing/communications technology
IISS	International Institute for Strategic Studies
IMINT	Imagery intelligence
INFOSEC	Information security
IP	Internet protocol
IR	International relations
ISC	Intelligence and Security Committee (UK)
ISG	Iraq Survey Group
IS[TA]R	Intelligence, surveillance [target acquisition] and reconnaissance
JAC	Joint Analysis Center, EUCOM (US)
JARIC	Joint Air Reconnaissance Intelligence Centre (UK)
JCG	Joint Contact Group on Homeland Security (UK/US)
JIC	Joint Intelligence Committee (UK)
JSOC	Joint Special Operations Command (US)
JSOTF	Joint Special Operations Task Forces
JTAC	Joint Terrorism Analysis Centre (UK)
‘Legat’	FBI Legal Attaché (US)
M ₄ IS	Multinational, multiagency, multidisciplinary, multidomain information sharing
MASINT	Measurement and signature intelligence
MILINT/MI	Military intelligence
MI5	Security Service (UK)
MI6	Secret Intelligence Service (UK)
MLAT (1)	UK–US Mutual Legal Assistance Treaty

MLAT (2)	Multilateral Legal Assistance Treaty
MNIS	US Multinational Information Sharing
MoD	Ministry of Defence (UK)
MoU	Memorandum of understanding
MP	Member of Parliament (UK)
NATO	North Atlantic Treaty Organization
NCIS	National Criminal Intelligence Service (UK)
NCTC	National Counterterrorism Center (US)
NIC	National Intelligence Council (US)
NIE	National Intelligence Estimate (US)
NPT	(Nuclear) Non-Proliferation Treaty
NRO	National Reconnaissance Office (US)
NSA (1)	National Security Agency (US)
NSA (2)	National Security Adviser (US)
NSC	National Security Council (US)
ODNI	Office of the Director of National Intelligence (US)
OPSEC	Operations security
OSC	Open Source Center (US)
OSINT	Open source intelligence
PJHQ	Permanent Joint Headquarters, Northwood (UK)
PKI	Peacekeeping intelligence
PM	Prime Minister
PMC	Private military companies
PR	Public relations
PSCI	Permanent Select Committee on Intelligence (US)
PSI	Proliferation Security Initiative (US)
RAF	Royal Air Force (UK)
RMA	Revolution in Military Affairs
RUSI	Royal United Services Institute for Defence and Security Studies (UK)
SAS	Special Air Service (UK)
SBS	Special Boat Service (UK)
SF	Special Forces (see also SOF) (UK and US)
SIGINT	Signals intelligence
SIPRNet	Secret internet protocol router network (US)
SIS	Secret Intelligence Service (UK)
SISMI	Servizio per le Informazioni e la Sicurezza Militare (Italian Intelligence and Military Security Service)
SO13	London Metropolitan Police Anti-terrorism Branch (from October 2006, SO15)
SO15	London Metropolitan Police Counter-terrorism Command
SOCA	Serious Organised Crime Agency (UK)
SOCOM	Special Operations Command, Tampa, Florida (US)
SOF	Special Operations Forces
SOIA	Security of Information Agreement (US)

SSCI	Senate Select Committee on Intelligence (US)
SSR	Security Sector Reform
TTIC	Terrorist Threat Integration Center (US)
UAV	Unmanned aerial vehicle
UK	United Kingdom of Great Britain
UKUSA	UKUSA arrangement and 'Five-eyes' (UK, US, Australia, Canada and New Zealand)
UN	United Nations
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
US	United States of America
WMD	Weapons of mass destruction
WoT	'War on Terror' or 'War on Terrorism' or 'Global War on Terror' (GWOt)
WTC	World Trade Center

Source abbreviations

AFP	<i>AFP newswire</i>
AFPI	<i>American Foreign Policy Interests</i>
AP	<i>Associated Press newswire</i>
AR	Annual Report
BAS	<i>Bulletin of the Atomic Scientists</i>
BASIC	British American Security Information Council
BBC	<i>BBC News Online</i>
BJPIR	<i>British Journal of Politics and International Relations</i>
Brookings	Brookings Institution, Washington, DC
CFR	US Council on Foreign Relations, New York
CH	Chatham House, the Royal Institute of International Affairs, London
CL&SC	<i>Crime, Law & Social Change</i>
CNN	<i>CNN.com</i>
CNPP	Carnegie Non-Proliferation Programme
CREST	CIA Research Tool (US)
CRIA	<i>Cambridge Review of International Affairs</i>
CRS	<i>Congressional Research Service Report for Congress</i>
CS	<i>Comparative Strategy</i>
CSP	<i>Contemporary Security Policy</i>
CUP	Cambridge University Press
DH	<i>Diplomatic History</i>
DT and ST	<i>Daily Telegraph and Sunday Telegraph</i> (UK)
FA	<i>Foreign Affairs</i>
FAS_SN	<i>Secrecy News</i> , published by the Federation of American Scientists (FAS)
FP	<i>Foreign Policy</i>
FT	<i>Financial Times</i>
GSN	<i>Global Security Newswire</i>
GU	<i>Guardian</i>
HP	<i>Huffington Post</i>
IA	<i>International Affairs</i>
IHT	<i>International Herald Tribune</i>

IISS	International Institute for Strategic Studies
IISS_AP	<i>IISS Adelphi Paper</i>
IISS_SC	<i>IISS Strategic Comments</i>
IISS_SS	<i>IISS Strategic Survey</i>
IJICI	<i>International Journal of Intelligence and Counterintelligence</i>
INS	<i>Intelligence and National Security</i>
IS	<i>International Security</i>
ISC	Intelligence and Security Committee (UK)
ISN_SW	<i>ISN Security Watch</i>
JCMS	<i>Journal of Common Market Studies</i>
JCS	<i>Journal of Conflict Studies</i>
JDI	<i>Jane's Defence Industry</i>
JDW	<i>Jane's Defence Weekly</i>
JID	<i>Jane's Intelligence Digest</i>
JIDR	<i>Jane's International Defence Review</i>
JIR	<i>Jane's Intelligence Review</i>
JIA	<i>Jane's Islamic Analyst</i>
JTSM	<i>Jane's Terrorism and Security Monitor</i>
LAT	<i>Los Angeles Times</i>
LRB	<i>London Review of Books</i>
Mail	<i>Daily Mail</i> (UK)
MUP	Manchester University Press
NPR	National Public Radio (US)
NPS	<i>New Political Science</i>
NYRB	<i>New York Review of Books</i>
NYT	<i>New York Times</i>
OD	<i>OpenDemocracy</i>
OUP	Oxford University Press
PSJ	<i>Policy Studies Journal</i>
PSQ	<i>Political Science Quarterly</i>
PSR	<i>Political Studies Review</i>
RHS&RM	<i>RUSI Homeland, Security and Resilience Monitor</i>
RIS	<i>Review of International Studies</i>
RJ	<i>RUSI Journal</i>
RUSI	Royal United Services Institute for Defence and Security Studies, London
SC&T	<i>Studies in Conflict & Terrorism</i>
SO	<i>Spiegel Online</i> (Germany)
SpyTalk	<i>SpyTalk – CQ Blog</i>
TA	<i>The Australian</i>
TAA	<i>The Age – Australia</i>
TLS	<i>Times Literary Supplement</i>
TO	<i>Observer</i> (UK)
TPQ	<i>Political Quarterly</i>
TPV	<i>Terrorism and Political Violence</i>

xviii *Source abbreviations*

TSO	The Stationery Office, Norwich, UK
TST	<i>The Sunday Times</i> (UK)
TWF	<i>Washington File – US INFO</i>
TWQ	<i>Washington Quarterly</i>
TWT	<i>The World Today</i> – Chatham House, London
UPI	<i>United Press International</i>
USAT	<i>USA Today</i>
USIP	<i>US Institute of Peace</i>
USN&WR	<i>US News & World Report</i>
WB	<i>Wired.com (Danger Room) Blog</i>
WP	<i>Washington Post</i>
WT	<i>Washington Times</i>
WSJ	<i>Wall Street Journal</i>

Foreword

Anglo-Americana

Intelligence cooperation between Britain and America is undeniably important. As US Federal Bureau of Investigation (FBI) director, Robert S. Mueller claimed in April 2008:

The partnership between the United States and the United Kingdom is among the strongest in the world. I am particularly grateful for the relationship between the FBI and our British counterparts. It remains a model of international intelligence and law enforcement cooperation.¹

Widely recognized as being one of the ‘best’ examples of international intelligence cooperation, UK–US intelligence relations appropriately form the focus of this book. Alongside the nuclear relationship, they have supplied one of the key ‘pillars’ for the wider UK–US relationship or ‘special’ relations for over 60 years.²

Much can be learnt. While being conventionally regarded as *sui generis*, UK–US intelligence relations can in fact provide us with some considerable insights concerning general international intelligence cooperation – often referred to as ‘liaison’. Moreover, the UK–US intelligence relationship is already, to date, the most ‘globalized’, ‘homogenized’ and ‘internationally standardized’ liaison relationship. In part, this reflects the patchwork of long-enduring agreements that collectively compose the UKUSA arrangement and the numerous parallel agreements (MoUs) relating to human intelligence and defence intelligence dating from the 1940s. These facilitate many of the wider patterns of international intelligence liaison that exist today, and (in their subsequently updated forms) demonstrate the potential optimum form of liaison that can currently be achieved. This is at least in terms of *function*, if not also in terms of *intelligence and security reach*.³

Several lessons might be distilled from this case study. By closely studying the UK–US intelligence liaison relationship, numerous insights into the multiple attributes composing a ‘leading’ international intelligence liaison relationship are afforded, including operating dynamics and key drivers. As the UK Intelligence and Security Committee (ISC) argued in June 2007:

Our intelligence-sharing relationships, particularly with the United States, are critical to providing the breadth and depth of intelligence coverage

required to counter the threat to the UK posed by global terrorism. These relationships have saved lives and must continue.⁴

Indeed, the ‘unique’ nature of this relationship can be instructive. Its exceptionalism can be seen as serving as an inspirational ‘model’ which others seek to emulate. Although, of course, it is not a perfect relationship, with critics particularly emphasizing obvious shortcomings – of which inequality is most often singled out for comment.⁵ As Crispin Black argued concerning the recent (2008–9) Binyam Mohamed case, ‘the Foreign Secretary’s suppression of evidence of alleged torture was typical of Britain’s “intelligence cringe” towards the USA’.⁶ Some regard it as inappropriately ‘cosy’, especially in an era of globalization. As a former American intelligence officer, Robert David Steele, has noted:

In my view, while there remains a ‘special relationship’ that is incestuous, and like incest, produces deformed ... results, it is high time the USA broke away from *special relationships* and focused instead on *honest relationships* with as many as possible.⁷

Others regard it as locking the United Kingdom into an Atlanticist frame of reference at the expense of European opportunities. However, these shortfalls are never as entirely straightforward as is frequently alleged. Often, they manifest themselves in unpredictable ways. Again concerning the Binyam Mohamed case, reportedly ‘the Foreign Office (FCO) solicited the letter from the US State Department that forced British judges to block the disclosure of CIA files documenting the torture of a British resident held in Guantánamo Bay’.⁸ While generally outweighed, the ‘bad’ and ‘ugly’ elements of relations coexist alongside the ‘good’ dimensions. The relationship is complex and demonstrates pluralistic qualities.⁹

The UK–US intelligence liaison relationship has further significance. Some ramifications appear to extend more widely through international intelligence liaison relationships with other partners across the world and outreach activities such as training. In this way, the UK and US intelligence communities contribute towards the greater *globalization of intelligence*. Sometimes this is done perhaps enthusiastically, at other times more reluctantly. Notably, officials seek to accomplish this gradually, within UK–US terms or ‘rules of engagement’. These conditional movements help establish UK and US-led ‘best practices’ and frameworks. Demonstrating the provision of some ‘top-down’ impetus, as noted in the US Government’s *National Strategy for Information Sharing* of October 2007:

The President recognized the imperative for the [Information Sharing Environment] to facilitate and support the appropriate exchange of terrorism information with our foreign partners and allies and, toward that end, directed the development of recommendations to achieve improved sharing in this area.¹⁰

Three themes emerge prominently in this book: (a) In the early twenty-first century, the United Kingdom and United States continue to be broadly exemplary intelligence ‘friends and allies’. They enjoy a closer relationship between their secret services than any other pair of nation-states; (b) This in turn reflects an ability to absorb the fallout from difficult episodes, something which we might term the ability to navigate the ‘good’, the ‘bad’ and the ‘ugly’ in their own relations; (c) In the wider world beyond, they help to contribute towards the observable general trends concerning international intelligence liaison, such as the ‘globalization of intelligence’.¹¹

Adam D.M. Svendsen

Part I

Background

1 Introduction

Unpacking UK–US intelligence relations

Whilst the fact that the UK has a general intelligence relationship with the US is in the public domain, the detailed nature of that relationship, particularly in relation to sources of intelligence, is classified and cannot be openly disclosed. To do so, would jeopardise that relationship and could lead to those sources being denied to the UK.

(UK House of Commons Select Committee on Defence, November 2000¹)

1.0 Exemplary ‘friends and allies’?

The Anglo-American intelligence liaison relationship is almost universally recognized as being remarkably close and enduring. Officials frequently acknowledge the centrality of the intelligence dimension.² Its political importance is also readily apparent.³ In various ways it is worth the effort and investment for both partners. Indeed, as the UK Intelligence and Security Committee (ISC) observed in its *Mitrokhin Inquiry Report* of 2000, ‘In the early stages, the highest priority was given to processing material bearing on UK and US interests’.⁴ Moreover, Canadian intelligence scholar Martin Rudner argues that the Anglo-American intelligence alliance has further importance because it stands at the centre of a more complex web of relationships that reach across the globe:

To some, [the UKUSA] hub-and-spokes pattern of liaison relationships exemplified the configuration of capability in the UKUSA alliance with Britain and the United States comprising core contributors, despite an unequal availability of resources, and the other partners who served more like auxiliaries at the periphery of global SIGINT [signals intelligence] operations.⁵

Therefore, despite some asymmetry, the UK–US intelligence relationship is arguably one of the ‘best’ examples of an effective international intelligence liaison relationship. At least to some, it faithfully represents the optimum that can currently be achieved in contemporary international affairs.

However, UK–US intelligence liaison is not boundless. In common with all other international intelligence liaison relationships, it, too, is subject to caveats and limitations. These set the operational parameters and the ‘safeguards’ for the

4 Background

liaison. When giving evidence for the UK ISC inquiry on renditions, the Chief of the Secret Intelligence Service (SIS/MI6) (2004–9), Sir John Scarlett, spoke of ‘the immense value to the UK of his Service’s relationship with US intelligence agencies’, however, he added ‘the knowledge of the US rendition programme, as it evolved over time, has altered the manner in which intelligence is shared with the US’.⁶ Scarlett continued:

So we find ourselves in a position where we share with *** key [counter-terrorism] interests, objectives and many techniques, but where we have some different methods and a quite different legal framework, specifically but not only on the issue of rendition.

Highlighting the involvement of safeguard caveats, he noted: ‘It does mean that we have for a long time been aware that sharing what I would call “actionable intelligence”, leading to a possible rendition, would require very careful internal consideration and Ministerial approval.’⁷

In his testimony, the Director of the UK Government Communications Headquarters (GCHQ) (2003–8), Sir David Pepper, went further. He remarked that GCHQ had ‘never knowingly provided support to a US rendition operation and we would not authorise the use of intelligence for that purpose ... and we have never been asked to do so’.⁸ Distinct limits on the United Kingdom’s liaison with the United States were again suggested. Yet, how far these consistently extend in practice is perhaps more open to debate, not least when ‘*informal*’ interactions are considered.⁹

2.0 General developments

The British journalist, Philip Knightley, has observed that ‘one of the curious features of intelligence agencies is that they gradually *grow to resemble one another*’, not least when carrying out matching functions.¹⁰ This observation can be taken further, raising the issue of what might be termed as ‘homogenization’ and ‘international standardization’ in this relationship. There can be no doubt that the traditional compartmentalized national intelligence lines have become increasingly blurred. Alongside the bilateral UK–US relationship, these changes and their stipulations are essentially enshrined in the multilateral UKUSA Agreements and the other subsequent aggregated memoranda of understanding (MoU) that establish the contemporary UKUSA framework, defining its current operating parameters.¹¹ In an arguably ‘post-modern’¹² ‘dissolving’ of traditional national intelligence community identities and boundaries, the UK–US intelligence community has become an increasingly fused entity. It can be characterized as being exceptional, ‘networked’,¹³ as well as being at least quasi-epistemic¹⁴ in nature. Indeed, Michael Smith has argued that ‘the relationship between the various American spy organisations has been so bad at times during the past 50 years that they have had far better relations with their British counterparts than they have enjoyed with each other’.¹⁵

The considerable borrowing of each other's institutional and intelligence community 'intellectual and practical capital' might also be identified. Practices, techniques, structures, ideas of bureaucratic organization, and lessons learnt from their experience over time, can all be included.¹⁶ In 2000, the ISC recommended that 'a more co-ordinated and rigorous project-based approach is adopted, building on US experience'.¹⁷ Indeed, this recalls claims that historically the Central Intelligence Agency (CIA) is 'not the brainchild of a lone bureaucratic gunslinger [William "Wild Bill" Donovan] but the off-spring of an Anglo-American liaison'.¹⁸ Although, the extent of British influence here is perhaps overstated.¹⁹ Others claim that when times are good, relations are like those of older (UK) and younger (US) siblings; while, when not so good, the relations are more akin to relations between cousins.²⁰

3.0 UK gains – never giving up or giving in

Relinquishing the relationship is not an option for Whitehall. It is an intelligence liaison that British officials are never likely to surrender, both for quantitative (the volume of intelligence exchanged) and qualitative reasons. Most positively, in 2000 the claim materialized that 'the UK–US nexus is viewed by the UK as a precious asset', with the sharing of UK–US knowledge even being hailed as the 'jewel in the crown of British intelligence'.²¹ However, UK decision-makers are not entirely overwhelmed by such sentiments. Demonstrating the extent of prevailing contemplation which reaches down the corridors of Whitehall, the ISC found in 2002 that 'the Chief Secretary [to the Treasury] concurred with the Committee that the UK/US collaboration is highly valuable and remarked that it "is obviously a very important factor in relation to our thinking"'.²² Nevertheless, on occasions it can complicate, arguably even often to the point of thwarting: (a) the United Kingdom's Atlantic-'bridging' ability; (b) the European aspects of British foreign policy; and (c) further closer European intelligence, security and defence integration.²³ Some Americans have argued that the 'Europe question' will force the United Kingdom's hand in the not-too-distant future, thus requiring some tough choices to be made by the United Kingdom.²⁴ Reportedly: 'As EU governments focus on securing ratification of the proposed Lisbon Reform Treaty in 2008, United States policymakers are concerned its provisions could present serious challenges to transatlantic intelligence and homeland security co-operation.'²⁵ Others, however, dismiss this type of 'choice' as a 'false choice', and see this perspective as potentially damaging to all parties. Indeed, as former US Secretary of State James Baker argued at a Chatham House meeting in October 2007:

Some have advocated the idea that the United Kingdom must somehow choose between the United States and the European Union. That is both misleading and dangerous. It is misleading because it fails to recognize the unique and productive role that London can play in both Washington and Brussels. And it is dangerous because it could lead to international divisions

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injurious to the United Kingdom, the United States, and the European Union. . . . The conduct of foreign policy is hard enough without creating false choices.²⁶

Conventional Whitehall wisdom asserts that the asymmetric UK–US intelligence liaison nets several benefits for the United Kingdom. It allows the United Kingdom as a middle power much-appreciated and privileged access to the US hegemony of ‘intelligence power’.²⁷ Substantial access to the vast intelligence resources of the United States is facilitated, most notably in the technical intelligence (TECHINT) domains of signals intelligence (SIGINT) and imagery intelligence (IMINT). As the ISC has also observed, ‘the quality of intelligence gathered clearly reflects the value of the close co-operation under the UKUSA agreement’.²⁸ Consequently, the United Kingdom is able to continue a prominent post-Empire role in international affairs, multiplying its military capability and allowing it to continue to wield greater diplomatic power, offering possibilities for ‘punching above its weight’.²⁹

4.0 US gains – better with than without

From the US perspective, continuing to be closely tied to the United Kingdom on intelligence matters still has its merits. This is particularly the case for *qualitative* reasons more than for *quantitative* reasons. Some are considerable. Most importantly, the United States values a partner that has an analytical world-view. No other Western ally offers this quality, as they tend to be more regionally focussed. Alongside, there are numerous operational considerations. These include access to particular language skills, which are essential in the domains of human intelligence (HUMINT) and SIGINT. Highlighting the value of UK–US links, in 2006, US House Homeland Security Committee Chairman Peter T. King, reportedly claimed that ‘Increased intelligence-sharing and cooperation with foreign countries, especially Britain, has been “one of our biggest accomplishments since 9/11”’.³⁰ At least in some areas, the United Kingdom and United States are one another’s most important international intelligence stakeholder. Undoubtedly this factor helps to concentrate minds in both London and Washington.

Naturally, the relationship dynamics do not remain static. Areas of connection and collaboration will be subject to some ebbs and flows.³¹ UK assets as viewed by the United States can be summarized as follows:

- 1 The ties support the US hegemony of intelligence power. This emerges as essential for underpinning the desired preventative and pre-emptive foreign and security policies, as well as for maintaining primacy in international affairs. Arguably, on 9/11, the US did not have hegemony of intelligence power for a variety of reasons, such as poor coordination and ‘information overload’.³²
- 2 UK HUMINT complements US HUMINT collection efforts.³³ This is a useful offering, especially as RAND analysts have claimed that ‘the surprise

attacks of 9/11 and flawed intelligence about Iraq illuminated acute U.S. weaknesses in HUMINT'.³⁴

- 3 Concerning SIGINT, an element of UK–US dependency is apparent,³⁵ with the UK especially helpful to the US as a ‘back-up’ in times of ‘crisis’. Typically, in January 2000, the UK GCHQ assisted the US National Security Agency (NSA) during a period of computer ‘outage’.³⁶
- 4 The UK helps provide US intelligence with a useful OSINT service. A close partnership thrives between the UK Foreign and Commonwealth Office (FCO) part-funded BBC Monitoring and the US (CIA’s) Foreign Broadcast Information Service (FBIS) – re-packaged as the US Office of the Director of National Intelligence (ODNI)’s Open Source Center (OSC) in November 2005.³⁷
- 5 The UK remains consistently and enduringly interested in *Weltpolitik*. Mindful of its Commonwealth and other obligations to ‘friends and allies’, the UK intelligence and foreign policy machinery continue to operate on a global scale, rather than on a narrower merely regional basis. The frank UK–US exchange and analysis of global views is allowed, and, for better or worse, the generation of at least some shared UK–US perceptions. This is a development perhaps exemplified by certain American intelligence officials regularly attending some UK Joint Intelligence Committee (JIC) meetings.³⁸

Arguably, a further advantage provided by the close UK–US intelligence relationship is preventative. Washington would not wish to see the emergence of a European intelligence bloc, which, as an independent entity, would offer serious information competition.

5.0 Shared gains and strains

For both the United States and the United Kingdom, economic considerations are significant in terms of burden sharing. The UK–US intelligence relationship and its drivers appear to be easily rationalized by the ‘economic-reductionist’ position. However, while perhaps a useful starting point, this position is inadequate when striving for a fuller understanding. Ultimately, it fails to capture the full inherent complexities and dynamics. UK–US intelligence relations consist of more substance than simply ‘cost’ or ‘balance sheet’ considerations and the narrow quid pro quo basis, or ‘tangibles’.³⁹ Values, ideas and ‘intangibles’ are also involved.⁴⁰

However, the relationship does not always flow smoothly. While there exist broadly agreed UK–US ‘ends’, at times different ‘styles’ and ‘methods’ of reaching those ends can generate some tensions of differing degrees of intensity. This has been underlined by recent controversies over counter-terrorism and ‘extraordinary renditions’.⁴¹ These tensions are arguably kept ‘contained’ through careful management. This was seen during the Katharine Gun GCHQ-‘whistleblower’ affair in 2003–4.⁴² As former CIA operative Fred Hitz has noted: ‘Aren’t the CIA’s supposed relations with liaison services like ... the British

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more important than one spy?’⁴³ Hitz continues by concluding about intelligence liaison relationships generally that ‘relations between “friendly” intelligence services will blow hot and cold, depending on the times and the issues in play’.⁴⁴ This observation certainly resonates vis-à-vis UK–US intelligence relations.

Evaluating the nature of UK–US intelligence relations is never entirely divorced from an assessment of the broader UK–US relationship and its ‘specialness’. Drawing on the different ‘schools’ of interpretation present in the literature concerning the nature of generic UK–US relations, the UK–US intelligence liaison relationship similarly represents a ‘complex coexistence plurality’ of the different positions. UK–US intelligence liaison reflects elements of the dominant modes of: (a) ‘evangelicalism’ – where the role of emotional, personal ties and sentiment (values) are especially emphasized; and (b) ‘functionalism’ – where there are specific functional *purposes* behind UK–US relations, such as witnessed during the Second World War and again during the so-called ‘War on Terror’ and ‘Long War’; and in more of a minor mode, (c) the ideas of ‘terminalism’ – where an end to the ‘specialness’ of UK–US relations is posited, either as a result of gradual British absorption into Europe or else American isolationism.⁴⁵

Similar to that of other ‘core’ areas in international relations – such as over nuclear weapons – the balance between the different positions struck in the UK–US intelligence relationship is of greater importance. Hence these relations are more carefully protected and managed. In turn the intelligence dimension is accorded more ‘specialness’.⁴⁶ Ultimately this stems from there being something specific of greater value at stake for both parties involved, intelligence itself.

Part II

**UK–US intelligence liaison
in action**

2 Enhancing interoperability

Structural UK–US intelligence liaison in the early twenty-first century

We are now in the midst of a ... revolution [in information technology and connectivity] in military communications. Proprietary solutions, where each nation develops its own radios and waveforms at the cost of wider interoperability, are becoming a thing of the past. Instead we are seeing international standardisation ... and interoperability emerge as the watchwords.

(Bruno Rambaud, Senior Vice-President and
Managing Director of Thales, 2006¹)

1.0 Introduction

‘American help is vital’, succinctly noted an article on British Intelligence in *The Economist* in March 2005.² This chapter examines the extent to which UK and US interoperability is underpinned and enhanced by structural factors. Accordingly, the following issues are analysed: (a) who is involved in UK–US intelligence liaison, which agencies and which roles; (b) what type of liaison takes place; (c) when and where it takes place, as well as how it is conducted. Finally, the claims made by some commentators that UK–US intelligence liaison is structurally ‘ever closer’ are evaluated. Following in the wake of high profile inquiries into both UK and US intelligence, Dan Plesch, Director of the Centre for International Studies and Diplomacy, SOAS, London, claimed in 2005 that, despite increased media coverage, the UK–US intelligence relationship ‘has not yet received the attention it deserves in Britain’.³ Certainly, the structural issues that are addressed in this chapter have received little attention from academics.

A plethora of conduits exist. These are found in each of the specific areas liaised over – such as HUMINT, SIGINT, etc.⁴ – figuring as relatively self-contained channels, although naturally there is sometimes overlap. Over time each of these links, together with their multiple ties within them, enjoy varying degrees of ‘specialness’. Matrix characteristics are also reflected.

The greatest UK–US intelligence interactions occur in the *overt* intelligence realm, through outreach activities concerning information-exchange. While, in the *covert* intelligence realm – roughly descending from the broadest (‘need to share and pool’) to narrowest (‘need to know’) domains of exchange, the interactions concern: open source intelligence (OSINT), SIGINT, defence and

military intelligence (MILINT or MI) – including measurement and signature intelligence (MASINT) and imagery intelligence (IMINT), etc. – and finally HUMINT. Extending beyond these increasingly technically automated channels, are more *collaborative* interactions. These are structurally orientated around specific tasks that have an increasingly central intelligence component, notably in the domains of law enforcement and military operations. In parallel there exist interactions involving all-source and intelligence analysis and assessment (estimate) material, including a degree of input from all of the above ‘INTs’.

Over time, each of the above links and their associated ties contribute towards sustaining the overall UK–US intelligence relationship. For the United Kingdom at least, maintaining a close UK–US intelligence relationship has moved beyond being merely a central component of overall UK foreign policy towards being more ‘an ingrained habit’ that is rarely questioned.⁵ The 2007 inquiry by the United Kingdom’s ISC into renditions clearly highlighted how necessary the US help was to the United Kingdom. Adjustments would not be undertaken lightly:

We have been told by all three Agency Heads that their intelligence-sharing relationships with foreign liaison services are vital to counter the threat from international terrorism. The U.S. link is the most important, not least because of the resources the U.S. agencies command. The Chief of SIS [Sir John Scarlett] told the Committee:

The global resources of CIA, FBI and NSA [National Security Agency] are vast... The UK Agencies’ long-developed relationships with U.S. intelligence agencies give them vital access to U.S. intelligence and resources. It is neither practical, desirable, nor is it in the national interest, for UK Agencies to carry out [counter-terrorism] work independently of the U.S. effort.

The Director of the Government Communications Headquarters (GCHQ) [Sir David Pepper] reiterated the value of the relationship to the UK, saying ‘Overall the benefit to the UK from this arrangement is enormous’, and the Director General of the Security Service [Dame Eliza Manningham-Buller (retired April 2007)] said ‘It is unimaginable that we could [cease sharing intelligence with the U.S.] because of the degree of importance of SIGINT and HUMINT and the intelligence they give us’.

The Director General of the Security Service made a further important point about the UK/U.S. relationship – that the two countries are inextricably linked: ‘As [the summer 2006 UK/U.S. airliner plot] showed, their security is absolutely bound up with ours’.⁶

Similarities emerge as important facilitators. As former UK intelligence practitioner Michael Herman notes, the most ‘effective contact is specialist-to-specialist; like talks with like’.⁷ However, this is more easily stated than mapped. To provide at least an initial insight, each of these expanding clusters of specialist

and expert intelligence ties will now be briefly explored in succession. Starting with an exploration of liaison in each of the major intelligence collection disciplines, this chapter will then examine more finished UK–US intelligence analysis and assessment and ‘shared or common perceptions’ liaison. Some further insights into how UK–US and international (or foreign) intelligence liaison is managed and coordinated more generally are also presented.

2.0 UK–US signals intelligence (SIGINT) liaison

Many of the closest ties are over SIGINT. In the realm of covert intelligence, this forms the ‘core’ of the UK–US intelligence relationship⁸ – or, at the least, in the contemporary era of exponentially burgeoning OSINT, SIGINT liaison continues to form one of the relationship’s major supporting pillars. Because of the nature of this dimension, BBC journalist Mark Urban can claim (albeit somewhat controversially) that ‘more than anything else, British intelligence is a system for repackaging information gathered by the USA’.⁹ There is the constant exchange of vast quantities of data between the substantially integrated UK Government Communications Headquarters (GCHQ) and its US counterpart, the National Security Agency (NSA). According to the *Guardian* newspaper’s security affairs correspondent, Richard Norton-Taylor, ‘GCHQ ... has a symbiotic relationship with its American big brother’. He continued, while quantitatively at least

The Americans give more than Britain gives in return ... an internal GCHQ staff manual [dated 1994] notes that the [UK] agency’s contribution to the relationship must be ‘of sufficient scale and of the right kind to make a continuation of the Sigint ... alliance worthwhile to our partners’.¹⁰

Elaborating further, the GCHQ staff manual noted that ‘this may entail on occasion the applying of UK resources to the meeting of US requirements’.¹¹

Intricately networked computer set-ups facilitate the UK–US intelligence interactions over SIGINT. These include the UKUSA ECHELON system, described by US national security scholar Jeffrey Richelson as ‘a computer-based tasking and exchange system ... that allows the various [UKUSA] parties to request, via keywords, data collected by the other’s collection assets and to have it transmitted to the requesting party’.¹² Around 2000, during the debates surrounding the prominent and contested European Parliamentary Inquiry into ECHELON, several claims regarding the capabilities of the system were arguably exaggerated.¹³ The intelligence ‘failures’ surrounding 9/11 demonstrated vividly that the system was not as ‘all-powerful’ as some had claimed. Constant rapid technological developments writ large have also served to keep the UK and US intelligence agencies quickly pushing forward. Both NSA and GCHQ have struggled to stay abreast of rapidly changing communications technologies. This reflects operating in a context where every second across the world millions of emails are sent, together with confronting the burgeoning challenges of voice communications and other social interactions now harnessing the power of the

Internet, such as via Skype™ and Facebook™.¹⁴ Having spent the Cold War monitoring essentially slow-moving technological relics, in a ‘newer’ era of globalization and associated fragmentation, NSA and GCHQ are now trying to keep pace with commercial off-the-shelf developments that rest in the hands of multiple actors.¹⁵ Arguably, these developments are proving hard to address.¹⁶

A high volume of data is gathered and processed. Much is undertaken as part of the bilateral UK–US sharing arrangements, also involving the ‘exclusive’ multilateral UKUSA arrangement. Tasks include monitoring e-mails, faxes, mobile (cell) and fixed-line telephone calls and electronic (financial and bank) transactions.¹⁷ Moreover, the volume of data processed has increased exponentially in the so-called ‘War on Terror’ context, also requiring ever-greater finite targeting.¹⁸ Closely associated data issues – related to its handling, loss, and storage – have similarly increased.¹⁹ Indeed, the volume of data, or data intelligence (DATINT), processed in the UK–US intelligence relationship is so vast, that there is considerable anxiety about the issue of ‘information overload’.²⁰ As Canadian intelligence scholar Wesley Wark stressed in 2003: ‘“Information overload” is now a common problem for all major intelligence systems’.²¹ This requires the constant application of ever-more sophisticated data filtering and search-and-retrieval software.²² In 2000, Harold Shukman underlined this problem: ‘Are the intelligence services faced by the paradox that too much data can mean too little understanding?’²³ Inevitably, serious time lags are involved due to the processing (including translation) of the increasing quantities of data gathered. A possible case where these ‘time lags’ were witnessed, with a consequent negative impact, was the Omagh bombing of 1998.²⁴

NSA and GCHQ operate closely together. There is routine ‘physical’ liaison to varying degrees on more of a regularized everyday basis. This is facilitated through a sizeable exchange of staff both at headquarters level (Fort Meade and Cheltenham), including UKUSA senior liaison officers, and with the running of joint UK and US staffed monitoring sites located in different parts of the world.²⁵ Liaison simultaneously occurs ‘virtually’ through the constantly networked and highly integrated computer systems and platforms, allowing access to the substantially pooled SIGINT.

Through these channels, US National Reconnaissance Office (NRO) activities are also closely involved. Via this route the United Kingdom acquires some access to US ‘spy’ satellite output, where intelligence ‘product’ comes from a sophisticated satellite system offering global coverage.²⁶ Indeed, the United Kingdom is a part investor in that system. Rather than (explicitly) developing the United Kingdom’s own highly expensive series of satellites for espionage, surveillance and monitoring purposes – and after the United Kingdom’s own short-lived pursuit of the ‘ZIRCON’ satellite project in the 1980s²⁷ – today the United Kingdom contributes a sizeable sum of money towards the US ‘spy’ satellite system. Thereby at least some privileged access to the valuable data gathered is procured and some input into targeting is accommodated.²⁸

By 2006, further technological advances in the satellite sector had emerged. Some ramifications of these developments for the UK–US intelligence liaison

relationship could be readily anticipated.²⁹ Reportedly in 2006, according to defence analyst Bruce Sweetman, again ‘the idea of a UK-operated space constellation is being taken seriously within the UK MoD’. He continued, ‘strategically, one goal of a UK space programme would be to give the MoD and intelligence community more to offer its US allies, in exchange for continued or improved access to US satellite data’.³⁰ Furthermore, the Eros satellites ‘contain no critical US technology’, such as the US DoD-developed Global Positioning System (GPS), meaning ‘that the US government exercises no “shutter control” [“switch-off”] over the system’.³¹ Wing Commander Mark Presley, the director of space strategy at the United Kingdom’s air staff, remarked ‘the UK is a leader in small space technology, and that provides an opportunity for indigenous capability and influence with our allies’.³² In the short-term, through pursuit of such a strategy, greater bargaining and leverage potential in this area of UK–US relations could be better facilitated. In the long-term, a wider range of alliance options might be entertained.³³

Additionally, March 2007 saw the launch of the upgraded UK ‘Skynet’ 5A satellite.³⁴ Prescribed tasks reportedly include delivering ‘secure, high-bandwidth communications for UK and allied forces’.³⁵ As Sweetman explained:

The practice is to offload mundane [data] traffic on to commercial satellites and then to use a complementary, secure proprietary system for the traffic that has to be protected. . . . Take for example the capability of unmanned air vehicles [UAVs]. These generate a lot of imagery and that has to be passed over a secure communications link. Modern warfare involves passing around a lot of data [including processes such as transferring SIGINT], and that puts a premium on satellite capacity.³⁶

Once gathered and processed, dissemination of SIGINT ‘product’ is undertaken. The SIGINT ‘take’ tends to be more pooled between the United Kingdom and United States. Also it tends to be shared more widely with varying degrees of ‘exclusive’ multilateral distribution, on a ‘need-to-share and pool’ basis, for example with the other UKUSA partners.³⁷

3.0 UK–US human intelligence (HUMINT) liaison

Exchange of HUMINT differs markedly. In contrast to SIGINT, HUMINT tends to be shared more narrowly and directly on much more of a strict ‘need-to-know’ basis. Interactions are usually confined to being bilateral. These involve a carefully managed range of trusted individuals within the selected intelligence services, operating on more of a case-by-case basis. Within the UK–US intelligence relationship, the ties on the HUMINT front are mainly (but not exclusively) between the UK Secret Intelligence Service (SIS/MI6) and the US Central Intelligence Agency (CIA).³⁸ The US Defense Intelligence Agency (DIA) and its Defense HUMINT Service (DHS) or Defense HUMINT Management Office (DHMO) – created in 2005 – is also sometimes involved.³⁹ Demonstrating the

value of the United Kingdom to the United States in the realm of HUMINT, former Assistant Director of Central Intelligence for Analysis and Production, Mark Lowenthal, has noted that: ‘British HUMINT does not completely overlap that of the United States, with Britain having some advantages in Commonwealth countries’.⁴⁰

The necessity for the restrictions encountered remains obvious. Security is a paramount concern in the realm of HUMINT. The controls address counter-intelligence anxieties and also maintain at least a form of intelligence protectionism. The core objective is to reduce the risks to sources and methods.⁴¹ Indeed, these forms of control, and the associated ‘sanitization’ of intelligence, are at their most apparent during two occasions: (a) declassification; and (b) when in operation vis-à-vis the interactions within forums where the broader forms of intelligence liaison are undertaken. This is most visible in the ‘less-exclusive’ multilateral intelligence sharing arrangements (for instance, when compared with UKUSA), such as at the North Atlantic Treaty Organization (NATO).⁴² As US defence expert Derek S. Reveron has observed:

Multilateral relationships through organizations like NATO provide a greater audience for intelligence, but may create counterintelligence concerns greater than the value of the intelligence they produce ... when expanding beyond traditional allies, a variety of practical and counterintelligence concerns arise.⁴³

HUMINT sources and their provenance remain especially sensitive. They thus continue to be closely (and at times jealously) guarded by national intelligence agencies.⁴⁴ As UK journalist Stephen Fidler has observed, demonstrating the importance and high sensitivity accorded to HUMINT intensive operations, ‘Whitehall officials say that intelligence gathered by MI6, obtained they say at great risk to those involved, was critical in bringing an end to Libya’s non-conventional weapons programmes’.⁴⁵ Illustrating how HUMINT works, as well as its general placement alongside other sources when adopting an overall ‘all-source’ approach, Australian analyst Alan Dupont echoes the earlier observations by highlighting that, ‘HUMINT has traditionally been considered a potentially high-value but low-volume contribution to the overall product of Western intelligence communities’.⁴⁶ Accordingly, the practice of closely guarding HUMINT is maintained even in an era of increasingly ‘globalized’ intelligence. It simultaneously demonstrates that observed phenomena, such as the ‘globalization of intelligence’, are not entirely unfettered processes in all domains of intelligence activity.

4.0 UK–US defence and military intelligence liaison (including MASINT and IMINT)

This domain of liaison is expanding rapidly. Doctrinal concepts, such as intelligence, surveillance, (target acquisition) and reconnaissance (ISTAR or ISR), perform an increasingly central role in real-time on the battlefield (or in the ‘battle-

space').⁴⁷ However, here, interoperability obstacles can emerge more starkly and can have a greater impact. This is due to the nature of the tools that are involved, and the frequently high-tempo at which military operations are conducted. Supported by the UKUSA-mirroring MoUs that focus on defence intelligence, the UK Defence Intelligence Staff (DIS) and the US Defense Intelligence Agency (DIA) liaise mainly over MILINT or MI, measurement and signature intelligence (MASINT), as well as imagery intelligence (IMINT).⁴⁸ The UK DIS analysts also liaise with other US intelligence agencies, notably the CIA's Directorate of Intelligence (DI) analysts, over geographic and thematic and functional issues, such as WMD proliferation. With the other components of the DIS Intelligence Collection Group (ICG), formed in June 2006, the UK Joint Air Reconnaissance Intelligence Centre (JARIC), also known as the National Imagery Exploitation Centre, handles UK IMINT, GEOINT and MASINT.⁴⁹ Also overlapping with NSA ties, their main counterpart is the US National Geospatial-Intelligence Agency (NGA), which manages US IMINT and GEOINT (including high-resolution radar-imagery), acquired from satellite sources.⁵⁰

Some US IMINT is also acquired in the field. In 2006, as reportedly 'the British Army's BAE Systems Phoenix UAV cannot operate in Afghanistan's hot and high conditions', this IMINT was obtained by the United Kingdom from the United States, due to 'an agreement with the US Air Force (USAF) to gain access to imagery from the service's RQ/MQ-1 Predators in Iraq and Afghanistan'.⁵¹ Some valuable SIGINT, particularly of the tactical and 'short-range' variety, is simultaneously obtained through the use of these platforms and their ability to fly over battle spaces. However, tactical intelligence sharing is not always smooth, with reports in 2006 highlighting that 'British Army officers in Afghanistan are ... frustrated that they are not getting the level of support required to cope with the current upsurge of Taliban activity and have asked for dedicated UK UAV support'.⁵² These concerns were particularly troubling for the UK military before the delivery of the United Kingdom's own new UAV models (Watch-Keeper 450 and Reaper – a Predator B purchased from the United States – with a strike-capable platform) later in 2007.⁵³ These new arrivals could – at long last by October 2007 – now operate in terrain as diverse as Afghanistan, as well as bring with them the added value of being able to function independently without the United Kingdom having to (overly) rely upon the capabilities of the United States.⁵⁴ By October 2008, British Special Forces were also reportedly 'using six-inch Miniature [or Micro] Air Vehicles (MAV) called WASPs for reconnaissance in Afghanistan'.⁵⁵ The WASPs additionally offered the potential of being 'fitted with C4 explosives for kamikaze hits on snipers'.⁵⁶ Summarizing the element of persisting overall UK IMINT dependency on the United States, Lowenthal observed in 2006 that 'Britain's independent [IMINT] capability is restricted to airborne platforms, but it receives satellite imagery from the United States'.⁵⁷

Sharing over MASINT is also extensive. MASINT is particularly key in assisting UK-US intelligence WMD and non-proliferation detection and verification enterprises. MASINT provides essential data on chemical, biological,

radiological, nuclear and explosive (CBRNE) components and their associated development programmes. It is gathered via a wide range of sensors located across the world, including seismometers. In October 2006, as North Korea claimed that it had conducted a ‘nuclear’ test, the United States revealed that ‘intelligence had detected a seismic event at a suspected test site’.⁵⁸ MASINT is exchanged between the UK and US WMD specialists to aid their individual and joint analysis and assessment efforts. Selected partners beyond, such as other UKUSA members – notably Canada and Australia – are also frequently included within this sharing.⁵⁹

Further liaison occurs in the military context. Concerning the UK and US armed services (army, air force and navy), UK–US intelligence liaison takes place primarily within G2 and J2 departments at their various bespoke headquarters and operational commands.⁶⁰ Activities include joint military planning and operations – involving operations intelligence (OPINT) and, in its handling, operations security (OPSEC) – and occur between ‘conventional’ forces as well as the Special Operations Forces (SOF). Indeed, the close contact maintained between the UK and US Special Forces (SF) dates from their joint operations undertaken during the Second World War. Alongside joint SF training activities and operations, the UK Special Air Service (SAS) has retained at least two operators who liaise with US Delta Force at Fort Bragg in North Carolina.⁶¹ Highlighting the important ‘connective’ role SF can generally perform within this area, the US Joint Chiefs of Staff underlined that ‘SOF units can provide liaison to facilitate multinational and interagency interoperability’.⁶²

The UK–US military intelligence liaison is witnessed both at joint respective home-based headquarters and within their commands in the field. This includes Joint Task Forces (JTF) and Joint Special Operations Task Forces (JSOTF) – for example, as witnessed during the Afghanistan and Iraq wars.⁶³ During Operation ‘Enduring Freedom’ in Afghanistan, UK and US military chiefs and planners worked together at US Central Command (CENTCOM) in Tampa, Florida. In January 2002, as the nature of operations in Afghanistan underwent change, Lieutenant General Cedric Delves, a Falklands campaign decorated veteran SAS commander and deputy commander-in-chief of UK Land Forces, took over from UK Air Marshal Jock Stirrup as the United Kingdom’s leading representative at CENTCOM.⁶⁴ Meanwhile, at the UK Permanent Joint Headquarters (PJHQ) at Northwood, UK staff worked with their US counterparts.⁶⁵ The US Military European Command (EUCOM) Joint Analysis Center (JAC) based at RAF Molesworth, the US Visiting Forces base in Cambridgeshire, UK, also features as an important location where UK–US military intelligence liaison takes place.⁶⁶ Generally, a sizeable number of UK and US military personnel are routinely exchanged between their respective armed forces at all levels.⁶⁷ This has both political and operational importance, as a UK Defence White Paper in 2003 noted:

Where the UK chooses to be engaged, we will wish to be able to influence political and military decision-making throughout the crisis, including during the post-conflict period. The significant military contribution the UK is able to

make to such operations means that we secure an effective place in the political and military decision-making processes. To exploit this effectively, our Armed Forces will need to be interoperable with US command and control structures, match the US operational tempo and provide those capabilities that deliver the greatest impact when operating alongside the US.⁶⁸

Military and defence attachés also figure.⁶⁹ These personnel both conduct liaison on military and defence matters. Based in the UK embassy in Washington and the US embassy in London, their role includes handling military operations-relevant ELINT and SIGINT, such as the tactical and ‘short-range’ varieties (from military-tactical communications, including radios) found in forward battle spaces.⁷⁰ Perhaps the least understood aspect of defence attaché activity is intelligence in support of arms sales, and here presumably liaison and exchange is limited because of commercial competition.⁷¹

5.0 UK–US open source intelligence (OSINT) liaison

UK–US OSINT liaison similarly performs a vital role. Indeed, this is one that is growing exponentially. The vast majority of UK–US intelligence information comes from open source intelligence (OSINT). As CIA Director Michael Hayden remarked to delegates at the ODNI’s Open Source Conference in September 2008:

Open source intelligence is widely recognized as both an essential capability and a formidable asset in our national security infrastructure. As the DNI’s strategic plan puts it ... ‘no aspect of collection requires greater consideration or holds more promise than open source information’.⁷²

In the realm of UK–US OSINT handling, historically there is a long-term and close partnership between the British Broadcasting Corporation (BBC) Monitoring and the US (CIA) Foreign Broadcast Information Service (FBIS) – the latter replaced by the DNI Open Source Center (OSC) in November 2005.⁷³ Recognizing this relationship’s importance, not least to sustaining the overall UK–US partnership, BBC Monitoring, an arm of the BBC World Service, is also partly funded by the UK Foreign and Commonwealth Office (FCO).⁷⁴ Today, operating alongside private sector monitoring companies, 24-hours-a-day and seven-days-a-week, these services monitor and translate a high volume of foreign media and newswire and news agency output. The resulting product is arranged ‘geographically’ and ‘thematically’, and is produced for a large range of both public and private sector clients, from intelligence agencies to think-tanks.⁷⁵ The UK ISC considers the exchange of OSINT between the United Kingdom and the United States via these services as valuable.⁷⁶

The overall OSINT collaboration extends further. In terms of OSINT international partnerships, core relationships include: between the Open Source Branch (OSB) of the Office of National Assessments (ONA) in Australia, the United

Kingdom's BBC Monitoring (including input from the UK Intelligence Community Open Source Joint Working Group), and the US Open Source Center (OSC). More widely, there are OSINT international partnerships within the framework of the 'International Open Source Working Group' (IOSWG), which consists of the United States, Germany, Denmark, the Netherlands, the United Kingdom, Canada, Italy, Austria, Sweden, Israel, Australia, Norway, France and Belgium. All share OSINT via the Internet portal of 'opensource.gov', managed by the US intelligence community.⁷⁷ Again, within this domain of collaboration, 'best practices' and 'standards' are shared across the globe amongst these partners.⁷⁸ The domain of OSINT is where the 'globalization of intelligence' extends to its furthest in the world of *covert* intelligence, while intelligence communities prefer to keep secret *which* open sources interest them.⁷⁹ As Hayden observed:

One irony of working the open source side of the intelligence business is that the better we get, the less we can talk about it. We are often addressing requirements or questions that are sensitive by nature. And open source, while valuable in its own right, is typically combined with information from the other 'INTs'. That's when it packs the most punch.⁸⁰

In the overt intelligence realm there is some considerable *outreach*. Reflecting the presence of transnational knowledge and policy networks, it takes place around tables in the United Kingdom, United States and abroad in other countries, involving varying key societal stakeholders (including practitioners, former-practitioners, academics, private sector, non-profit sector operators and other non-governmental groups).⁸¹ The outreach mainly involves interactions over *information* – for instance, concerning open source (OS) material and research-originating material, or 'RESINT', which offers effective contextualization potential. If properly and fully utilized through effective exploitation, both structurally and culturally, the product gathered in this domain of activity can offer both high volume and high impact assistance to overall intelligence efforts. Security considerations are less pressing and anyone can be included who can potentially contribute usefully to overall intelligence efforts in some manner.⁸²

6.0 UK–US law enforcement intelligence liaison

UK–US intelligence liaison extends further. A more recent addition in terms of participating agencies is the United Kingdom's Serious Organised Crime Agency (SOCA).⁸³ Formally launched in April 2006, after shadow operating during 2005, SOCA has been dubbed by the media as the 'British FBI'.⁸⁴ This comparison is somewhat misleading, despite the fact that certain areas of responsibility overlap with both the FBI and US Department of Homeland Security (DHS), providing useful points of contact for liaison purposes. An amalgamation of the UK National Crime Squad, the National Criminal Intelligence Service (NCIS) and Her Majesty's Customs and Home Office Immigration Service investigators, the purpose of SOCA is to facilitate information sharing on organized crime and related issues.⁸⁵

SOCA also now conveniently provides a single UK agency with which various US agencies can liaise. Bureaux under the control of the US Department of Justice (DoJ), including the US Drug Enforcement Administration (DEA), liaise with SOCA on drug (narcotics) investigations, while the FBI liaises on issues such as money laundering and other financial crime related matters. Bureaux under the US DHS liaise with SOCA on immigration and customs issues, with the DHS also possessing 'an analytical office responsible for integrating information from foreign intelligence and law enforcement sources'.⁸⁶ Joint UK–US conferences are held,⁸⁷ while liaison also takes place with and via SOCA's 'large network of overseas officers'. Again for 'security reasons', further details concerning SOCA officers' exact postings are not provided. Naturally, however, the United States stands out as an obvious location given its strategic and global importance.⁸⁸ As a rule, SOCA prefers to keep 'tight-lipped' about its intelligence liaison activities. Bill Hughes, the director-general of SOCA, remarked in an interview during 2007, that SOCA 'has a low media profile on the basis that while you are singing your praises, you are switching off a lot of your partners'.⁸⁹

More focussed law enforcement intelligence liaison also exists. For example, this concerns particular 'functional' issues such as specific legal cases and investigations. This occurs between the FBI – usually conducted by its overseas-based US embassies' legal attachés ('legats') – the US State Department's 'regional security officers',⁹⁰ and SOCA, the UK (London Metropolitan) Police 'Special Branch' (SO12) and the Anti-Terrorism branch (SO13) – in October 2006 both amalgamated into Counter-Terrorism Command (SO15)⁹¹ – and between conventional UK and US Police forces.⁹² The British Security Service (MI5) is also sometimes involved in these interactions, particularly if the case being liaised over concerns terrorism.

UK and US Customs similarly cooperate closely. In December 2002, the United Kingdom joined the US Container Security Initiative (CSI), by signing a 'Declaration of Principles'.⁹³ This cooperation was later further enhanced by US Customs personnel coming to work at major container ports in the United Kingdom alongside their UK counterparts. Adopting a 'forward borders' approach, these US Customs officials were to perform a specific intelligence-sharing role and to prevent the potential shipping of 'terrorist material' across the Atlantic into the United States.⁹⁴

The issue of accountability also involves some UK–US liaison. There are regular bilateral visits overseas and multilateral conferences between the UK and US (and other countries') intelligence oversight committees.⁹⁵ Some UK–US 'intelligence inquiry' liaison was also undertaken between the UK Butler Committee and the US Robb-Silberman Commission WMD intelligence inquiries.⁹⁶ Although, as the final *Butler Report* of 14 July 2004 noted,

The much longer timetable given to the US Presidential Commission [instead reporting on 31 March 2005] has had the result that, while we had useful initial discussions with them, we have not been able to fulfil the Foreign Secretary's statement that we would work closely with them.⁹⁷

Together with more direct UK–US ties, other transatlantic and plurilateral (Europe-region, EU and Council of Europe–US) interactions occur. These take place in parallel in the domain of intelligence and security cooperation, and concern issues such as the exchange of airline passenger data.⁹⁸ A multitude of arrangements exist, which importantly overlap, and many of these also blur the realms of intelligence and more routine information, such as passenger databases.

7.0 UK–US intelligence analysis and assessment and all-source liaison

‘Pure’ UK–US intelligence liaison has other dimensions. There is also UK–US liaison over ‘finished’ or ‘processed’ intelligence, namely over analysis output in the form of *assessments* (UK) and *estimates* (US). These interactions occur not only between experts and specialists at regular cross-national and cross-agency meetings, but also between ‘higher-ranking’ intelligence assessment ‘committees’, and within terrorist threat assessment and analysis centres, such as the UK Joint Terrorism Analysis Centre (JTAC).⁹⁹ Also in the UK Cabinet Office, there is a UK/US Joint Contact Group (JCG) on Homeland Security, established in 2003.¹⁰⁰

Significantly, in the United Kingdom, the United States is sometimes involved *a priori* in the drafting of the final analyses produced.¹⁰¹ By contrast, the UK Joint Intelligence Committee (JIC) comments on US National Intelligence Estimates (NIEs) *post facto* after their publication.¹⁰² When the JIC meets, liaison officers from the UKUSA partner countries (including CIA personnel) sometimes attend meetings, thereby contributing to UK analysis and assessment processes.¹⁰³ Also, the JIC’s supporting ‘assessment staff’:

Like the three agencies and the DIS . . . maintains its own contacts with analogous overseas intelligence organisations. Such liaison arrangements allow access to information and analysis, which might otherwise not be available. In the case of countries with which the UK has military alliances or faces a common threat, information is shared so that decisions can be taken on the basis of a common perception.¹⁰⁴

Significant implications can flow from these interactions. The exchange of this type of ‘finished’ intelligence reports, judgements, and frequently ‘all-source’ material helps to facilitate the development of shared UK–US perceptions on intelligence issues. Notwithstanding this, if the shared or common perceptions are taken too far, unhelpful episodes of intelligence liaison ‘blowback’, in the form of ‘groupthink’, can occur. Arguably, this was most starkly apparent during the run-up to the 2003 war in Iraq.¹⁰⁵ In these circumstances, liaison undermines its own positive attributes.

8.0 Mapping further UK–US intelligence ties and challenges

Transatlantically, several agencies are involved in liaison activities. Alongside SIS, MI5 also liaises with the CIA, as well as with the FBI and the US Depart-

ment of Homeland Security (DHS).¹⁰⁶ Indeed, especially post-9/11, this is one of the areas where the greatest increase in intelligence and information sharing has occurred – namely concerning the exchange of *domestic*-focussed material, rather than merely that which is *foreign* or *international*.¹⁰⁷

CIA liaison activities can be mapped most readily. CIA staff operating abroad usually belong to the ‘Directorate of Operations’ (DO) – since October 2005 called the ‘National Clandestine Service’ (NCS) – and are based in the CIA ‘stations’ located in US embassies. Alongside specific US intelligence liaison officers (ILOs) posted in that host country, particularly the head of station (HoS), other CIA staff conduct liaison with parties in the host country.¹⁰⁸ Liaison is also conducted on US soil between home-based CIA staff and specialist ‘liaison officers’ from the foreign service being liaised with (‘liaison service’). Usually posted to their own intelligence services’ ‘station’ (or equivalent), located in their country’s Washington embassy, these foreign liaison officers essentially act as ‘intelligence ambassadors’ or ‘intelligence attachés’. In one of her previous jobs, the Director-General of MI5 from 2002 to 2007, Dame Eliza Manningham-Buller, was a ‘senior liaison officer’ in Washington during the early-1990s. Former Deputy-Director of NSA, Barbara McNamara, was ‘Senior United States Liaison Officer’ in London from 2000 until her retirement in 2003.

Less frequently, ‘summit liaison’ is undertaken. This occurs between CIA staff, sometimes including senior personnel, with their counterparts in the liaison service at specific conferences and meetings held in various locations, either abroad or at CIA Headquarters in Langley, Virginia. As *New York Times* national security reporter James Risen has observed: ‘The American and British intelligence services are so close that under normal circumstances, they hold an annual summit to discuss a wide range of issues in a relaxed setting. The year before [9/11] it had been held in Bermuda’.¹⁰⁹

Some SIS liaison interactions can similarly be mapped. In SIS, liaison again takes place between UK ILOs (especially the HoS) based in the host country and various relevant parties in the host country. Liaison also occurs between hosts and other members of UK Intelligence, including those at the most senior levels, at especially arranged summits and meetings. As the *ISC Annual Report 2001–02* revealed: ‘the day after the [9/11] attacks the Director of GCHQ, Chief of the SIS and the Deputy Director General of the Security Service were in the United States, to coordinate the intelligence picture with their US counterparts’.¹¹⁰ Further UK–US intelligence and law enforcement liaison occurs less directly, including at The Hague, between EUROPOL (the European police service) and the US Secret Service. This liaison was facilitated with the ‘formal creation of a Secret Service liaison position at EUROPOL’ in 2005.¹¹¹

Other liaison nexuses emerge when examining operational UK–US and multilateral international intelligence liaison. The top-secret centre in Paris, codenamed ‘Alliance Base’, is worth highlighting. After 9/11, some of the counter-terrorism efforts directed internationally involved input from the interactions undertaken in this significant venue. Reportedly:

Funded largely by the CIA's Counterterrorist Center, Alliance Base analyzes the transnational movement of terrorist suspects and develops operations to catch or spy on them ... The base is unique in the world because it is multinational and actually plans operations instead of sharing information among countries.... It has case officers from Britain, France, Germany, Canada, Australia and the United States.¹¹²

Providing counter-narcotic operations intelligence support with other multinational contributions, in theatres such as Afghanistan, the UK–US-run Joint Narcotics Analysis Centre (JNAC) provides another nexus.¹¹³

Limits remain, however. Despite the presence of the extensive range of various structural facilitators, the liaison undertaken within them is not always entirely straightforward. Most obviously, some structural obstacles to liaison are encountered. As US defence expert Derek S. Reveron notes, 'the sheer number of organizations in the U.S. intelligence community presents a major challenge for internationalizing the community'.¹¹⁴ Some 17 agencies including the Office of Director of National Intelligence (ODNI)¹¹⁵ exist; together with the parallel presence of other substantial intelligence entities, beyond the formal US intelligence community, which also enjoy extensive international relationships – for example, the New York Police Department.¹¹⁶ This diversity can have important implications for intelligence sharing. As Dr Thomas Fingar, Deputy Director for National Intelligence for Analysis and Chairman of the US National Intelligence Council (NIC), highlighted in March 2008:

The scale of our community is intimidating to some. So we get the 'We want to be able to have access and take advantage of what you're doing, but we're kind of nervous about our stuff being in it.' I have kind of a flip answer, which is simple. If you don't trust my analysts to use your material, you shouldn't expect them to be providing any analytic judgment to share with you ... it resonates.¹¹⁷

There are also growing worries about 'technology gaps' between international partners impacting operationally; as well as there being enduring concerns about UK (and European) and US practice and legal differences influencing operations. These also include concerns about in which directions and to what extent those operations can be pursued.¹¹⁸ In their *Renditions* report of June 2007, the ISC observed:

The UK/U.S. relationship has a long history based upon shared goals, common values and complementary intelligence capabilities. This is not to say that the UK and U.S. Governments necessarily see eye to eye on all subjects – there are certain areas of foreign policy and strategy where the two countries have quite different approaches. There are also certain aspects that complicate the relationship between the respective intelligence and security agencies – for example, the possibility that UK assistance to a U.S. operation might result in a trial leading to capital punishment.

Demonstrating some of the UK–US operational constraints, the report later continued, ‘Where credible assurances cannot be obtained, the Chief of SIS [Sir John Scarlett] explained “... *then we cannot provide the information. Therefore you have the dilemma [of perhaps not being able to prevent attacks] that flows from that*”’.¹¹⁹

Informal liaison is also important. Beside the more ‘formal’ conferences and official venue interactions, some more personal and friendship-aided UK–US intelligence liaison takes place in more informal settings. This liaison is hard to quantify, however.¹²⁰ Indeed, it is the most challenging to measure, including in terms of its qualitative range and scope – namely in what it can achieve. The NSA ‘Koza communication’ revealed during the Katharine Gun GCHQ-‘whistleblower’ affair is a good example.¹²¹ It is unclear to what extent informal liaison operates outside of, and beyond, the more formal liaison constraints. The US phrase ‘friends and allies’ resonates here, encapsulating the different liaisons.¹²²

9.0 Management of UK–US and international intelligence liaison

Some central control of liaison remains essential. Inside the CIA – traditionally at least – the ‘Office of Collection Strategies and Analysis’ (CSAA), under the ‘Directorate of Intelligence’ (DI), manages international intelligence liaison while ‘develop[ing] policies on foreign intelligence-sharing activities’.¹²³ In SIS, the responsibility for liaison ultimately rests with ‘the Chief’ (‘C’). As the ISC’s *Mitrokhin Inquiry Report* disclosed in 2000: ‘SIS’s authority in passing information to its liaison partners derives from Section 2(1) of the ISA [Intelligence Services Act (1994)] which gives the Chief of SIS the control of the Service’s operations’. Moreover, ‘Section 2(2)(a) obliges the Chief of SIS to ensure that no SIS information is disclosed except so far as necessary for various listed purposes. These include disclosure in the interests of national security’. Showing where quid pro quos again have a relevant impact, the report continued: ‘These interests are served by reciprocal exchanges of intelligence between liaison partners’.¹²⁴ The UK JIC, for example when ‘tasking’ SIS, supplies additional guidance concerning permissible liaison. Indeed, the remit of the JIC also includes the responsibility ‘to maintain and supervise liaison with Commonwealth and foreign intelligence organisations as appropriate, and to consider the extent to which its product can be made available to them’.¹²⁵

Intelligence liaison takes place in multiple locations throughout the whole organization of SIS. It concerns both geographical (regional) and functional (thematic) desks, and it is associated with both the Requirements Department and the Operations Department. More recently, following the Butler Inquiry into WMD intelligence in July 2004, ‘the most significant reform [of SIS] is the creation of a head of requirements post ... The new interface function will include liaison relationships with foreign services and other exchange partners’.¹²⁶ Reportedly, the head of requirements post holder would be ‘a senior “quality

control officer” ... who will be known as “R” ... for reporting officer ... responsible for reviewing secret information’.¹²⁷ Stronger micro-management of these intelligence liaison relationships can also be anticipated. This is alongside a greater challenging of the intelligence received as part of the enhanced ‘professionalization’ of intelligence, particularly in the wake of the high profile UK and US intelligence inquiries. Indeed, as UK intelligence scholar Philip H.J. Davies has highlighted: ‘Butler identified a structural weakness in SIS’s quality control system embodied in its Requirements machinery’.¹²⁸ A fix was sought.

More focussed coordination of international intelligence liaison would be helpful. Concerning the management of US intelligence liaison relationships, as US intelligence scholar Jennifer Sims has emphasized, ‘policy oversight of liaison has, until 2005, largely been the responsibility of the Director of Central Intelligence (DCI)’. She continued, raising some contemporary concerns: ‘In the transition to the new structure, in which a Director of National Intelligence (DNI) now heads the Intelligence Community, responsibility for oversight of liaison requires urgent clarification.’¹²⁹

In 2004, there were attempts to achieve greater clarity concerning the management of liaison. This occurred as responsibility for overseeing foreign liaison was added to the substantial remit of the newly created post of DNI.¹³⁰ Sims is right to be concerned. These qualitative movements emerged just as liaison is increasing exponentially. Arguably, a greater ‘dilution’ of the management of liaison has occurred. US intelligence scholar Stan Taylor raised some further concerns:

The DNI was supposed to be given the necessary personnel and budget authority to enforce greater cooperation. While cooperation is greater in some areas of the IC than it was earlier, the failure to include many of the Department of Defense (DoD) intelligence operations under the authority of the new DNI is widely seen as a weakness of the 2004 reorganization. ... The intelligence activities of the DoD have grown dramatically since 2001, most recently by its placement of Military Liaison Elements (a euphemism for military special forces teams) in more than a dozen embassies around the world.¹³¹

By 2007, these concerns were being officially rebuffed. The claim surfaced from the ODNI that the US Intelligence Reform and Terrorism Prevention Act of 2004

Did more than create the Office of the Director of National Intelligence – it charged the Office with significantly reforming and strengthening America’s Intelligence Community. Under the leadership of Director John D. Negroponte, the ODNI has revitalized, reformed, and led the Community to better protect our nation ... [including the creation of] the Foreign Relations Coordinating Committee *to synchronize Intelligence Community foreign outreach efforts and maximize opportunities for the U.S. to achieve intelli-*

gence goals and national policy objectives. For example, a new intelligence relationship was expeditiously established with a country and an existing relationship with another country is being enhanced *as a Community effort instead of the traditional 'stove-piped' approach to partner relationships.*¹³²

Were foreign liaison relationships now becoming less compartmentalized, at least within the US intelligence community? It appears so, at least on paper and in some areas. However, demonstrating that in the United States the management of foreign liaison relationships is not solely confined to the DNI level or to happening just within the CIA, or even solely within the other civilian US intelligence agencies, the US defence intelligence agencies also have powerful 'foreign disclosure offices' to help manage their foreign intelligence liaison relationships.¹³³

The sheer scale of the US intelligence community ensures that a complex range of liaison relationships thrives. Moreover, they are likely to elude detailed central control. Here, somewhat of a conundrum emerges: to what extent should international intelligence liaison relationships be subject to centralized coordination? Indeed, evident in both the United States, and arguably to a slightly lesser extent, the United Kingdom – due to the element of enhanced input coming from the JIC – the coordination of international intelligence liaison relations instead essentially exists in a more devolved manner. Responsibility for the management of those relationships remains largely within the specific channels outlined throughout this chapter.

10.0 UK–US intelligence liaison and technology

In the realm of intelligence liaison, growing emphasis is placed on technology.¹³⁴ However, in some circumstances, the emphasis on technology and what it can deliver can be exaggerated.¹³⁵ There are also concerns that techniques such as data-mining and terrorist profiling can occlude other dimensions, such as HUMINT efforts. As former CIA operative Bob Baer argued:

Like the rest of Washington, the CIA had fallen in love with technology. The theory was that satellites, the Internet, electronic intercepts, even academic publications would tell us all we needed to know about what went on beyond our borders.¹³⁶

Arguably, the 'over-reliance' on technology was most clear in the mid-1990s. This was when post-Cold War intelligence budgets had recently been cut, and to try and compensate there was increased emphasis on what TECHINT could deliver.¹³⁷

These 'tools' can transgress upon other important considerations, notably civil liberties and privacy.¹³⁸ Worries also prevail about 'technology-gaps' between partners hampering cooperation and interoperability – for example, within military coalitions. This includes core allies, such as the United Kingdom

and United States – although considerable lengths are gone to in order to try and effectively address these types of concerns, of which the United States is acutely aware.¹³⁹ For instance, arrangements such as ‘backwards interoperability’, whereby old and new systems can work together, are encouraged.¹⁴⁰ Constant modernization programmes vis-à-vis SIGINT are similarly witnessed. In 2008, the UK ISC noted their satisfaction that,

Despite the substantial costs involved, the current SIGINT Modernisation [SIGMOD] programme represents an essential investment in maintaining GCHQ’s technological capabilities. Given the unremitting progress of technology – particularly internet-based communications – we believe it is vital that plans and budgets are established early to ensure that GCHQ is able to continue vital modernisation work.¹⁴¹

Several ‘systems’ and ‘architectures’ are involved. These are designed to help facilitate internal, both in the United Kingdom and the United States, and external UK–US intelligence liaison.¹⁴² Although, they vary in terms of their overall effectiveness and, at times, have been plagued with expensive development problems.¹⁴³ By 2006, US Intelligence looked set to share one of their more recently developed intelligence databases with their primary UKUSA allies, the United Kingdom, Australia and Canada. This concerned the so-called ‘Intellipedia’, which is designed to facilitate intelligence and information sharing.¹⁴⁴ Sometimes, the development of hardware and software is done ‘in-house’ (privately) by specially recruited specialist programmers; at other times, it is obtainable from commercial sources – such as Microsoft™ – in either an exclusively developed or in a more publicly available (off-the-shelf) form.¹⁴⁵ At the various different points of contact, there are many databases, so-called ‘watch lists’¹⁴⁶ – itemizing ‘persons of concern and interest’ – and computer programmes involved, enabling instantaneous cross-linking and referencing.¹⁴⁷ The tasks the technology focusses on include: the sharing of intelligence, forensics, protection of borders, surveillance operations, processing biometrics and identification (DNA, fingerprints, etc.), processing visa and passport controls, the pooling of research and training, and preventing and countering cyber and electronic attack.¹⁴⁸ Carefully selected product for dissemination across the Atlantic from each party’s own exclusive databases, such as the United Kingdom’s SCOPE, can also be shared or made available for access.¹⁴⁹ As the US Government revealed in 2006, ‘within hours of the July 2005 bombing of a London commuter train, Scotland Yard was able call upon law enforcement expertise worldwide’. This was ‘thanks to DFuze, a database developed by the U.S. Department of Justice’s Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)’. ATF Assistant Director of Strategic Intelligence, Jim McDermond, observed: “DFuze allows our foreign partners to seamlessly transfer knowledge as a case unfolds,” making the database a useful tool in the global war on terrorism’.¹⁵⁰

The COMSEC or INFOSEC dimension of intelligence management is also directed by both the UK and US SIGINT agencies. In its contemporary form,

‘information assurance’ (IA) is currently maintained by the Communications-Electronics Security Group (CESG), an arm of GCHQ,¹⁵¹ and by NSA’s Information Assurance Directorate (IAD).¹⁵² The structural information computer and communications technology (ICT) and COMSEC components, systems and architectures form an especially complex dimension. Constant negotiation is involved with defence bureaucracies over control and the extent to which sharing is either bilateral or multilateral.

In 2004, the United Kingdom and Australia were eventually allowed some ‘special’ access to the US Secret Internet Protocol Router Network (SIPRNet) – viewed as the foremost computer network for accessing and communicating US classified and secret material. The ‘NOFORN’ (No foreigner or US eyes only) restriction was removed exclusively for the United Kingdom and Australia, after US President Bush signed a directive in July 2004, following pleas from UK Prime Minister Tony Blair and Australian Prime Minister John Howard.¹⁵³ This reflected pressing operational demands, and the need to conduct more closely coordinated and well-informed joint operations in Afghanistan, Iraq and elsewhere.¹⁵⁴ In 2001, militaries recognized that ‘full interoperability between forces would depend upon integrated collaborative planning, based on the maintenance of a common operating picture and common intelligence inputs’.¹⁵⁵ Enhanced standardization amongst partners was to be the way forward, but it has taken some years to achieve.

Access to SIPRNet again demonstrated the UK and Australian privileged intelligence status with the United States.¹⁵⁶ However, some scepticism remains concerning the exact nature of the access in terms of its extent. Operationally, some frustrations have been apparent.¹⁵⁷ Most troublingly, reputedly even UK content put onto the US SIPRNet platform could not be shared back to the United Kingdom unless it had been explicitly sanitized and cleared for release to the United Kingdom.¹⁵⁸ Elements of US originator control (ORCON) considerations, as well as their rigorous application, continued to complicate sharing. However, in general terms, overall this development can be seen as positive, and the problems encountered are not insurmountable.

Other information and intelligence sharing and exchange systems have developed in parallel. These become of increasing importance as various multi-lateral coalitions are formed to deal with the contemporary globalized security problems. For assisting information and intelligence exchange between countries, available more widely is the US Combined Enterprise Regional Information Exchange System (CENTRIXS). Reveron noted that ‘the system not only enables the United States to collaborate with its partners, but also allows the partners to collaborate with one another’.¹⁵⁹ He added ‘the Global Counterterrorism Task Force uses this capability with approximately fifty countries’.¹⁶⁰ Again, this system and similar, associated spin-offs are very much works-in-progress. They are regularly updated and upgraded, evolving in a manner reactive to requirements.¹⁶¹ Recent multi-national military operations, such as ‘Iraqi Freedom’ in Iraq and ‘Enduring Freedom’ in Afghanistan, have continued to reveal flaws that need to be addressed.¹⁶² In 2006, an RAF Squadron Leader

highlighted her concerns about information-sharing shortcomings and frustrations experienced during Operation ‘Iraqi Freedom’. She also demonstrated how these sorts of obstacles were largely mitigated operationally:

CIS [Coalition Information Sharing] systems were also a problem, with the US operating on their infinitely superior SIPRNET system, which was not releasable to UK eyes without US supervision, while the UK operated its myriad CIS systems, and had access to CENTRIX; a US CIS system, with AUS/UK access, onto which AUS/UK releasable SIPRNET information could be transferred. However, the process was ‘mandraulic’ rather than automatic, requiring our US counterparts to find the time (in a high tempo operational environment) to decide on and implement the transfer of information. Again, these challenges tended to be overcome through face-to-face dialogue and the development of good working relationships, although not without costs to efficiency.¹⁶³

Some lessons were learnt. By mid-2006, reportedly Coalition Information Sharing (CIS) architecture was being assessed by US Central Command (CENTCOM) as a possible, and arguably more simplified and streamlined, alternative to CENTRIXS. According to CENTCOM’s Chief for Data Systems, Lieutenant Colonel Alan Claypool, the CIS architecture ‘could also provide technologies for migration to the US Multinational Information Sharing (MNIS) and Global Information Grid (GIG) programmes’.¹⁶⁴ These developments suggest that a new generation of systems to facilitate intelligence liaison are being constructed.¹⁶⁵ Yet, despite these movements, questions still linger surrounding exactly how far the interoperability extends. Some ‘technology gaps’ will remain, albeit if in slightly reconfigured forms and being closed at different rates.

11.0 Conclusions: Structurally ‘ever closer’?

Significant changes have emerged. As the former Director General of MI5 (1992–6), Dame Stella Rimington, observed in 2001:

Secret services are not usually associated with cooperation and sharing. It sounds like a contradiction. But in a world where the threats get more sophisticated and more global, the intelligence task gets more difficult, and cooperation between intelligence allies is vital and grows ever closer.¹⁶⁶

On balance, UK–US interoperability has been enhanced and intelligence liaison appears to be structurally ‘ever closer’. Relations are physically closer, if not so much spiritually or culturally. While many of the ties and infrastructures in the various domains of UK–US intelligence liaison – notably SIGINT, HUMINT, etc. – already existed prior to the 9/11 attacks, many of these were considerably reinforced, consolidated and expanded in the wake of the attacks. The extent of

the effectiveness of these structures to facilitate UK–US intelligence liaison has also been tested over time during high-tempo military operations in Afghanistan and Iraq. Several difficult lessons have been learned.

Agency reorganizations in both the United Kingdom and United States contributed to enhanced liaison. The creation of the US Department of Homeland Security (DHS) from 2002, and the UK SOCA from 2004, helped to provide several further UK and US security and law enforcement conglomerates. These both consisted of amalgamations of previously more dispersed agencies. Arguably, they then helped facilitate the development of clearer UK–US liaison ‘connection points’ concerning particular intelligence and law enforcement issues.

Nevertheless, such developments are not entirely beneficial. One of the claimed significant downsides is that as the UK–US intelligence services have increasingly moved ‘ever closer’ to one another, the ability in either the United Kingdom or the United States to call their activities effectively to account, both democratically and publicly, has haemorrhaged.¹⁶⁷ At least for ‘outsiders’, it is increasingly difficult to unpack ‘individual’ UK and US intelligence agency activities from those jointly taken in concert with their major primary partner.¹⁶⁸ This disaggregation is especially hard to ascertain once intelligence product has been subject to ‘sanitization’ processes purposely intended to protect sources and methods. As the former UK Foreign Secretary Robin Cook noted in his testimony to the UK Parliament Select Committee on Foreign Affairs (FAC) in June 2003: ‘it is often difficult when you look at intelligence assessments to spot which raw data was originally gathered by the United Kingdom and which was originally gathered by the United States’.¹⁶⁹

However, all has not become entirely ‘homogenized’. Together with the trends representative of convergence, some broader UK and US intelligence community differences persist. Most obviously, the scale and size factor can be highlighted. The US intelligence community is considerably larger than the UK intelligence community. For instance, the US intelligence community consists of 17 agencies (and of approximately 100,000 employees¹⁷⁰) to the UK intelligence community’s three agencies and the Defence Intelligence Staff (DIS) (collectively some 13,400 employees¹⁷¹). The US intelligence community also enjoys access to significantly more resources. For example, while in the United Kingdom, according to the IISS ‘the annual allocation rose from £1.31 bn [\$2.57 bn] in 2004 to £1.48 bn [\$2.90 bn] in 2006’;¹⁷² in the United States it accidentally ‘slipped out’ that the annual US intelligence budget (around the end of 2005) was \$44 bn (£22.45 bn).¹⁷³ A slightly higher budgetary figure can also be obtained in the United Kingdom ‘when defence expenditure on strategic intelligence is added to the declared British Single Intelligence Vote’.¹⁷⁴ Given the dynamic nature of the contemporary threats confronted, both the UK and US intelligence budgets will have risen further since those dates. Reportedly, the United Kingdom will be ‘spending £3.5 bn a year on counter-terrorism’ by 2011, according to the Home Office.¹⁷⁵

A common factor has been the erosion of secrecy on both sides of the Atlantic, not least with regard to the size of current intelligence budgets. Somewhat to

the chagrin of the ODNI, the official US intelligence budget was formally declassified in October 2007. According to Walter Pincus of the *Washington Post*, it was now said to stand at:

\$43.5 billion budget total for national intelligence programs... When the cost of intelligence by the military services is added, aggregate U.S. intelligence spending for fiscal 2007 exceeded \$50 billion, according to administration and congressional sources, who spoke on the condition of anonymity because the total remains classified.¹⁷⁶

Even with ‘like talking to like’, connecting to such a leviathan is increasingly challenging for the United Kingdom, with so many differing, yet relevant, US intelligence players to consider. During the early years of the twenty-first century, the intelligence ‘centre of gravity’ in the United States has undergone a shift.¹⁷⁷ It has moved more to the Pentagon and the other military agencies, away from the CIA and the other civilian intelligence agencies.¹⁷⁸ Such internal US adjustments have significant reverberations affecting the United Kingdom’s own intelligence community – not least in how it interacts with its US counterpart, both transatlantically and elsewhere across the world.¹⁷⁹ Here, further UK–US differences, including adherence to different laws and practices – such as the rendition and ‘intensive interrogation’ techniques witnessed during the Bush era – similarly figure. The precise nature of these difficulties and concerns are explored in the following chapters.

Evaluating UK–US intelligence liaison in the early twenty-first century

Chapters 3 and 4 evaluate episodes of UK–US intelligence liaison: first, against terrorism;¹ and second, against weapons of mass destruction (WMD) proliferation.² These represent the key issue-areas over which the UK and US intelligence communities have constantly liaised since 9/11 and during the progression of the so-called ‘War on Terror’.

A quest for enhanced security has dominated. This has been sought by both the United Kingdom, and, most markedly, the United States, in what have become increasingly militarized foreign policies. A discernible shift is detectable.³ Rather than adopting a gradualist and defensive approach, a sense of urgency has underpinned a more instantaneous *offensive–defensive* philosophy that embraces elements of pre-emption. Self-evidently, the military has simultaneously become the primary agency in contemporary international affairs in order to deliver that forward-mode of security. At least by its close association, intelligence has been no less important.⁴

Chapter 3 catalogues the central trend of the shift against terrorism. In summary, this can be characterized as moving from being: (a) more of a ‘containment’ approach – that is: reactive, overall broader and ‘softer’, promoting a more *post facto* ‘anti-terrorism paradigm’; to being (b) more of a ‘rollback’ approach – that places a greater emphasis on overarching ‘harder’, proactive, preventative and pre-emptive qualities. An a priori ‘counter-terrorism paradigm’ is postulated. Rather than counter-terrorism tactics forming merely one part (tool or pillar) of the overall anti-terrorism approach, this dimension is instead enhanced. The other anti-terrorism tactics have meanwhile been more subsumed or overlooked during the *strategizing* of counter-terrorism.

Similar trends are readily discernible in the proliferation domain. The addressing of the A.Q. Khan ‘nuclear network’ and the issue of supposed Iraqi WMD, explored in Chapter 4, both effectively illustrate the shift from: (a) more of a ‘containment’ stance – promoting a wider ‘softer’ ‘non-proliferation paradigm’; to (b) a greater ‘rollback’ stance. Overall, a narrower and ‘harder’ preventative and pre-emptive ‘counter-proliferation paradigm’ can be detected. Again, in the broader non-proliferation approach, counter-proliferation tactics only form one pillar.⁵ However, during the years 2000–5, and especially post-9/11, the implementation of this last pillar has been particularly evident. Along-

side the ‘counter-terrorism paradigm’, a ‘counter-proliferation paradigm’ has therefore been increasingly implemented by the United States, and, by close association, the United Kingdom. This shift can also be characterized as the *strategizing* of counter-proliferation, rather than it remaining as merely a tactic.

More broadly, a distinction can be made between a pre-2001 ‘intelligence methodology’ of ‘wait and watch’ and a greater ‘security or law enforcement methodology’ of ‘see and strike’, during the pursuit of operations post-2001. Again the United Kingdom has not gone quite as far or as fast as the United States. But, while they may not have always taken exactly the same road, ‘shoulder to shoulder’, they have travelled in much the same direction. Naturally, some UK and US strategic and operational dissonances, and equally harmonies, flow from these considerations. They will now be explored in greater depth.



Plate I US Secretary of Defense Donald Rumsfeld holds discussions with British Secretary of Defence Geoff Hoon and British Ambassador to Washington Sir Christopher Meyer in October 2001. US Deputy Secretary of Defense Paul Wolfowitz looks on. *US DoD*.



Plate II Sir Kevin Tebbit, Permanent Undersecretary (PUS), British Ministry of Defence, holds discussions with US Deputy Secretary of Defense Paul Wolfowitz in December 2001. Undersecretary of Defense for Policy Douglas J. Feith looks on. *US DoD*.



Plate III A British Royal Marine Commando participates in a briefing with the Americans, including US Secretary of Defense Donald Rumsfeld, at Bagram Air Base, Afghanistan, in April 2002. *US DoD.*



Plate IV British Foreign Secretary Jack Straw and US Secretary of State Colin Powell hold a press conference outside the US State Department in October 2002. *US State Department.*



Plate V British Chief of the Defence Staff (CDS) Admiral Lord Michael Boyce is greeted by US General Richard B. Myers, Chairman of the US Joint Chiefs of Staff, in November 2002, *US DoD*.



Plate VI US Secretary of Defense Rumsfeld and British Secretary of Defence Hoon answer press questions at the Pentagon in February 2003. *US DoD*.



Plate VII US Secretary of Defense Rumsfeld and British Foreign Secretary Jack Straw hold talks in May 2005. *US DoD.*



Plate VIII US Secretary of Defense Robert Gates and US General Casey meet with British Major General J. M. Shaw (right) Commander of the Multinational Division – South East, as Gates arrives in Basra, Iraq in January 2007. *US DoD.*

3 Enhancing efforts against terrorism

Implementing the ‘counter-terrorism paradigm’

I cannot remember any incident in my work where we were hesitant to share anything ... It's a bit of a special case with the Brits.

(US Admiral James M. Loy, Deputy Secretary of the DHS, 2003–5¹)

1.0 Introduction

The years 2000 to the end of 2005 were punctuated by a series of major *jihadi*-inspired terrorist attacks. These events signalled further developments in the rapid evolution of terrorism.² On 11 September 2001, international terrorism struck the American homeland.³ The attacks were ‘spectaculars’ and seized the attention of the world, galvanizing both the Bush administration’s fight against terrorism and international engagement.⁴ Virtually simultaneously, four US domestic flights were hijacked. Two aeroplanes crashed into the towers of the World Trade Center, which both soon collapsed, killing around 2,500 people. The third aeroplane crashed into the Pentagon. The fourth aeroplane, said to be en route to the White House or Camp David, crashed in a field in Pennsylvania.⁵ Some 266 crew and passengers were killed on the planes.⁶ The following year, on 12 October 2002, two bomb explosions tore through busy nightclubs in the Kuta district of Bali. According to the final death toll, 202 people died as a result of the attacks, including 26 Britons.⁷ The following month, on 28 November 2002, in Kenya, two missiles were fired at a civilian Israeli aeroplane just after take-off from Mombasa airport, but missed. Minutes afterwards, there was a suicide bomb attack on the Israeli-owned ‘Paradise Hotel’, at least 11 people were killed.⁸ The year 2003 saw attacks in Saudi Arabia, Casablanca (44 killed) and on UK interests in Istanbul, killing more than 30 people, including the UK Consul-General.⁹ On 11 March 2004, ten bombs exploded on four packed Madrid commuter trains in three stations during the morning ‘rush-hour’: 191 people were killed in the attacks.¹⁰ In 2005, on the morning of 7 July, almost simultaneously, three bombs exploded on the London Underground (the ‘Tube’). A fourth bomb exploded almost an hour later on a bus. Four suicide bombers carried out the bombings; 52 other people died with over 700 injured.¹¹ Significantly, these attacks represented the first time suicide attacks had been carried out in Europe. On 21 July, four more bombings were attempted on three London Underground trains and a bus. The devices failed to detonate.¹²

These episodes catalogue only the major terrorist attacks witnessed during this period. The ‘new’ terrorism, hailed at least in conceptual terms throughout the 1990s, now appeared to be a reality. ‘Where and what next?’ were questions that figured prominently. Emergency first-response activities, more akin to crisis management, were fast becoming the dominant mode of operation.¹³ The precautionary desire for effective preventative pre-emption in the name of ‘public safety’ was firmly on the ascendancy in Washington and London. Time for reflection by intelligence and security services was increasingly eclipsed. Instead, their predominant task became one of successfully getting ‘ahead of’ the prevailing ‘curve’ of events.

This chapter evaluates UK–US intelligence liaison on counter-terrorism (CT) from 2000 to 2005. A high volume of CT intelligence is shared between the United Kingdom and United States. Despite having slightly differing strategic cultures and CT approaches, there is enough common ground for considerable UK–US agreement. The United Kingdom and United States therefore cooperate closely.¹⁴ In part, this is perhaps epitomized by the existence of the ‘UK/US Joint Contact Group (JCG) on Homeland Security’.¹⁵ Both the United Kingdom and the United States political and intelligence communities agree on the need for effective, but not unbounded, international cooperation to help deal with the threat.¹⁶ The way is thus paved for particularly close bilateral UK–US intelligence liaison. The different UK–US CT styles can at times diverge in their detail, engendering some tensions, however, ultimately, overall joint UK–US CT efforts are not thwarted. The strongest UK–US CT collaboration has been catalyzed by specific terrorist attacks, such as 9/11 in the United States and 7 July 2005 (7/7) in the United Kingdom.¹⁷

Bilateral UK–US intelligence liaison on CT is overwhelmingly important as a mode of activity. From 2000 into 2006, ‘functionalism’ and ‘evangelicalism’ were the dominant drivers. Any hints of ‘terminalism’ were confined to particular episodes of specific disconnect rather than being experienced strategically. Ultimately, too much was at stake for both the United Kingdom and United States to let ‘narrower’ considerations obstruct the vastly increased scale of intelligence activity that both policy-makers demanded and military operators now required.

Multilateral UK–US intelligence liaison on the issue of CT is also important. Indeed, CT generally forms the lead issue in these types of interactions. While less-exclusive than the multilateral liaison that takes place within the UKUSA SIGINT arrangement, this works on the basis of international intelligence liaison with other countries, as well as within international organizations and arrangements,¹⁸ including the United Nations (UN),¹⁹ the North Atlantic Treaty Organization (NATO),²⁰ the G8,²¹ and with the European Union (EU).²² As the UK Intelligence and Security Committee (ISC) remarked in their *Renditions* report:

The importance of international cooperation between intelligence and security services was emphasised after 9/11 by UN Security Council Resolution 1373, which called on all States to work ever closer in the fight to combat

terrorism. In particular, it called for States to ‘find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks’ and to cooperate more generally to ‘prevent and suppress terrorist attacks and take action against perpetrators of such acts’.²³

Indeed, the United Kingdom and the United States were key driving partners behind UNSCR 1373. They quickly accomplished the task of developing its substance and it was unanimously adopted on 28 September 2001.²⁴ The UN Counter-Terrorism Committee was established to effectively oversee the subsequent implementation of the requirements of UNSCR 1373, including the enhanced internationalization of intelligence cooperation.²⁵ This has also been reflected in the way that the United Kingdom and United States have assisted developing countries in building up their CT capabilities.²⁶

However, multilateral intelligence liaison necessarily required a more cautious approach to sharing and was often on a restricted ‘need to know’ basis. Indeed, where ‘multilateralism’ is invoked, this frequently refers to multi-parties being involved in variously interconnected intelligence arrangements, rather than so precisely to the nature of their interactions per se. Overall the arrangement might be multilateral, however, the practical interconnections may work more on *bilateral* or *trilateral* bases, following a ‘hub-and-spokes’ model, and configured depending on the specific case or issue being focussed upon. In broader arrangements, smaller quantities of increasingly ‘diluted’ or ‘sanitized’ intelligence are exchanged, with interactions featuring more in the form of *information* sharing. This reflects long-standing intelligence protectionism designed to best prevent intelligence compromise in the face of security and counter-intelligence anxieties. Typically, as a CIA ‘counterintelligence note’ from 1976 disclosed: ‘sterile copies will be available for release to foreign liaison services.’²⁷

Some analytical distinctions are helpful when evaluating multilateral intelligence liaison in ‘less-exclusive’ forums, and indeed when evaluating intelligence liaison generally. These distinctions include:

- 1 differences between ‘information’ and ‘intelligence’;
- 2 the type(s) of intelligence involved – SIGINT, HUMINT, OSINT, etc.;
- 3 the different forms intelligence can take – is it ‘raw’ or ‘finished’ and ‘processed’ intelligence, ‘single-source’ or ‘all-source’, analysis (‘what is it?’) or assessment (UK) and estimate (US) (‘what does it mean?’) product?;
- 4 purpose: what is it needed for – ‘strategy’ and ‘policy’ or ‘tactical’ and ‘operational’ purposes? Thereby, is it operationally-viable, actionable and ‘serious’ intelligence, or is it more ‘sanitized’ intelligence, in order to better protect sources and methods, for strategic and decision-making purposes?;
- 5 *how* is the intelligence access, sharing or exchange occurring – is it ad hoc (conducted on a ‘need to know’ basis) or more regularized and institutionalized (conducted on a ‘need to share and pool’ basis), formal or informal?;
- 6 *when* is the intelligence access, sharing or exchange taking place – for

- instance, is it a priori (before events, in an attempt to pre-empt and prevent them) or *post facto* (in the context of post-event investigations); and
- 7 *where* is the intelligence access, sharing or exchange taking place – for example, is it in an organization at headquarters level, more in the field in ‘operational commands’, and is the location equipped with ‘Sensitive Compartmentalized Information Facilities’ (SCIFs), if such distinctions exist (for example, in the NATO context)?

Specific details concerning the particular intelligence liaison under scrutiny acquire enhanced importance.

The general impetus for international intelligence cooperation on CT had been growing for more than a decade.²⁸ Throughout the 1990s, the *jihadi*-inspired terrorist threat to the United States and more widely to the ‘international community’ had been becoming increasingly apparent and more lethal.²⁹ This was seen notably: in 1993, with the World Trade Center (WTC) underground car park bombing in New York and the shooting of two CIA employees outside CIA headquarters in Langley;³⁰ and later in 1998 with the almost simultaneous US embassy bombings in Kenya, where 224 people were killed.³¹ There were already growing calls for greater international cooperation on terrorism even as the new millennium approached.

Cosmetically, at least, this was reflected on 18 October 1999 when UNSCR 1269 was passed, ‘unequivocally condemning all acts, methods and practices of terrorism and calling on states to strengthen international cooperation in fighting terrorism and bringing terrorists to justice’.³² In 2004, when reflecting back, Dame Eliza Manningham-Buller, the Director General of MI5 (2002–7), in the words of the ISC, ‘described the UK’s work on [international cooperation on terrorism] in the post-11 September environment as *a continuum with expansion*, rather than a kick-start’.³³ The findings in this chapter support that observation.

This chapter draws out several prominent themes. With main focus on where most interactions take place, the key theme explored generally is *bilateral* UK–US intelligence liaison. Due to the presence of important overlaps between the different interactions, some discussion of multilateral intelligence liaison arrangements, with which the United Kingdom and United States are closely associated, is also necessary. This is followed by an evaluation of UK and US Special Forces’ covert operations and CT efforts in Afghanistan from 2001. However, a useful place to begin is with some of the differences concerning how the United Kingdom and United States approach the tackling of terrorism.

2.0 Differentiated UK and US approaches to countering terrorism

The simplest differences can often be the most instructive. ‘Frustrating terrorism’ versus ‘defeating terrorism’ captures the core differences present in the respective UK and US approaches to addressing terrorism. The overall CT approaches of both the United Kingdom and the United States consist of two key pillars. These

are conceptualized as: (a) ‘law enforcement’, where broader anti-terrorism tactics are reflected in the overall strategy adopted, reflective of the ‘anti-terrorism paradigm’; and (b) ‘militarized’, where narrower counter-terrorism tactics predominate in the overarching strategy pursued, reflective of the ‘counter-terrorism paradigm’. Within each of the UK and US approaches, elements of both the intelligence (‘wait and watch’) and military (‘see and strike’) methodologies are reflected. A complex coexistence duality is present at their core. For instance, the investigation element reflects the intelligence-style of using surveillance tactics, while the actual act of the application of the law – enforcing and implementing the law – reflects more a military-style of tactics, which involves the breaking up and disrupting of criminal activities. The tensions between ‘pure’ *intelligence* and *security* activities become increasingly evident.

Fundamental tensions exist between the two pillars. These tensions are partly about timescales. This is especially apparent at the ‘operational level’, concerning at what point in time intelligence operations should be stopped and the law enforced – typically through the interdicting of suspects? Naturally, on which pillar the most emphasis is placed helps to determine the core balance and overarching nature of the CT approach and strategy implemented.

UK and US security strategies have slightly different configurations. In its *law enforcement* dominated (and less militarized) approach to CT, the United Kingdom appears to put greater emphasis on the intelligence methodology. Instead, the United States, in its *militarized* dominated (and less law enforcement) approach to CT, appears to put greater emphasis on the military methodology.³⁴ This contributes to a differing balance in the nature of their respective overall CT approaches. In part, due to their respective experiences, the United Kingdom views terrorism more as a tactic and the United States views terrorism more as a strategy.³⁵ As Lutz and Lutz note: ‘Terrorism can be viewed as a problem to be resolved by military means (war on terrorism)’, – arguably, more the United States approach, certainly during the Bush era – ‘by normal police techniques (terrorism as crime), or as a medical problem with underlying causes and symptoms (terrorism as disease)’,³⁶ the last two of which are more characteristic of the UK approach. Sometimes these differentiated CT approaches can converge and complement each other in a synergistic manner. However, at other times, they can diverge and clash, even compete. Again, while overall the United Kingdom has tended to stress the *frustrating* of terrorism, the United States has tended to instead emphasize the *defeating* of terrorism. For many in Europe, the phrase ‘War on Terror’ has rankled to a considerable degree.³⁷ Both domestically and internationally, the United Kingdom traditionally responds to terrorism and insurgencies as an ‘emergency’, rather than a ‘war’.³⁸

3.0 Bilateral UK–US intelligence liaison on counter-terrorism

Close bilateral UK–US intelligence liaison on CT was not new in 2000. As the so-called ‘new’ terrorism developed, the intelligence cooperation on CT evolved

in-step.³⁹ Terrorism ‘is a common problem so intelligence is shared’, candidly remarked a Whitehall official in November 2002.⁴⁰ The UK Government echoed this sentiment: ‘Many of the terrorist threats to the UK have international connections which can only be dealt with effectively in cooperation with the intelligence and security agencies of other States.’⁴¹ As the US Joint Inquiry examining the attacks of 9/11 observed in December 2002, prior to the attacks: ‘The [US] intelligence community depended heavily on foreign intelligence and law enforcement services for the collection of counterterrorism intelligence and the conduct of other counterterrorism activities.’⁴² The perennial weaknesses of US intelligence concerning HUMINT had persisted.

Terrorism has been a long-term driver for spurring close intelligence liaison. In 1975, *The Times* newspaper reported that ‘the liaison continues, for one reason: the increasing internationalization of terrorism’. Moreover, the report went on to argue that ‘purely defensive measures will not deter “the new terrorism”, as security experts are beginning to call the wave they foresee for 1975’.⁴³ Close US intelligence liaison with countries such as the United Kingdom continued to be necessary, increasing over time. By the 1990s and into the early twenty-first century, as former CIA operative Bob Baer claimed ‘as for Islamic fundamentalists in particular, the official view had become that our allies in Europe and the Middle East could fill in the missing pieces’.⁴⁴ Although, overall, the Joint Inquiry went on to judge that ‘the results were mixed in terms of productive intelligence, reflecting vast differences in the ability and willingness of the various foreign services to target the Bin Ladin and al-Qa’ida network’.⁴⁵

The United Kingdom, however, was a leading partner with the United States on CT. In 2006, the ISC noted that ‘intelligence on Islamic terrorist networks ... has been a JIC Priority Band 1 [high priority] requirement for many years, well before the attacks in the US on 11 September 2001’.⁴⁶ Over time, overseas liaison continued to be of importance to the United Kingdom.⁴⁷ In their report, the ISC maintained that:

Inter-Agency collaboration and co-operation with others, including the police and intelligence services abroad, have developed well as a result of the universal appreciation that terrorism is a common threat, but continuing this improvement must be at the heart of future efforts. It is recognised that this is not just a domestic threat but part of international terrorism and in the longer term it is clear that the answer lies not just with the Agencies but in successfully countering the spread of the terrorist message in the UK and overseas.⁴⁸

Yet, in 2000, the volume of intelligence exchanged was quantitatively less than would be seen later, due to the then prevailing circumstances.

Different primary UK and US CT priorities were evident before the 9/11 attacks.⁴⁹ This trend of each being mainly preoccupied with their own, at times disparate, highest priority terrorist targets naturally resulted in there being less CT intelligence collaboration. Greater CT cooperation and harmonization of

approaches were seen once the UK and US highest priority CT targets had converged after 9/11. This trend was cemented after several new joint investigations had been launched. Many of the structures designed to facilitate UK–US intelligence liaison already existed prior to 9/11.⁵⁰ After 9/11, the volume and frequency of intelligence flow through these began to increase substantially. Further channels were also opened up to cope with the enhanced supply and demand as CT targets converged, and as the numbers of specific cases opened for joint investigation proliferated exponentially. As the Joint Inquiry found: ‘almost all interviews and testimony that dealt with [foreign intelligence liaison progress after 9/11] indicated that cooperation had improved dramatically, particularly in regard to al-Qa’ida. The immediacy and magnitude of the threat impressed governments worldwide’. The United Kingdom was no exception. They continued: ‘in addition, increased US attention to terrorism increased pressure on other governments to cooperate, and the amount of shared intelligence reporting has greatly increased, as have other types of cooperation, even with some previously recalcitrant or hostile countries’.⁵¹ CT partners already sympathetic prior to the 9/11 attacks on the United States were going to be no less forthcoming.

UK–US convergence increased at all levels. On 9/11, UK Prime Minister Tony Blair unhesitatingly declared the United Kingdom’s solidarity with the United States: ‘We ... in Britain stand shoulder to shoulder with our American friends in this hour of tragedy and we like them will not rest until this evil is driven from our world.’⁵² Some of the ‘evangelicalism’ present in UK–US relations was revealed by the texture of the language employed. Between the UK and US intelligence agencies, George Tenet, head of the CIA, contacted Sir Richard Dearlove, chief of SIS (MI6), ‘to tell him what we were hearing and what we knew’. Events were rapidly unfolding in real-time on 9/11 and there were concerns regarding what Tenet later described as ‘a commercial passenger jet on its way to Great Britain [which] was emitting all kinds of squawks, with its transponder going off and on’.⁵³ On 12 September, as a physical realization of the UK and US intelligence services standing ‘shoulder to shoulder’, the Director of GCHQ (Sir Francis Richards), the Chief of SIS (Dearlove) and the Deputy Director-General of the Security Service (MI5) (then Manningham-Buller) flew to the United States for urgent discussions with their US counterparts.⁵⁴ As Tenet later recalled: ‘I still don’t know how they got flight clearance into the country, but they came on a private plane, just for the night, to express their condolences and to be with us.’ He continued: ‘We had dinner that night at Langley, an affirmation of the special relationship between our two nations and as touching an event as I experienced during my seven years as [US Director of Central Intelligence (DCI)].’⁵⁵

In June 2002, the contemporary centrality of liaison was further underlined when the UK Government explained that:

The ISC supports the collaborative work of the Agencies with their partners abroad, and wants to see this vigorously pursued in the future. Even before 9/11, there were well-established and effective links, both bilateral and

multilateral, between the Agencies and a wide range of international partners, on counter-terrorist and other investigations and operations. The Government shares the ISC objective of making such liaison relationships even more close and effective.⁵⁶

UK and US CT targets increasingly converged. International, al-Qaeda, Osama bin Laden and *jihadist*-related terrorism now dominated all of the UK and US intelligence agencies' increasingly harmonized agendas.⁵⁷ As the leading priority, this variety of terrorism was going to receive the allocation of substantial intelligence and security community resources. As one analyst commented, noting the United Kingdom's value as an educative CT intelligence partner to the United States, the United Kingdom is 'America's premier ally, and the potential number two target for Al-Qaeda... But with more than 30 years' experience of dealing with IRA activity, the UK is ahead of the US in many areas, including intelligence'.⁵⁸ Although, while there was British willingness to impart this Northern Ireland experience and the lessons learnt to their US counterparts, these lessons were not always universally welcomed.⁵⁹ Not least, some believed that the *jihadist* 'new' terrorism being experienced was quite different to what was later termed 'retro-terrorism'.⁶⁰ Reportedly, by 2004 some UK officials were 'said to be frustrated at US reluctance to learn from Britain's experience in fighting terrorism in Northern Ireland'.⁶¹ Nevertheless, despite the presence of some conceptual differences, UK–US exchanges continued unabated.

The exchange of intelligence between the United States and the United Kingdom was greatly assisted by exchange within those countries. New 'fusion centres' ensured that there was greater connectivity and this, in turn, gave rise to new kinds of mid-level product that was neither strictly strategic nor tactical that lent itself to convenient exchange. By 2006, the UK Joint Terrorism Analysis Centre (JTAC) was typically receiving 'around 1,000 pieces of intelligence per week'.⁶² Meanwhile, the UK Government revealed in 2006 that 'during the period 2003–5 there was a substantial increase (over 300 per cent) in the number of the Security Services' investigative targets'.⁶³

Enhanced international intelligence liaison on CT efforts was of central importance. This was especially with countries such as Pakistan, together with other services across South Asia, where a substantial amount of the targets of concern and interest were situated. Reportedly, in September 2001, it was claimed that 'Britain had begun from a "low base" on intelligence and it was necessary to obtain other countries' help in gathering information about the hide-outs of Mr bin Laden and his associates'.⁶⁴ The departing Chairman of the US Joint Chiefs of Staff, General Hugh Shelton unambiguously declared: 'Intelligence will be key. There is no question about it.'⁶⁵ Joint UK–US interests were also more pronounced. The importance of maintaining close UK–US intelligence relations on CT issues, and UK–US relations more widely, was stressed pragmatically in 2005 by Ed Owen, a former special adviser to the UK Foreign Secretary Jack Straw:

The bottom line ... is that 'the US has the diplomatic and military strength to make things happen. They are the dominant power and in so many areas there's nothing that can be done without their support... What's the alternative?'⁶⁶

The belief in the closeness of UK and US interests was constantly underlined. In November 2002, during the NATO Prague Summit, UK Defence Secretary Geoff Hoon emphasized the extent to which the United Kingdom and United States came together on issues such as CT:

I do not see a divergence between the basis of UK and US security interests. ... Our security interests coincide or are very similar, whether as part of our close bilateral relationship or within wider defence alliances such as Nato.⁶⁷

The scope of UK CT investigations was continuing to expand by the end of 2005.⁶⁸ Together with a broadening of its risk management approach, the devotion of further resources was later seen as being helpful in addressing any perceived UK intelligence and surveillance deficits.⁶⁹

International and *jihadist* al-Qaeda-related terrorism formed the main CT focus of the United States at the beginning of 2000.⁷⁰ As US intelligence expert Paul Pillar observed in 2001: 'To a large degree bin Ladin became ... a preoccupation for the US ... Capturing him has been a grail'.⁷¹ This was due to the increasing series of attacks against US interests from this source throughout the 1990s.⁷² From 1998 and after the US embassy bombings in Africa, the US intelligence and law enforcement agencies had already declared 'war' on the *jihadist*-inspired al-Qaeda terrorism.⁷³ However, the 'war' was not as all encompassing and overt, as that which would be seen after 9/11. Moreover, the main US emphasis was still on *anti-terrorism*, before a fuller implementation of the wider and deeper reaching '*counter-terrorism paradigm*'.

The spectre of terrorism overshadowed the new millennium celebrations. During December 1999, Ahmed Ressaam was arrested in the United States along with the recovery of explosives.⁷⁴ There was also the pressing need to disrupt the associated so-called 'Millennium Threat' in the United States and Jordan. US CT efforts included thwarting the plot to bomb Los Angeles Airport on New Year's Eve 1999, alongside responding to intelligence warnings of possible terrorist attacks during the Seattle, Washington and New York celebrations.⁷⁵

The main UK CT focus in 2000 was instead fixed elsewhere. In its anti-terrorism approach, the United Kingdom was more focussed on *domestic* terrorism, and the more immediate UK national security threat posed by the dissident Real IRA.⁷⁶ The Real IRA was refusing to participate in the 1998 Northern Ireland Good Friday Agreement peace process, launching a bombing campaign involving carrying out a series of attacks. These included the 1998 Omagh bombing, and several bombings around London, including a rocket-propelled grenade being fired onto the SIS (MI6) Vauxhall Cross headquarters on 20 September 2000, and the explosion of a car bomb outside the BBC Television Centre on 5 March 2001.⁷⁷

However, UK–US CT interests were increasingly converging. Gradually each of the other's main CT targets made it higher up their own respective agendas. This trend occurred as the range and extent of terrorist attacks against both individual and shared UK and US interests mounted. The attacks were occurring more frequently, as well as being more absorbing of attention and resources. The United Kingdom was pleased to see the United States no longer being so ambivalent towards the activities of the IRA,⁷⁸ with Washington placing the Real IRA on its terrorist organizations list.⁷⁹ This was a decision reportedly based on the sharing of a sizeable dossier including UK and Irish intelligence. The FBI was also tasked with the monitoring of Irish-Americans allegedly continuing to help fund the Real IRA.⁸⁰ In return, the United Kingdom was willing to pass on some of the CT lessons it had learnt during its dealings with the IRA and Northern Ireland, while al-Qaeda and the *jihadi* terrorism was placed at the top of the agendas of both SIS and GCHQ.⁸¹ This contrasted somewhat with the other European countries – except perhaps more indirectly France, with its focus on Algerian-associated terrorism.⁸²

Former US National Security Adviser Sandy Berger later 'told the Joint Inquiry that European governments (except Britain) did not share the US assessment of the al-Qa'ida threat'.⁸³ As Tyler Drumheller, Europe division chief for the CIA Directorate of Operations (DO) until he retired in 2005, later reflected: 'My part ... was to try and go to our European allies. One of Tenet's real goals was to break down the barriers between the services, because you have very long-standing rules of engagement between foreign intelligence services.' Offering some further insights into intelligence liaison interactions, he continued: 'You work together, but you don't really trust each other. It's an interesting sort of dance in that every service wants to protect its sources, obviously, and information.' On the terrorist threat, he observed: 'We had been looking for ways to engage on this; they, [the] Europeans, were looking for ways to engage on it. But even among themselves, they had a hard time doing that.' However, 'after 9/11, there was increased interest in it obviously, and I think we actually had some success'.⁸⁴

The main US CT focus remained international terrorist attacks, occurring on US interests geographically far away from the West, typically in the Middle East.⁸⁵ The major international terrorist attack on US interests of 2000 came on 12 October when a small boat was brought alongside the US Navy's destroyer the USS *Cole*, docked in the port of Aden. A bomb was detonated blowing a hole in the hull of the USS *Cole*, killing 17 US sailors and injuring 39.⁸⁶ CT continued to steadily move up the US intelligence agencies' agendas and became focussed more specifically on bin Laden and al-Qaeda.⁸⁷ However, it took the shocking attacks of 9/11 on the US homeland to push CT efforts to the absolute top of the Bush administration's political agenda, and for a genuine national US CT strategy to emerge. CT would now get the necessary and sustained highest-level attention that some well-placed US CT experts – such as Richard A. Clarke, the chief counter-terrorism adviser on the US National Security Council (NSC) – believed it deserved and should have received prior to the 9/11 attacks.⁸⁸

Liaison generally flourished after the Cold War. In the wake of post-Cold War ‘peace dividend’ cuts, part of the CIA’s strategy had been to place ‘great emphasis on close relations with foreign liaison services, whose help was needed to gain information that the United States itself did not have the capacity to collect’.⁸⁹ The close intelligence liaison relationship with the United Kingdom fitted neatly into that strategy. The US Joint Inquiry noted:

The [US] Intelligence Community recognized early on that an effective US response to al-Qa’ida must be global and that foreign intelligence and security services (‘liaison services’) would be important allies in fighting terrorism. Improving ties to liaison services became increasingly important for the CIA, FBI, NSA, and other agencies, and their efforts helped make foreign countries more effective partners and more willing to assist US counterterrorism efforts.⁹⁰

However, this strategy was now judged to have been too limited. Some US weaknesses on CT matters were highlighted with acknowledgement by the *9/11 Commission Report* that: ‘Serving officers ... were suited for traditional agent recruitment or for exploiting liaison relationships with foreign services but were not equipped to seek or use assets inside the terrorist network.’⁹¹ Accordingly, the United States had needed some more *unilateral* intelligence gathering to complement the liaison input. Essentially US infiltration of terrorist cells had apparently been forfeited at the expense of over-reliance on foreign liaison services.⁹²

The decade before 9/11 was characterized by a broad shift from predominantly international intelligence *competition* – including the enduring residues of its legacy during that transitional period – to primarily international intelligence *cooperation*.⁹³ This was reflected in the period immediately prior to 9/11. Allegedly, before the 9/11 attacks at least 19 ‘explicit warnings’ had been received by US intelligence from various foreign sources, including the United Kingdom on at least a couple of occasions. Most notably, claims surfaced that: first, ‘1999. The U.S. was warned by British intelligence two years prior to “911” that terrorists were planning to use airplanes in unconventional ways, perhaps as bombs’; and, second, on ‘July 16, 2001. British intelligence sent a report to Tony Blair warning of imminent attacks. The report was also sent to Washington’.⁹⁴

Collectively, several problems impeded intelligence analysis, information sharing, and warning efforts before 9/11. There had been some systemic difficulties involving all levels of the intelligence cycle. Compounding issues were notably: (a) the type and quality of intelligence available; (b) the technological obstacles (such as information overload and targeting issues); and (c) management factors, in both the intelligence world and at the national security leadership levels. The balance of human intelligence set against various types of technical intelligence was also an issue. By March 2005, an article in *The Economist* stressed that ‘the comforting idea that technology would make spying more of a high-tech science was blown apart by September 11th and the Iraq

fiasco; it is now a more risky, more human affair where real eyes and ears matter'.⁹⁵ As former Assistant Director of Central Intelligence for Analysis and Production, Mark Lowenthal, has observed, intelligence 'serves and is subservient to policy'. Moreover, intelligence 'works best – analytically and operationally – when tied to clearly understood policy goals'.⁹⁶ Prior to 9/11, within US intelligence, some deficits had been apparent, including within the 'producer–consumer' relationship'.⁹⁷ Although, in 2008, Cofer Black, the former head of the CIA Counterterrorism Center (CTC), reportedly remarked that 'looking back, he can't think of a thing "we could have done that would have changed anything"'.⁹⁸

After 9/11, the 'reporting threshold' of the US intelligence community was 'lowered'.⁹⁹ The United Kingdom also came under the spotlight. In the plethora of widely cast investigations that were launched, significant 'terrorist' connections to the United Kingdom were beginning to emerge. For some critics, the United Kingdom first had to 'sort itself out'. Throughout the 1990s and into the new millennium, both foreign (such as the French, who had 'long chided the UK ... for electing to watch rather than snatch'¹⁰⁰) and the UK law enforcement, intelligence and security authorities were increasingly aware of the presence in the United Kingdom of some Islamic 'extremists' harbouring anti-US sentiments and with alleged links to international terrorism.¹⁰¹ Former CIA operative Bob Baer's account is especially vivid: 'It didn't take a sophisticated intelligence organization to figure out that Europe, our traditional ally in the war against the bad guys, had become a hot-house of Islamic fundamentalism'.¹⁰² He continued, revealing some of the operational parameters encountered in UK–US intelligence relations: 'the CIA was prohibited by British authorities from recruiting sources, even Islamic fundamentalists, in their country'.¹⁰³ Some of the formal limits and conditions as specified by agreement were clearly exposed. Rather than simply detecting the presence of opponents, how exactly and to what extent intelligence services should react to the presence of such individuals and groups was a difficult question. Moreover, in what circumstances should pre-emptive actions be taken against them? This was an important consideration, not least when intelligence services were operating on the territory of other states. Recognizing that they had to tread carefully with the finite resources at their disposal, and within the geographically-condensed operating space of their island territory, the British were especially keen that any perceived 'disproportionality' did not emerge.

These considerations generated much debate. Indeed in the United Kingdom, these extremists and controversial groups – such as 'the Islamic Jihad', 'Gamaa Islamiyya' (the 'Islamic Group'), the 'Armed Islamic Group (Groupe Islamique Armé [GIA])',¹⁰⁴ and 'Al-Muhajiroun' – had already been significant contributory factors towards the introduction and passing of the UK Terrorism Act of 2000.¹⁰⁵ As the *Report of the Official Account of the Bombings in London on 7th July 2005* later explained:

As Al Qaida developed in the 1990s, a number of extremists in the UK, both British and foreign nationals – many of the latter having fled from conflict

elsewhere or repressive regimes – began to work in support of its agenda, in particular, radicalising and encouraging young men to support jihad overseas. These included Abu Hamza and Abdallah al Faisal (both now serving prison sentences), Abu Qatada (currently detained pending possible deportation) and Omar Bakri Mohammed (now outside the UK and excluded from returning here). During the 1990s, it is now known that there was a flow of young Muslims, from the UK and elsewhere, travelling to Pakistan and Afghanistan for indoctrination or jihad.¹⁰⁶

However, on the whole, the extremists – in a considerable minority in relation to the wider moderate Muslim population in the United Kingdom – were essentially treated pragmatically. The UK intelligence and security authorities continued to adopt a ‘watchful tolerance’¹⁰⁷ or ‘hands-off’ approach, which had not changed radically from that adopted during the 1990s. This approach dovetailed into the general UK CT containment and ‘wait and watch’-dominated strategy.

Only high priority individuals were kept under surveillance. This approach was due to the UK authorities only having limited resources to hand for what is a staff-intensive duty. Also at the time the extremists appeared to be more incoherently noisy than spreading cohesive, potentially effective *jihadist* messages and ideologies. Therefore, compounded with the absence of an attack from this source on UK soil and against UK interests, they were evaluated as representing a limited threat – unlike the then more immediate UK CT priority, the Real IRA, with their active bombing campaign. Nor were the extremists in the United Kingdom deemed a sufficient national security threat to close UK allies, such as the United States.¹⁰⁸

Remarkably, after 9/11, this softer type of approach was still felt to be appropriate. Proportionality was still an objective in CT activities by the UK authorities. One Whitehall official was keen to stress soon after 9/11 that: ‘Both the FBI and British security officials do not at this stage believe the UK end of the investigation is too significant.’¹⁰⁹ However, this did not prevent tensions from surfacing. The United Kingdom suffered public US criticism for being too lax towards the extremists prior to 9/11.¹¹⁰ The US Joint Inquiry also somewhat wryly observed generally that ‘governments can ... be highly sensitive about information that embarrasses them or implicates their citizens in terrorism’.¹¹¹ The UK Cabinet Office Intelligence and Security Coordinator, Sir David Omand, later admitted in 2004 that: ‘my own hunch is that round about 1999–2000 we probably under-estimated the extent to which there were radicalised individuals here in the UK.’¹¹² The ISC later concluded that: ‘with hindsight ... the scale of the threat and vulnerability of Western states to terrorists with this degree of sophistication and a total disregard for their own lives [such as using suicide bombing tactics] was not understood.’¹¹³

Criticism from Washington reflected the fact that they saw 9/11 differently, representing ‘a quantum leap in the deadliness and audacity of terror ... [revealing] a vulnerability that many in the United States had never before appreciated’.¹¹⁴ The experience of 9/11 now provided an effective prism through which

to jointly view and evaluate security issues. The new investigative lens helped. Post-9/11, information passed from the FBI was quickly followed up by UK authorities. These moves were also pursuant with already existing UK–US agreements, notably the UK–US Mutual Legal Assistance Treaty (MLAT) of 1994 – essentially a ‘mutual assistance agreement on criminal and counter-terrorism [matters]’.¹¹⁵ Several raids and arrests in London and elsewhere in the United Kingdom, such as the detention of a man in Birmingham, resulted.¹¹⁶ A large number of those arrested were later released without charge. As a US *Congressional Research Service Report* observed: ‘As of January 2004 ... only six of the 544 people arrested under UK anti-terrorist legislation since September 11 [2001] had been convicted’.¹¹⁷ But, as the UK Government defensively noted vis-à-vis the US renditions policy and UK–US intelligence interactions: ‘It is important to remember the context’. Most pressingly, ‘events were moving quickly, the settled direction of the U.S. Government’s response to the 9/11 attacks was not clear, and the priority for the UK and U.S. intelligence agencies was to identify and seek to prevent further attacks’.¹¹⁸

Arguably, in 2001, the full implications of the significant body of legislation introduced earlier – in 1989 the UK Security Service Act, 1994 the Intelligence Services Act and 2000 the Regulation of Investigatory Powers Act – to which the intelligence agencies legally had to adhere in the United Kingdom, had not yet been appreciated.¹¹⁹ There were also operational difficulties in reconciling the stipulations of the various pieces of legislation with practical developments and operations on the ground. The importance of FBI legal attachés to joint UK–US CT efforts was repeatedly emphasized. Foreign intelligence liaison underway in the law enforcement sector was seen as central. As FBI Director Robert Mueller revealed in testimony to a congressional committee in 2005,

Cooperation has improved globally ... FBI Agents are working with our law enforcement partners from Rome to Romania. We are gathering intelligence in Iraq and Afghanistan. These international partnerships are critical if we hope to be successful in the future.

Significantly, he concluded: ‘In this era of globalization, working side-by-side is not just the best option, it is the only option’.¹²⁰ Alongside the presence of liaison between UK authorities (both Police and MI5) and the FBI legal attachés in London, liaison was apparent between UK counterparts and FBI agents on the issue of CT at FBI Headquarters in Washington.¹²¹

Changes in investigative approach were evident. In September 2002, the United States explicitly outlined its national strategy. Pre-emptive action was an important cornerstone, with inclusiveness carefully stressed.¹²² Shortly later, in April 2003, UK Home Secretary David Blunkett similarly emphasized that: ‘We need to ensure that ... we are literally on the ball, that we are ahead of [opponents] rather than waiting for something to happen and then chasing that eventuality once it’s occurred’.¹²³ WMD featured heavily alongside terrorism in the US *National Strategy*. Increasingly, the two issues were substantially integrated.¹²⁴

London also adopted this approach. On 24 September 2002, the UK Government released a dossier entitled *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*. On 7 October, US President Bush gave a televised address outlining the case against Saddam Hussein and Iraq's (supposed) WMD.

In the context of 'forward' risk management, possibilities were being articulated over probabilities. Some members of the US intelligence community were already criticizing the pursuit of this line as an exaggeration of a limited threat.¹²⁵ Later in 2004, former Australian Intelligence officer, Andrew Wilkie also voiced his criticism of the prevailing approach: 'Bush, Blair and Howard ... chose to use the truth selectively, for example by regularly playing up the risk of WMD terrorism but neglecting to point out that the likelihood of such an attack is low.'¹²⁶ Concern was continuing to mount that the political focus on supposed Iraqi WMD was distracting the UK-US intelligence focus from the main business of counter-terrorism. Intelligence tasking had certainly undergone a shift, together with resources and staff allocations away from the more immediately pressing real threat of al-Qaeda. This would now compete with the alleged 'threat' posed by supposed Iraqi WMD.¹²⁷ Another major international terrorist attack was to reinforce these concerns.

On 12 October 2002, Bali was attacked. The Bali attacks did nothing to assuage the prevailing worries. Indeed, some critics felt that, distracted by focussing on supposed Iraqi WMD, the UK and US intelligence agencies and governments had failed to remain sufficiently focussed on terrorism. Later in December 2002, the special ISC report examining the intelligence circumstances surrounding the Bali attacks concluded that given the prevailing circumstances 'the threat assessments to general British interests [in Indonesia] ought to have been raised to HIGH'. The report continued 'however ... on the available intelligence ... we do not believe that the attack could have been prevented'.¹²⁸ Bali clearly did not represent an intelligence failure. However, it did represent more of a knowledge failure. This was where insufficient contextualization, together with the lack of other 'connective' activities, had prevailed. Better overlay of 'horizontal' (thematic and functional) issues with 'vertical' (regional and geographic) issues needed to be accomplished in future intelligence gathering and analysis and assessment efforts.¹²⁹

General controversy persisted. Concerns about the focus of the analytical lens were firmly dismissed by 10 Downing Street: 'What Bali shows is that if you don't deal with problems, they will come back and hit you. The same applies to Iraq. It's not either or, it's both.'¹³⁰ Later in March 2004, the Cabinet Office Security and Intelligence coordinator, Sir David Omand, similarly warned publicly of the connection between terrorists and WMD.¹³¹ The 9/11 attacks, with terrorists creatively using conventional aircraft as weapons, had caused terrible enough atrocities, ran the argument, what if WMD had been used as well or instead? The possibility of such a scenario could easily be contemplated, even if the probability of such an eventuality was considerably harder to quantify. As risk analyst Jens O. Zinn has observed:

Risk perception research shows that the perceived seriousness of risks (expected number of fatalities) and the catastrophic potential influence the acceptance of a risk even when its probability of occurrence is very low. Risks with a low probability but high consequences are perceived as more threatening than more probable risks with low or medium consequences. Additionally, having personal control over a risk or familiarity with a risk decreases the perceived risk.¹³²

Evidence gathered by Special Forces in Afghanistan in November 2001 – along with memories of the 1995 Sarin nerve agent attacks in Japan, together with the more recent US anthrax attacks soon after 9/11¹³³ – had certainly not helped to alleviate the very real fears of terrorists potentially using WMD or a ‘dirty bomb’. According to *Jane’s* reporting in 2005, ‘intelligence services and defence planners have long predicted a terrorist attack using toxic weapons’. Indeed,

After the fall of Kabul (Afghanistan) to Western coalition forces in November 2001, a substantial amount of evidence was found that Islamic militants had seized the potential offered by toxic compounds in raising the death toll per event against unprotected people.¹³⁴

Considerable UK–US convergence was again perceptible.

The Bali bombings prompted further UK–US liaison. A team of UK SO13 (Police anti-terrorism Special Branch) officers was sent to Bali to assist in the post-attacks investigation, working alongside their US and Australian counterparts. UK PM Tony Blair had discussions with US President George W. Bush and the Australian PM John Howard. In his subsequent statement to the House of Commons, Blair noted that: ‘We had no specific intelligence relating to the attack in Bali’.¹³⁵ Had the political considerations concerning Iraq trumped other security interests? Blair finished his statement by continuing to scotch claims of political distraction. He declared: ‘Some say that we should fight terrorism alone; and that issues to do with WMD are a distraction. I reject that entirely. Both, though different in means, are the same in nature’.¹³⁶ However, it is hard to deny that by October 2002 the range of high priority tasks allocated to the UK and US intelligence agencies was increasing exponentially, along with the tempo at which those issues needed processing. With the significantly increased UK–US intelligence efforts focussed on supposed Iraqi WMD, as well as having to remain focussed on CT, UK and US intelligence resources and staff were being badly stretched.

In early November 2002, another series of high-level meetings was held in London between US and UK intelligence. The Director of US Homeland Security, Tom Ridge, met with both the director-general of the British Security Service (MI5) and the chief of SIS. A wide range of issues was discussed, demonstrating the multiplicity of tasks with which they jointly had to grapple. These issues notably included the United Kingdom’s extensive long-term counter-terrorism experience with the IRA, with the articulation of intelligence

lessons learnt, and – perhaps more significantly – there was the consideration in Washington of whether MI5 would be a good model for the United States to draw upon for reforms to the FBI.¹³⁷ Reportedly, ‘behind the scenes there has been growing intelligence cooperation and a recognition within Washington that Britain and Israel are world leaders in this field’.¹³⁸ Eventually, however, the United States decided not to use the ‘MI5-model’ for reforms to the FBI. Allegedly, another ‘spectacular’ attack on US soil, akin to 9/11, would have to be experienced in order to trigger the US adoption of the ‘MI5-model’.¹³⁹ The persisting US discomfort with, and lack of consensus regarding the issue of domestic intelligence and its management was demonstrated.¹⁴⁰ As Lowenthal has noted, ‘some citizens have difficulty reconciling American ideals and goals with the realities of intelligence’.¹⁴¹ The lack of closure on this issue was still apparent towards the end of 2008. Notably, RAND was commissioned to further explore the consideration of the creation of a domestic intelligence agency in the United States.¹⁴²

Other business also occupied UK–US intelligence liaison. Extending beyond Washington and London, close interactions were discernible in numerous other countries across the world. Soon after the November 2002 Kenya attacks, following receipt of a ‘specific threat’, the United Kingdom closed its High Commission in Kenya. The United States also closed its diplomatic offices in Nairobi, with an American diplomat acknowledging that ‘the British have shared intelligence with us which we consider extremely disturbing’.¹⁴³ Memories of the US embassy bombings in Kenya, just four years earlier in 1998, still resonated strongly. Similar UK and US embassy closures were again undertaken in Kenya following a subsequent ‘security scare’ around May–June 2003.¹⁴⁴ There was also evidence of joint UK–US counter-terrorism capability and capacity building assistance to Kenya under UNSCR 1373.¹⁴⁵ Later, in the Middle East, the UK and US embassies in Yemen exchanged intelligence concerning threats to Western interests.¹⁴⁶

The changing nature of the terrorist threat was evident by early 2003. The operational dimensions of terrorism were being increasingly challenged as a result of the destruction of al-Qaeda bases in Afghanistan and the systematic ‘dismantling’ of extremist networks in Europe.¹⁴⁷ As many of the physical terrorist infrastructures were successfully broken up by the CT efforts, higher-level issues were instead gaining in significance. The ideas war or engagement was becoming increasingly important as al-Qaeda as an ‘organization’ was being successfully disrupted. Later, during 2008, Marc Sageman elaborated further on these trends, claiming controversially that

The world’s most dangerous *jihadists* no longer answer to al Qaeda. The terrorists we should fear most are self-recruited wannabes who find purpose in terror and comrades on the Web. ... This new generation is even more frightening and unpredictable than its predecessors, but its evolution just may reveal the key to its demise.¹⁴⁸

Other key terrorism analysts, such as Bruce Hoffman, were not so convinced by such arguments.¹⁴⁹ Their characterization of the threat was historically familiar. As *Observer* journalist Jason Burke reported in 2003:

What worries intelligence chiefs is that bin Laden's close associates, with their experience, will link up homegrown groups comprising individuals with no known links to terrorism and thus unknown to police. 'That's the nightmare scenario,' said one senior police source.¹⁵⁰

Unfortunately, that 'nightmare' soon emerged.

Al-Qaeda had changed. The al-Qaeda entity of 2003 appeared no longer to be the al-Qaeda entity of 2001. Rather than being so much (a) a hierarchical organization per se, with a discernible 'command and control' set-up headed by bin Laden himself, and (b) possessing detectable individuals and cells with distinct and breakable connections, such as being 'foreign fighters' and possessing shared Afghanistan training camp histories and experiences, al-Qaeda now appeared to be different. Instead, it seemed to be more of a virtual entity that was providing international ideological inspiration. Worse, those to whom it was providing ideological inspiration appeared to be more dispersed and consist of more devolved – and consequently harder to detect – groups and individuals scattered in several countries across the world. They were also increasingly members of 'home' (domestic) populations. Mainly they possessed local rather than remote (or foreign) nationality status. The task at hand now for intelligence and security services was increasingly more akin to searching for 'a needle in a haystack'.¹⁵¹

Effective re-tooling was now essential. Agility was important to deal with this *even 'newer'* terrorist threat, which continued to evolve in real-time.¹⁵² The development of national threat assessment and analysis centres, such as the Joint Terrorism Analysis Centre (JTAC) in the United Kingdom, can be cited as part of this general trend. As the Canadian Security and Intelligence Service (CSIS) argued in 2006:

Canadian security will increasingly depend on the country's ability to contribute to international security. Accordingly, the Government of Canada, through ITAC [Integrated Threat Assessment Centre], is promoting a more integrated international intelligence community by developing liaison arrangements with foreign intelligence organizations.

Significantly, these arrangements included liaison with 'the Joint Terrorism Analysis Centre [JTAC], in Britain; the National Counterterrorism Center [NCTC], in the United States; the National Threat Assessment Centre [NTAC], in Australia; and the Combined Threat Assessment Group [CTAG], in New Zealand'.¹⁵³

Spearheaded by the United Kingdom and United States, these centres were established from early 2003 first in the UKUSA countries, with similar concepts also later being adopted by other countries beyond, such as Denmark and

Germany.¹⁵⁴ These centres then became increasingly interconnected, extending their activities beyond merely their domestic spheres. Moreover, significantly in terms of its form, the intelligence product shared within, and between, these centres represents more of a mid-way fusion between actionable operational and tactical intelligence, extending its utility to the various partners. International peacekeeping intelligence (PKI) liaison underwent similar enhancement.¹⁵⁵ The issue of *penetration* of a liaison partner's intelligence and security service by the primary threat was felt to be no longer quite so acute.¹⁵⁶ This was due to the different nature and source of the primary post-Cold War threat, now coming from non- and sub-state actors. Some of the inherent risks of intelligence liaison appeared to be neutralized, making liaison more of an attractive option to pursue further.¹⁵⁷ Observers noted 'the ease with which people can now move across borders has involved a radical rethinking in intelligence sharing'.¹⁵⁸

The formal machinery of bilateral UK–US intelligence liaison was enhanced in early 2003. On 1 April, it was announced that a UK–US agreement concerning intelligence liaison had been made in Washington between the US Director of Homeland Security, Tom Ridge, and UK Home Secretary David Blunkett. The agreement was described as being focussed 'on unprecedented co-operation and sharing of intelligence between the two countries'. As part of the agreement, it would be subject to 'internal' monitoring processes – also through the mechanism of intelligence liaison – whereby 'a new group of senior officials will meet regularly to make sure their joint programme is on track'. The agreement reportedly involved 'closer working' on a wide range of issues, including biometrics and the development of scenarios.¹⁵⁹ As Blunkett revealed, the concept of 'best practice' was central:

We are announcing today that we will establish a joint working group, a contact group, [the UK/US Joint Contact Group (JCG) on Homeland Security] which will involve officials from the Homeland Security Department and ... [the Home Office] in developing the work collaboratively, so that instead of just sharing best practice, they're actually working on that best practice, learning from each other and being able to develop the very similar approaches which are necessary to protect our population.¹⁶⁰

Blunkett later argued 'if we accept that we are now interrelated with one another, whether we like it or not, we will understand why the UK and the US stand shoulder to shoulder'.¹⁶¹

This was not mere rhetoric. Translating the words of the UK–US agreement of April 2003 into practical action, reports later noted that a joint UK–US CT exercise would be launched. Ongoing 'unpublicised "table-top" planning exercises to test national resilience against terrorist attack' were taking place in both the United Kingdom and United States. Meanwhile, continuing explorations to improve UK–US intelligence sharing were underway as part of discussions between Omand, other UK officials and the US officials based in the Department of Homeland Security (DHS).¹⁶²

Enhanced UK–US liaison extended further. Notably there were joint UK–US Customs and Excise operations shortly after the United Kingdom had joined the US Container Security Initiative (CSI) in December 2002.¹⁶³ These included forward US border controls in the United Kingdom, so ‘Fortress America’ would not become penetrated. US and UK Customs counterparts worked alongside one another in the United Kingdom’s large container ports in order to stop anything terrorist-related from being sent across the Atlantic into the United States.¹⁶⁴

The international terrorist threat continued to provide impetus. During May 2003, intelligence warnings and actual terrorist bombings persisted. There were attacks in the Saudi Arabian capital, Riyadh, and the Casablanca attacks on 17 May 2003 (44 killed).¹⁶⁵ Internationally, there were still plenty of counter-terrorism issues with which UK and US intelligence were required to grapple. There were the Istanbul attacks on 20 November 2003 on UK interests – HSBC bank offices and the UK consulate¹⁶⁶ – alongside the continuing deteriorating security situation in Iraq. More ominously, the increasing involvement of foreign fighters and foreign sponsorship was apparent in Iraq.¹⁶⁷

National publics were increasingly dismayed by developments. The United Kingdom, in particular, was experiencing political difficulties on the domestic front.¹⁶⁸ Public concerns about excessive surveillance emerged prominently. Some of the fears of intelligence and security overreach were not helped by the burgeoning climate of mistrust in politicians and their – seemingly colluding – intelligence services. UK and US intelligence was looking – and indeed arguably was even made to appear – particularly discredited after the headline-dominating failure in the wake of the 2003 Iraq war to locate supposed Iraqi WMD, the claimed *casus belli*.¹⁶⁹ As 2004 progressed, the public debate turned its attention to whether proportionality had been lost.¹⁷⁰ Concerns were also present regarding whether the terror ‘myth’ had been exaggerated and misevaluated by governments, particularly the United States and UK.¹⁷¹

Ideas were now undeniably performing a more central role. Gradually, the ideological dimension was recognized as being of growing importance internationally, as well as domestically. The issue of ‘radicalization’ was beginning to feature more prominently. Several experts believed that ideas should receive heightened emphasis and be systematically addressed within both the individual and joint UK–US counter-terrorism strategies. A former Chair of the UK JIC, Dame Pauline Neville-Jones, succinctly captured anxieties about the US-led so-called ‘War on Terror’ when she noted ‘uncertain objectives are hampering success on the propaganda front’.¹⁷² Other authors with ‘insider’ expertise, such as Mike Scheuer, the former head of the CIA’s bin Laden unit, echoed these criticisms of the general direction of the so-called ‘War on Terror’.¹⁷³

The terrorist threat confronted after 9/11 had changed, nevertheless by mid-2004, governments felt that they were less ‘behind the curve’ of terrorist events and developments.¹⁷⁴ Seasoned observers noted that ‘the better preparedness of businesses, improved protection for national infrastructure and the success in preventing attacks ... have combined to create an increased sense of confidence that counter-terrorism is no longer trying to catch up’.¹⁷⁵ For the United States,

continuing to maintain its forward borders and 'Fortress America' approach, the highest priority CT problem remained international terrorism. Or, at the least, the terrorist threat was originating and operating elsewhere – most notably amongst the burgeoning insurgency in Iraq. As the IISS 2006 *Strategic Survey* observed, the 'US counter-terrorism strategy continues to pivot on the application of military force to engage terrorists outside US borders and thereby deny them access to US territory'.¹⁷⁶ By contrast for European countries – as underlined by the Madrid attacks (11 March 2004) and the later London bombings (7 July 2005) – domestic terrorism, 'homeland' originating, stemming from radicalized 'indigenous Muslim communities', was being confronted. While 'home-grown' in nature, it was internationally inspired.¹⁷⁷ More worrying, for some US intelligence and security experts, as well as their partners beyond, was the extent to which the *jihadi* terrorism threat was now increasingly (and more clearly) being confronted both *from*, and *within*, Europe.¹⁷⁸

These trends rendered joint CT efforts more complex. Indeed, one of the traditional categorizing (and hence management) distinctions of terrorism was eroding. On one hand, due to its domestic origin, states wanted to deal with the terrorism in their own way as *domestic* terrorism, without 'interference' from an external state, such as the United States, 'transgressing' their sovereignty. However, this resulted in a tension with the fact that the terrorism is *internationally* inspired and so fitted into the wider US-led global CT efforts and its so-called 'War on Terror'. In a 2007 radio interview, Sir David Omand remarked: 'You're right ... to highlight things that are different ... We face suicide bombers; we see a blurring of the distinction between domestic security and overseas national security'.¹⁷⁹ In these circumstances, international intelligence liaison that was focussed – somewhat paradoxically – on homeland security and which was being conducted by domestic-focussed security and intelligence services, such as MI5, was expanding fast.

Conceptually, analysts tried to capture the wellspring of terrorist inspiration. *Observer* journalist Jason Burke characterized it as 'al-Qaeda-ism'.¹⁸⁰ 'Al-Qaeda-ism' and international *ihadism* as inspiring ideologies rendered the CT efforts more challenging. As one BBC journalist commented in 2006: 'And so while MI5, the police and others press ahead with counter-terrorism work, the real battle is how to undermine the ideology used by extremists to tempt youngsters to their cause'.¹⁸¹ Targeting concerns again took centre stage. It was harder for intelligence and security agencies to deal with the ideological threat through their traditional toolset of targeting methods, as well as their traditional division of responsibility and labour. Ideas can readily be concealed inside individuals' heads, without presenting external and visual signs that can easily and 'objectively' be detected, and then agreed upon, by intelligence and law enforcement agencies. The threat is more elusive, and it is difficult to try and pin down 'gaseous' ideas and the radicals and extremists who expound them.¹⁸² Confronted with these types of challenges, the value of conventional tools, such as terrorist profiling, is increasingly questioned.¹⁸³ As an MI5 behavioural study unit's report found: 'Crucially, the research has revealed that those who become

terrorists are a diverse collection of individuals, who fit no single demographic profile, nor do they all follow a typical pathway to violent extremism.¹⁸⁴ Officials accepted that the ‘prevent’ strand of British counter-terrorism policy had been slow to develop. This, in turn, reflected anxieties on the part of officials about whether it was appropriate to intervene in areas that concerned the political beliefs and ideologies held by their fellow citizens.

In these circumstances, agreement between intelligence partners is naturally harder to attain. US intelligence expert, Paul Pillar, rightly cautioned that ‘foreign cooperation will become more problematic as the issue moves beyond Al Qaeda’.¹⁸⁵ Methods borrowed from military-associated ‘war-gaming’ – such as the use of joint ‘table-top’ and ‘Red Teaming’ exercises, as well as enacting actual physical training scenarios – were of increasing value in terms of their instructiveness. This was apparent through their enhanced adoption by the UK and US intelligence and security communities during 2003 and into 2005 with ‘Exercise Atlantic Blue’.

Would shared UK–US perceptions on CT now fragment? On the approach to the first anniversary of 9/11 in September 2002, reportedly ‘both the US and UK security establishments [had taken] seriously broad warnings of attack’ on the basis of shared perceptions.¹⁸⁶ By logical extension, as the terrorist threat became less clear, the loosening and unravelling of tight cooperation looked increasingly likely. Some officials asked whether the CT strategy of breaking-up terrorist cells, rather than watching them, had been counter-productive in the longer term. Many asserted that the threat had not diminished but had become more devolved and dissipated. As the US Acting Assistant Secretary for Diplomatic Security, Joe Morton, acknowledged in a speech which summarized counter-terrorism ‘successes’, by 2005 there was still much to be accomplished: ‘even as we have achieved such tremendous success in breaking up al-Qaida as a centralized organization, the threat of international terrorism continues ... al-Qaida has energized a movement greater than itself’.¹⁸⁷

In early 2005 and within its own CT strategy (‘CONTEST’) document, originally developed in 2003, the UK Government summed up the current situation in language similar to that employed by the United States. Shared perceptions were again illustrated:

Although Al Qaeda has been damaged as an organisation since 9/11 – losing key leaders, its base in Afghanistan and, with it, its infrastructure of training camps and laboratories – its ideology has inspired other networks of terrorists across the world, some exploiting local grievances.¹⁸⁸

Accordingly, the current terrorist threat was far from ‘defeated’.¹⁸⁹ As CT investigations became increasingly fragmented, the pieces of the proverbial ‘jigsaw puzzle’ were becoming smaller and thus harder to gather and fit together. Even closer coordination between intelligence liaison partners became necessary. Not all differences in outlook were necessarily problematic and arguably offered some reassurance against the phenomenon of ‘groupthink’ that had been encountered during the intelligence effort by allied countries against Iraq.¹⁹⁰

The decision to maintain a high state of vigilance was vindicated. London itself experienced a *jihadi*-inspired terrorist attack on 7 July 2005. Close bilateral UK–US intelligence liaison again demonstrated its fullest value in the post-attack investigations.¹⁹¹ As Manningham-Buller acknowledged, the London attacks when they came ‘were a shock’, but not altogether a ‘surprise’ to the UK intelligence services.¹⁹² Some form of attack had been anticipated to some degree. Accordingly, there had been some preparation in the form of training during a joint UK–US (and Canadian) anti-terror drill – ‘Exercise Atlantic Blue’ – carried out shortly before in April 2005. The questions remained *when* and *how* the actual attacks would occur, rather than *if*.¹⁹³

Discovering links to the perpetrators was the top priority. As the investigations into the bombings got underway, claims of responsibility were posted on supposedly al-Qaeda-related websites citing the United Kingdom’s involvement in the US-led 2003 War in Iraq as a cause.¹⁹⁴ On the BBC *Newsnight* television programme, an ‘Islamic extremist’, Abu Uzair, claimed that British ‘Muslims had previously accepted a “covenant of security” which meant they should not resort to violence in the UK because they were not under threat there’.¹⁹⁵ He continued ‘We don’t live in peace with you any more, which means the covenant of security no longer exists’.¹⁹⁶ The so-called ‘covenant of security’ – whether a construct in reality, or else merely more an unofficial truce in the form of an unspoken threshold never really explicitly agreed – had been undermined by the high-profile UK participation in the US-led war in Iraq in March 2003. This participation, together with the re-election of Tony Blair in the May 2005 UK General Election, had unfortunately propelled the United Kingdom to the forefront of *jihadi* attention that had previously been concentrated more solely on the United States. The United Kingdom’s previous ‘sheltering of dissidents’ no longer afforded it domestic protection from *jihadi*-inspired attacks.¹⁹⁷ Other European countries that had explicitly participated in the Iraq invasion, such as Denmark and Spain, were subjected to similar vitriol.¹⁹⁸ Worse, the extent of the vulnerability of the United Kingdom was starkly exposed to enemies and allies alike.¹⁹⁹

During the subsequent investigations, differences in UK and US CT methods were exposed.²⁰⁰ MI5’s general tactics of keeping people under surveillance (‘wait and watch’), rather than adopting more of the US style of taking earlier disruptive action (‘see and strike’) were reiterated. According to a US diplomat with CT experience:

Britain’s small size and island geography make it easier for the security services to track and gather intelligence on local extremists, a luxury he contends that the US does not have. ‘You can get lost in the US a lot easier.... Letting people wander around and watching them presents more of a dilemma’.²⁰¹

The multi-layered nature of the UK–US intelligence liaison relationship was again highlighted. One official reportedly rated the broad UK–US intelligence liaison relationship as ‘excellent’, however, the more specific UK–US intelligence relationship focussed on CT was judged to be ‘more fraught’.²⁰²

Divergent UK–US human rights concerns and legal justice system requirements were repeatedly stressed. For example, UK intelligence was required to adhere to the European Convention on Human Rights (ECHR) in its operations. UK law enforcement officials also noted that an ‘offence of acts preparatory to terrorism’ was required to address what their US counterparts saw as ‘loopholes’ in the UK legal system, which would then allow for more terrorism-related prosecutions.²⁰³ One unnamed former senior US intelligence official claimed: ‘(The problem) we have had with the British is the failure to see that the existing laws and protections, privacy etc, aren’t getting the job done in terms of protecting their own society’. Expanding on this criticism, he argued: ‘The place was being used as a recruitment centre and also a place from which people were being dispatched out for training to other places.’²⁰⁴

Indeed, complex UK–US legal tensions and differences now cut across all levels of activity. Concern that UK intelligence officers, in particular, might become incriminated, presented them with several dilemmas when interacting closely with their US counterparts. Unlike their US counterparts – who felt protected in their approach because of (arguably somewhat dubious) legal memoranda prepared by the Bush administration’s Department of Justice (DoJ) – UK intelligence officers were instead more vulnerable to being prosecuted for breaching the ECHR, and other related human rights covenants, during the conduct of their joint operations.²⁰⁵ While uncertainty surrounds where future developments will go on this issue,²⁰⁶ neither the United Kingdom nor the United States has seen extensive legal action taken against individual intelligence officers and agencies (or their contractors) in their own countries, for some of the actions that they have allegedly undertaken.²⁰⁷ Nevertheless, it was clear that the United States in particular had adopted some distinctly unseemly methods employed by the very adversaries it was trying to confront, in order to successfully combat them.²⁰⁸ This was most evident over the ‘stressful’ issues of ‘intensive interrogation techniques’, ‘secret prisons’ and ‘extraordinary renditions’.²⁰⁹

Meanwhile, some of the more critically inclined US intelligence experts speculated that their ‘Fortress America’ would be penetrated via the United Kingdom. They were reportedly concerned that the ‘Visa Waiver Program could allow British terrorists to enter the US with insufficient security screening’.²¹⁰ These US arguments had some resonances in the United Kingdom, contributing towards a gradual shift of policy.²¹¹

Over time, the United Kingdom moved somewhat closer to the US position. This was perceptible especially after the 7/7 London bombings, with the UK Government adopting a harder line towards extremists and radicals, and threatening to deport allegedly *jihād*-encouraging so-called ‘preachers of hate’.²¹² In the DG of MI5’s speech of 1 September 2005, the UK Government’s post-7/7 toughening stance was articulated. Manningham-Buller warned:

We also value civil liberties and wish to do nothing to damage these hard fought rights. ... But the world has changed and there needs to be a debate

on whether some erosion of what we all value may be necessary to improve the chances of our citizens not being blown apart as they go about their daily lives.²¹³

However, the UK shift was only partial. An intensification of effort, along broadly similar lines as witnessed earlier, emerged as the dominant theme.²¹⁴ Rather than more dramatic reform, incremental intelligence change was introduced. Attempting to forge a good balance, the United Kingdom strived to maintain a form of appropriate proportionality, while simultaneously still successfully pursuing the overarching goal of ‘public safety’. A slight re-framing of the nature of the problem was also witnessed in 2005.²¹⁵ Yet, reflective of only the marginal shift, the ‘wait and watch’ approach of the United Kingdom was the dimension that was most expanded. Shortly after the 7/7 London bombings, media reports flagged up that while

Co-operation between US and UK intelligence officials over the London bombings had been ‘superb’ ... the UK had a different view of the war on terrorism than the US. ‘One of the distinguishing characteristics of (the US) is that they think they are at war, and we don’t. It is very difficult to persuade people in London, even after the bombings that there’s a war on. This is a big psychological difference’.²¹⁶

Some critics went further. One US official lamented that ‘[the British] have a really hard time understanding that people like Masri²¹⁷ and Abu Qatada²¹⁸ are real goddamn problems. It took a long, long time before they began taking those threats seriously’.²¹⁹ Meanwhile, in some of his observations, US commentator Daniel Pipes claimed ‘one American security group has called for Britain to be listed as a terrorism-sponsoring state. Counterterrorism specialists disdain the British’. He continued: ‘Roger Cressey calls London “easily the most important jihadist hub in Western Europe”’. Steven Simon dismisses the British capital as “the Star Wars bar scene” of Islamic radicals’.²²⁰

Ultimately, wider differences were not allowed to obstruct regular business. On 20 July, a series of high-level UK–US government and intelligence service meetings (arranged before the bombings) were held in London. Senior attendees included the new US Director of National Intelligence, John Negroponte, with the UK Foreign Secretary, Jack Straw, the new Chief of SIS (MI6), Sir John Scarlett, and the DG of MI5, Dame Eliza Manningham-Buller. Officials felt that the London attacks had given the meeting greater focus.²²¹ Later, in 2006, US Homeland Security Secretary Michael Chertoff called the British Government ‘terrific, in terms of close information sharing and close coordination, recognizing that both countries, which are bound together with great common feelings of culture, are also, unfortunately, bound together by being targeted through terror’.²²² An examination of some of the more specifically focussed interactions underway within UK–US intelligence relations offers us further valuable insights.

Some sharp differences emerged between the United Kingdom and United States on the issue of threat warnings. These were especially prevalent during the years 2002 to 2004. Observers noted that Whitehall had at times criticized their US counterparts for issuing warnings too frequently.²²³ Echoing these earlier debates and differences, the threats concerning British Airways (BA) flight 223 (London to Washington route) around December 2003, together with the UK and US responses, continued to generate some debate. This was apparent between UK and US intelligence officials when they were deciding on how best to handle their joint warnings. Apparently, amongst UK officials concerns existed that: ‘There is a feeling that the intelligence which is being put out has not been through all the filters it should go through.’ This contributed towards the alleged ‘“frank exchanges of views” between London and Washington’.²²⁴ However, these differences were not allowed to interrupt workflows. Notably, later in August 2006, flights between the United Kingdom and United States continued to be targets of interest for terrorists, exposed with the uncovering of an alleged ‘airline terror plot’ to crash aeroplanes originating from the United Kingdom into major US cities.²²⁵ William Rosenau from RAND, who had also previously served as a senior CT policy adviser in the US State Department, succinctly remarked ‘British–American intelligence sharing is “as good as it gets in terms of two western democracies”’.²²⁶

UK intelligence generally remained reluctant about releasing their product. The plethora of UK–US intelligence liaison channels could be trusted, apart from the occasional lapse, but what about sharing CT information more widely with the public? MI5 and SIS continued their traditional wariness about frequently issuing generic intelligence warnings in the public realm. These warnings were felt to be too vague and general to be of much tangible utility. The UK CT strategy (‘CONTEST’) document carefully spelt out the United Kingdom’s position on the publicizing of intelligence: ‘Our citizens can be confident that we shall warn if a specific threat emerges... But we do not intend to provide a running commentary on our assessment of the threat. That would help terrorists without helping the public’.²²⁷ In the absence of specific intelligence, the UK intelligence community was determined not to acquire a reputation for ‘crying wolf’ amongst the public. As one commentator argued: ‘After seven no consequence alarms, many Americans became desensitised to the need to be on high alert.’²²⁸ This also offers an explanation for why more tangible information, such as the approximate numbers of suspects being kept under surveillance – in the United Kingdom, about 2,000 as at mid-2007 – has been released over time by MI5; a move designed to demonstrate that the UK Government is not exaggerating the terrorist threat, and to convince that the threat is genuinely substantial.²²⁹ However, late 2006 witnessed some convergence with the United States as the UK Government decided to make more warnings publicly available.²³⁰

Media access to ongoing investigations was also a point of transatlantic tension. In September 2004, as the UK Intelligence and Security Coordinator Sir David Omand attended meetings in Washington, UK officials were clearly critical of the United States (and Pakistan) for revealing to the global media

sensitive details closely relating to one of their ongoing investigations. This concerned material found on a detainee's computer that had been seized following a recent raid in Gujarat by Pakistani authorities in July 2004.²³¹ A UK official stated: 'I think the consternation expressed by some British officials was warranted... When information is divulged, it does complicate your law enforcement'.²³²

The media subsequently probed some of the details. This episode also threw into sharp relief the differences between the UK's 'wait and watch'-dominated CT strategy vis-à-vis the US' 'see and strike'-dominated CT strategy. Significantly, the plot involved a British-born Muslim convert, with the assistance of two other Britons, targeting prominent global financial institutions in the United States. Among those listed was the International Monetary Fund (IMF) headquarters in Washington, DC and the New York Stock Exchange (NYSE). Reportedly, a WMD, in the form of a 'dirty bomb', was part of their strategy. According to the interrogations of a key al-Qaeda figure held by the United States, Khalid Sheikh Mohammed, the plotters were operating on behalf of al-Qaeda and were tasked by bin Laden himself. A plot in the United Kingdom was also being developed. Various targets around London, particularly major railway stations, such as Paddington, Waterloo and King's Cross, were suggested. The most developed aspect was a plan to blow up three limousines loaded with explosives and gas cylinders next to prominent UK buildings.²³³

US authorities were quick to publicize the plot in July 2004. Potential target institutions were also briefed on the threat. This tactic and the use of sensitive intelligence information in the public realm, seemingly as a form of a political public relations (PR) exercise in the run-up to the US Presidential Election of 2004, caused dismay on the part of the UK authorities. MI5 was meanwhile monitoring the British national, Abu Musa al-Hindi (one of the many aliases for 'Dhiren Barot'), who the US officials requested be arrested. The United Kingdom acquiesced. Al-Hindi (aka Barot)'s subsequent detention, and that of around 13 others in August 2004, curtailed the UK intelligence gathering activities. The UK authorities were thus prevented from determining whether any others were potentially involved, and from acquiring further investigative leads. Expressing thinly veiled irritation with the tactics adopted by the United States, UK Home Secretary David Blunkett commented soon after US Homeland Security Secretary Thomas Ridge's publicizing announcement, 'there are very good reasons why we shouldn't reveal certain information to the public... We do not want to undermine in any way our sources of information, or share information which could place investigations in jeopardy'.²³⁴

These UK-US differences were carefully set aside. Later, in March 2008, after some successful prosecutions had eventually been realized as a result of these operations, US Attorney General Michael B. Mukasey offered the following appraisal of the case:

In counter-terrorism, one important case run jointly by the United States and the United Kingdom was known by the codename Operation Rhyme. In that

case, Dhiren Barot, a British national with links to Al Qaeda, and seven co-conspirators were convicted of plotting: to detonate car bombs and a dirty bomb; engage in other attacks on civilians in the United Kingdom; and detonate bombs at financial centers in the United States, including the New York Stock Exchange and the World Bank.²³⁵

He continued, highlighting a source where US visa concerns once more originated vis-à-vis a UK citizen:

Barot traveled freely between our two countries [the United Kingdom and United States] and enrolled in a university in the United States under a student visa. He exploited the convenience of our open borders and our friendly relations in order to try to kill American and British civilians alike. We were able to thwart his plans only through the close cooperation of our law enforcement agencies.²³⁶

Ultimately, the ‘knocks’ to UK–US intelligence and law enforcement relations stemming from the public revelations had been kept in perspective and were contained. Overall, the tensions were not so severe as to frustrate overarching ‘functional’ and ‘evangelical’ relations. Too much was at stake for the disputes to interrupt UK–US intelligence liaison on CT.

However, parallel disagreements soon emerged. These materialized after the 7/7 London bombings as the investigations progressed during July 2005. On this occasion, disagreements related to the handling of bomb scene evidence in the UK–US police and law enforcement sector. Sir Ian Blair, the London Metropolitan Police Commissioner, publicly expressed his ‘concern’ at the US television broadcast of sensitive crime-scene photographs. These had been ‘supplied in confidence to some of our colleague agencies’.²³⁷ Later, further UK–US differences came to light after the New York Police Department apologized to London as confidential details concerning the 7/7 bombers again emerged in the US media.²³⁸ At the same time, the very fact that both the United Kingdom and United States were sharing the sensitive investigation-related material once more highlighted the extent to which the United Kingdom and United States worked closely together operationally. Relations were not interrupted by these episodes. From the frank expression of UK dismay at the above revelations, some useful lessons were propagated. As a former US diplomat who had experience with working on intelligence at the State Department reportedly observed: ‘With the British and Americans, similar laws and culture, as well as a shared language help intelligence coordination’.²³⁹

Keeping intelligence operations secret was not always the objective. Intelligence agencies also at times felt obligated to participate in overt politics and in their own PR (public relations) activities.²⁴⁰ Sometimes the authorities welcomed the ‘oxygen of publicity’. The sanctioned release of further details concerning a case was undertaken for several reasons – for instance, in order to help try and make or bolster a particular case, and to try and prove to public opinion that the

terrorist threats were not being exaggerated. These officially controlled and determined exposés revealed some cases where international intelligence cooperation had been regarded as ‘successful’.²⁴¹

More remarkably, sanitized UK JIC intelligence assessments were released. Setting another precedent after 9/11, some of the intelligence collected and evaluated was shared widely with the public during the autumn of 2001. This was done to help foster UK domestic and international public opinion in the burgeoning so-called ‘War on Terror’. The UK Government released a dossier drawing on sanitized intelligence, aimed at proving bin Laden and al-Qaeda’s culpability for the 9/11 attacks. The dossier bluntly stated: ‘Although US targets are al-Qaida’s priority, it also explicitly threatens the United States’ allies, which unquestionably include the United Kingdom’.²⁴² That threat also came from certain individuals.

Particular individuals formed another specific issue of focussed UK–US intelligence liaison interest. Again frequently during these interactions, the importance of personal factors in intelligence liaison was suggested. The extent of US dependence on and the enduring importance to the United States of the UK intelligence liaison relationship on a CT task was outlined in-depth in the *9/11 Commission Report*. The value of FBI legal attachés for conducting such liaison on criminal matters was again highlighted. Shortly before 9/11, the FBI launched an investigation into Zacarias Moussaoui, who was arrested on 16 August 2001 and was supposed to have been the twentieth hijacker on 9/11.²⁴³ During the course of his investigation, the FBI became aware that Moussaoui had lived in London. Through their legal attaché based in London, the FBI requested assistance regarding information on Moussaoui from their ‘counterparts in the British government, hand-delivering the request on August 21’.²⁴⁴ As the *9/11 Commission Report* continued:

On August 24, the CIA also sent a cable to London and Paris regarding ‘subjects involved in suspicious 747 flight training’ that described Moussaoui as a possible ‘suicide hijacker’. On August 28, the CIA sent a request for information to a different service of the British government; this communication warned that Moussaoui might be expelled to Britain by the end of August. The FBI office in London raised the matter with British officials as an aside, after a meeting about a more urgent matter on September 3, and sent the British service a written update on September 5. The case was not handled by the British as a priority amid a large number of other terrorist-related inquiries.

On September 11, after the attacks, the FBI office in London renewed their appeal for information about Moussaoui. In response to the US requests, the British government supplied some basic biographical information about Moussaoui. The British government informed us that it also immediately tasked intelligence collection facilities for information about Moussaoui. On September 13, the British government received new, sensitive intelligence that Moussaoui had attended an al Qaeda training camp in

Afghanistan. It passed this intelligence to the United States on the same day. Had this information been available in late August 2001, the Moussaoui case would almost certainly have received intense, high-level attention ... Either the British information or the Ressam identification would have broken the logjam.²⁴⁵

Other ‘persons of interest’ were soon flagged by intelligence and security services during the continued pursuit of potential investigative leads. After the 9/11 attacks, in the UK intelligence agencies, outstanding US requests, on subjects such as Moussaoui, were urgently re-prioritized, tasked and followed up.²⁴⁶ UK–US liaison continued concerning specific persons, such as the London-based Saudi ‘dissident’ Khalid al-Fawwaz, who were alleged to have links to terrorism. Over time, ‘individuals of concern’, such as Moussaoui and UK citizen Richard Reid – the failed ‘shoe bomber’ of December 2001 – remained the subject of specific UK–US intelligence and law enforcement liaison as their cases continued.²⁴⁷ In the wake of the Madrid bombings on 11 March 2004 and during their subsequent investigations, UK authorities probed any domestic connections. A link was reportedly made between the terrorists who perpetrated the Madrid attacks and the already detained terror suspect, Moussaoui.²⁴⁸ Shortly before the November 2004 US Presidential election, UK and US law enforcement and intelligence personnel were jointly analyzing the latest videotape supposedly from bin Laden.²⁴⁹ By the spring of 2005, the FBI and UK anti-terrorism Special Branch (SO13) were liaising closely over another specific ‘person of interest’. US authorities’ suspicions were raised by Zayead Christopher Hajaig, a British citizen, who had escaped back to the United Kingdom after taking flying lessons at the same flight school where two 9/11 hijackers had trained.²⁵⁰

UK–US intelligence liaison was not always effective. According to disclosures made in 2006 in *The One Percent Doctrine*, by US journalist and author Ron Suskind, the believed ‘leader’ of the 7/7 London suicide bombings, Mohammed Sidiq Khan, had previously been flagged up by the Americans in 2003. Contradicting evidence given by MI5 to the ISC and based on what ‘a senior British security source’ dismissed as ‘untrue and one of the myths that have grown up around Khan’, Suskind claimed:

British intelligence was certainly told about Khan [by the United States] in March and April 2003. This was a significant set of contacts that Khan had, and ones of much less importance were exchanged on a daily basis between the CIA and MI5. British authorities were sent a very detailed file. This demonstrates a catastrophic breakdown in communication across the Atlantic.²⁵¹

However, all was not quite so straightforward. From the debates surrounding the UK and US official rebuttals made directly in relation to Suskind’s claims regarding Khan, it seems that the ‘wrong’ Khan may have been flagged-up (at least on occasions) in his claims. This was attributed to there being ‘confusion’ on the behalf of Suskind’s original source.²⁵² As other well-placed sources have

noted, it does appear most likely that there was a mix-up regarding the particular Khan identified in the claims.²⁵³ Investigating different individuals with the same or similar name is a challenging issue encountered on a day-to-day basis for intelligence officers.²⁵⁴ This is aside from also being similarly challenging for those journalists and researchers following intelligence activities. The name 'Khan' surfaces many times in relation to several different individuals, as is seen throughout this book, for instance; nevertheless, several unanswered questions do still surround precisely how much MI5 exactly knew about the perpetrators of the 7/7 London bombings, including Mohammed Sidiq Khan. Reportedly, some of the information was legally blocked from being disseminated to the public by the media, possibly to avoid prejudicing a trial that was later being held in April 2008, and also suggesting perhaps a (Defence Advisory) 'DA-Notice' being in force.²⁵⁵

Undoubtedly difficult management decisions had to be made. Whatever can be agreed concerning this particularly controversial case, due to limited resources at their disposal, intelligence agencies continued to maintain specific targeting on their perceived highest priorities. Those who were not included on those lists slipped under the radar.²⁵⁶ After the 7/7 London bombings, surveillance resources were expanded rapidly. The ISC report into the London bombings recorded: 'In making investigative decisions the Security Service recognises, partly because of the resources available, that it has to be selective and that it has to bear risks'. These were not the only concerns: 'Proportionality is also taken into account in the decision-making process: consideration is given to what degree of intrusion is proportionate on the basis of the available intelligence'. The report continued: 'Targets move between investigative tiers as new information of activities and intentions is received, and cases and priorities are regularly reviewed to ensure that resources are appropriately allocated'.²⁵⁷ The ISC concluded: 'The story of what was known about the 7 July group prior to July indicates that if more resources had been in place sooner the chances of preventing the July attacks could have increased'. More specifically, 'greater coverage in Pakistan, or more resources generally in the United Kingdom, might have alerted the Agencies to the intentions of the 7 July group'.²⁵⁸

Some of the operational difficulties being confronted by UK intelligence were now obvious to all. As BBC security correspondent Gordon Corera reported in November 2006: 'Since January of 2006, [MI5's] casework on counter-terrorism has increased by 80%'.²⁵⁹ Simultaneously demonstrating the extent of MI5's contemporary overstretch, as Corera has argued, to a degree these types of pressing management considerations persist:

The scale of activity leads to hard choices. Every week, in co-ordination with the police, MI5 has to decide which of its many investigations it will prioritise and, every day, it has to make further decisions on how to apply its resources – whose phones to tap, who to follow. It takes many officers to conduct 24-hours-a-day, seven-days-a-week surveillance so putting resources in one area involves diverting them from other investigations.²⁶⁰

Dealing with ‘persons of interest’ abroad was another task involving liaison. The joint UK–US interrogation of about nine UK prisoners (at least by the years 2003 to 2004)²⁶¹ continued over time at the US Guantánamo Bay prison (‘Camp X-Ray’) in Cuba.²⁶² Indeed, US ‘War on Terror’ detainees and the issue of associated abuse figured prominently.²⁶³ As 2003 progressed, UK–US intelligence relations persisted amid the public controversy.²⁶⁴ Domestically in the United Kingdom, there were concerns about the general treatment of detainees and, more specifically, the detention of UK citizens at that location, including the recently developed ‘Camp Delta’. In July 2003, before this issue had developed momentum, Downing Street readily justified the risks of the United Kingdom’s association, claiming that there was some substantial intelligence value to be reaped: ‘the information flowing from those at Guantánamo Bay is important in terms of the war against terrorism and we can’t overlook that’.²⁶⁵

However, as time progressed, this issue itself could not be ignored. Domestic and international legal obligations became increasingly prominent. The generally prevailing concerns surrounding the treatment of detainees eventually appeared on the agenda of the ISC accountability and oversight system. As the ISC observed on this matter in June 2004:

The Prime Minister informed us that, with one exception, all interviews conducted or observed by UK intelligence personnel have been conducted in a manner consistent with the principles laid down in the Geneva Convention, but that some detainees questioned by them have complained about their treatment while in detention.

The report continued, offering some insights into UK practices when encountering these circumstances:

Whilst the UK personnel never witnessed any evidence of detainee abuse of the type that the US authorities have acknowledged has occurred in Iraq, on the few occasions that they became aware that detainees were being held by US authorities in austere conditions or treated inappropriately, the concerns were passed on to the US authorities.²⁶⁶

Arguably, the Abu Ghraib prison abuse, exposed during May 2004, was not far from the minds of the ISC.²⁶⁷ However, whether the British concerns on these and associated issues were entirely heeded cannot be determined. At least until the advent of the Obama administration in early 2009, it appears not. As the ISC also later concluded in 2007, much of the American approach had been agreed at the strategic level.

On 9 March 2004, the United States announced that it was transferring five British Guantanamo detainees to the United Kingdom. This underlined the high degree of trust established with the United Kingdom through agreements on security matters. The criteria for permitting this move were declared to be as follows:

The decision to transfer or release a detainee is based on many factors, including whether the detainee is of further intelligence value to the United States or its allies. The decision to transfer these detainees was made after extensive discussions between our two governments. The British government has agreed to accept the transfer of these detainees and to take responsibility to ensure that the detainees do not pose a security threat to the United States or our allies.²⁶⁸

However, progress on prisoner treatment was incremental in nature. Again showing that these interactions are not unconstrained, the remaining (British-associated) detainees held at Guantánamo Bay had to wait until further sufficient UK security measures were in place. This was to be to the mutual satisfaction of both the UK and US authorities, before the detainees could be handed over safely. Forward movement on this issue now dragged.²⁶⁹ As Blair remarked in his testimony to the UK House of Commons Parliamentary Liaison Committee in July 2004:

He hoped the issue would be resolved ‘reasonably soon ... I do not think the US is being unreasonable in saying we need to make sure there is security in place for these people. ... There is an issue about these particular people in respect of the United States that is not just about their status as detainees and we need to be very clear ... that we are not putting anyone at risk’.²⁷⁰

However, he maintained that with regard to the United Kingdom: ‘I am not yet satisfied that we have the necessary [security] machinery in place but we are working on that. ... We all know that we are faced with a significant terrorism threat’. Highlighting some of the troubling concerns: ‘These people were picked up in circumstances where we believe at the very least there are issues that need to be resolved ... in respect of those individuals’, adding: ‘Certainly from what I have seen about those individual cases I would need to be very, very clear that there was in place in this country a sufficient infrastructure and machinery to be able to protect our own security’.²⁷¹

Some of the acute moral and ethical dilemmas that UK and US intelligence were confronting were highlighted.²⁷² They were striking some increasingly complex balances in their international intelligence liaison. These controversial trade-offs were exposed particularly starkly during the controversy in May 2005 over the use of Uzbekistani intelligence. Raising some serious human rights concerns, the former UK ambassador to Uzbekistan, Craig Murray, revealed that Uzbekistani intelligence (allegedly) obtained through dubious methods, such as torture, was then being shared between the United Kingdom and United States as part of the close bilateral UK–US intelligence liaison arrangements.²⁷³ This was as part of the controversial trade-off when dealing with unsavoury intelligence partners with distinctly doubtful human rights records.²⁷⁴ These ‘dangerous liaisons’ were courted when the UK and US intelligence agencies also wanted access to the potentially valuable intelligence product that could be

supplied.²⁷⁵ Indeed, on occasions in the past, interrogation under duress reportedly *had* yielded some useful intelligence and investigative leads. This was highlighted especially where Alasdair Palmer noted in December 2002:

Most of us are so appalled by the whole idea of torture that we are inclined to claim that it does not work. Unfortunately it does – at least sometimes. In 1995 al-Qaeda planned to hijack 11 airliners flying out of the Philippines, with a total of 4,000 people aboard, and to crash them into the Pacific. The Philippine intelligence agencies, suspecting a plot, arrested and tortured a man they thought was one of the terrorists. They broke most of his ribs, burned his genitals with cigarettes and poured water into his mouth until he couldn't breathe. After 67 days, he came up with the information which enabled the Filipinos, together with the Americans – who were provided with the fruits of the interrogation – to frustrate the plot.²⁷⁶

Risk management considerations again figured prominently. Clearly, they could not be avoided while conducting liaison in such contexts, and when involving torture-related intelligence product. Other potentially extreme and politically acute situations had to be carefully navigated in parallel by intelligence and security personnel in their day-to-day work. These considerations were captured by a referential eye to the 'ticking bomb' scenario, together with the presence of a vigorous 'not on our watch' mentality, as the overarching goal of public safety continued to predominate after 9/11. As Harvard Professor Alan Dershowitz has observed: 'The current variation on the classic "ticking bomb case" involves a captured terrorist who refuses to divulge information about the imminent use of weapons of mass destruction ... that are capable of killing and injuring thousands of civilians'.²⁷⁷

Difficulties persisted. By November 2005, UK–US intelligence relations were evidently taking place against the background of growing public controversy regarding the United States' own CIA 'extraordinary renditions' and associated use of 'intensive interrogation' techniques, such as 'waterboarding'.²⁷⁸ Many people both inside and outside of the intelligence world found these methods exceedingly repugnant.²⁷⁹ Inevitably, even in private, UK–US intelligence liaison relations were not isolated from the increasingly widespread US use of these controversial methods, as explicitly endorsed by the Bush administration.²⁸⁰ As the UK ISC later observed solemnly in June 2007, when it reported on the renditions issue:

The rendition programme has revealed aspects of the usually close UK/U.S. relationship that are surprising and concerning. It has highlighted that the UK and U.S. work under very different legal guidelines and ethical approaches. The Director General of the Security Service said that the Americans are aware of the concerns of the UK Agencies in relation to rendition and detainee treatment.²⁸¹

Indeed, as the ISC soberly continued:

The U.S. rendition programme has required that the Security Service and SIS *modify* their relationship with their American counterparts to ensure that, in sharing intelligence, the differing legal frameworks of both countries are honoured. . . . Although the U.S. may take note of UK protests and concerns, this does not appear materially to affect its strategy on rendition.²⁸²

Some of the reconfigurations that had to be undertaken within UK–US intelligence liaison relations were emphasized. From an international intelligence liaison risk management perspective, UK intelligence liaison with the United States was becoming somewhat increasingly ‘dangerous’. With enhanced attention on legal liabilities, actionable operational and tactical intelligence now could not be so directly or explicitly, or indeed legally permissibly, shared by the United Kingdom (or other European countries) with the United States.²⁸³ Intelligence interactions involving intensive interrogation techniques and renditions, quickly acquired similar ‘blocks’ on the scope of their operation as those interactions involved in investigations that might ultimately lead to the US legal sentence of capital punishment.²⁸⁴

Significantly, this political controversy was not confined to bilateral UK–US intelligence liaison relations. By late 2005 and into early 2006, it also figured at the plurilateral level between the United States and the EU, with the European Parliament and the Council of Europe (CoE) inquiries. CoE Secretary General Terry Davis, who presented the Council’s findings, reportedly claimed ‘safeguards were needed to stop abuse . . . a number of countries had systems for overseeing their own national security services – such as the UK’. More troublesome was his further observation: ‘But “hardly any country in Europe has any legal provisions to ensure an effective oversight over the activities of foreign agencies on their territory.”’²⁸⁵

The CoE’s advisory body on legal matters, the ‘Venice Commission’ (The European Commission for Democracy through Law) also probed the issue.²⁸⁶ Notably, in March 2006, the Venice Commission report quickly unveiled the further obstacles and operational parameters that would need to be navigated in UK–US intelligence interactions. The most awkward implications for UK–US intelligence liaison relations flowed from the Venice Commission observing within its conclusions that:

Council of Europe member States are under an international legal obligation to secure that everyone within their jurisdiction . . . enjoy internationally agreed fundamental rights, including and notably that they are not unlawfully deprived of their personal freedom and are not subjected to torture and inhuman and degrading treatment, including in breach of the prohibition to extradite or deport where there exists a risk of torture or ill-treatment. *This obligation may also be violated by acquiescence or connivance in the conduct of foreign agents. There exists in particular a positive duty to*

*investigate into substantiated claims of breaches of fundamental rights by foreign agents, particularly in case of allegations of torture or unacknowledged detention.*²⁸⁷

Collective difficulties did not stop there. In the overall mix of controversy – which persisted into 2008 with revelations of detainees allegedly being held on some 17 US ‘prison ships’ – parliamentary inquiries in other European countries, such as Germany and Italy, were also closely involved.²⁸⁸ In the wake of the Arar case and its subsequent commission, Canada, too, was not exempt from these controversies.²⁸⁹ The disputes concerned particularly those renditions to countries where interrogation (allegedly) takes place with torture.²⁹⁰ Together with the United Kingdom, the other European countries and their interactions with the United States on this issue were subject to close scrutiny.²⁹¹ This reflected their domestic and international legal obligations which were a consequence of being signatories to the ECHR, as well as due to the presence of other prevailing human rights legislation – such as for the United Kingdom, its Human Rights Act of 1998 – as well as having to adhere to the obligations as laid down by the various UN agreements on human rights, such as the Universal Declaration of Human Rights.²⁹²

The whiff of scandal, if only by the United Kingdom’s close association with the United States, was not too far away. With the United Kingdom’s human rights obligations in mind, from September 2005, the media probed the United Kingdom’s alleged involvement in the US process.²⁹³ In late December 2005, the UK Government officially rebutted this with explicit assurances claiming ‘no record’ of any involvement.²⁹⁴ However, some MPs were not convinced by those assurances, and still wanted to question UK intelligence and security service officers concerning the renditions. In these circumstances, the ISC decided to investigate the process.²⁹⁵ Later, in early 2008, an examination of US records demonstrated that two CIA renditions flights had in fact landed on British territory in 2002. This was at the base on Diego Garcia. Chastened, the UK Government apologized.²⁹⁶

Revelations did not stop there, however.²⁹⁷ An official UK Government response to the (alleged) role performed by UK Special Forces in the US-led renditions process has remained conspicuously absent.²⁹⁸ The UK Government has ignored the claims of Ben Griffin, reportedly ‘a former [Special Air Service] SAS soldier who quit the Army in protest at the “illegal” tactics and policies of coalition forces’, who maintained that ‘the [UK] Government knew what was happening’. Moreover, according to reports, he ‘said the SAS was part of a joint US/UK unit which captured suspected terrorist[s] who were then spirited away for interrogation’.²⁹⁹

The fallout spread further. By October 2005, worries were already prevalent that wider ‘counterterrorism co-operation is endangered by US renditions’.³⁰⁰ Simultaneously, in December 2005, the UK Law Lords raised the ‘burden of proof’ required for terrorism cases. They declared that evidence against terror suspects obtained by torture was inadmissible in the UK courts. Again, the high

legal threshold set by UK courts, and which had caused some earlier US chagrin, was demonstrated.³⁰¹ By 2006, Steven Clemons from the New America Foundation reportedly claimed ‘there is great “frustration” among British law enforcement officials because that country’s laws prevent use in court of human intelligence gathered by American authorities from detainees at Guantanamo Bay’.³⁰² Leaving aside the question of investigative leads and their potential follow-up, certainly in relation to prosecution ‘ends’, substantial barriers were now apparent.

Intelligence in the United States itself has not been completely immune to some legal probes. These have been conducted along similar lines to those in the United Kingdom, and have similarly concerned the conduct of intelligence vis-à-vis issues such as the treatment of detainees and the use of ‘intensive interrogation’ techniques.³⁰³ In February 2005, according to reports based on information from US intelligence officials, the CIA’s own Inspector General, John L. Helgerson, was ‘conducting several reviews of the agency’s detention and interrogation practices in Iraq and Afghanistan, including several episodes in which prisoners have been injured or killed in C.I.A. custody’. Reportedly there was already ‘one C.I.A. contract employee, David Passaro, [who had] been charged with a crime in connection with allegations of abuse of Al Qaeda prisoners’.³⁰⁴ These CIA Inspector General probes, including into the wiping of CIA detainee interrogation videotapes, themselves were later subject to review, as they were deemed by some officials to be overly rigorous.³⁰⁵ By February 2008, the CIA Inspector General was said to have

Agreed to tighter controls over [his] investigative procedures ... in what appeared to be an attempt to soften resentments among agency officials over the watchdog’s aggressive probes into the legality and effectiveness of the CIA’s counterterrorism efforts and detention programs.³⁰⁶

The overall controversy also had some impact politically within the United States. Notably, a ‘torture ban law’ was introduced during the autumn of 2005.³⁰⁷ But in the United States this quickly became overshadowed later in December 2005, by the US ‘spying on its own citizens’ domestic controversy. The controversy over Americans spying on Americans without proper legal authority lingered, extending into 2006 and beyond.³⁰⁸ Amid these allegations, a ‘whistleblower’ also claimed that UK PM Tony Blair had been spied upon by the United States. Characteristically, UK and US officials quickly denied those claims.³⁰⁹ However, some changes were afoot. As a consequence of the impact of the controversial methods and practices pursued by the United States, UK–US intelligence liaison on CT was plainly subject to some recalibration. This was particularly evident within the context of the public controversy surrounding the reported treatment of Guantánamo detainee and British-resident Binyam Mohammed.³¹⁰ When pushed on the subject, the FCO retorted: ‘Intelligence relationships, especially with the United States, are vital to Britain’s national security. They are based on an assumption of trust. Matters regarded as secret by one

government should be treated as secret by others.’ Demonstrating the great importance placed on the treaty relationships that accompany formal bilateral sharing, the FCO statement continued: ‘For [the secrecy] to be called into question would pose a serious and real risk to continuing close intelligence sharing with any government.’³¹¹ Whatever the exact prevailing circumstances encountered in this case, and indeed generally, clearly the careful management and preservation of the highly valuable UK–US intelligence cooperation, to its maximum possible (operable) extent, was going to persist.

The Internet similarly figured prominently in specific bilateral UK–US intelligence liaison.³¹² At the dawn of the new millennium, cyber-terrorism concerns were prevalent and ‘info-war’ was emerging as a new paradigm.³¹³ In both the United States and United Kingdom there were worries that ‘cyber-terrorists’ would exploit any ‘millennium bug’ or ‘Year 2000’ (Y2K) issues and launch attacks on major computer systems.³¹⁴ This was something that the intelligence agencies on both sides of the Atlantic were keen to watch and prevent. Later, in June 2000, the Chairman of the US National Commission on Terrorism, Paul Bremer, revealed the importance of intelligence liaison, remarking that: ‘It turned out that there really were plans for some major attacks during the Millennium, and thanks to some excellent liaison work ... we were able to avoid them.’³¹⁵

Shared UK–US cyber concerns maintained the momentum.³¹⁶ These surrounded more widespread ‘cyber-crime’, and were at times again especially focussed on specific cases and individuals.³¹⁷ Much of this connected with the multilateral UKUSA SIGINT arrangement, and in 2001 it was revealed that:

Within [the US National Infrastructure Protection Center (NIPC), FBI], the NIPC has full-time representatives ... [including those] from three foreign partners: the United Kingdom, Canada and Australia. The NIPC has established information sharing connectivity with a number of foreign cyber watch centers, including in the UK.

The continued important role of FBI legal attachés on this issue was asserted with: ‘And, we continue to take advantage of the FBI’s global presence through its Legal Attaché offices in 44 nations.’³¹⁸ As the so-called ‘War on Terror’ progressed over time, the ‘legats’ were also useful for aiding with UK–US intelligence liaison on the expanding financial front of counter-terrorism efforts.³¹⁹

Following money trails was significant. After the 9/11 attacks, bilateral UK–US intelligence liaison concerning financial counter-terrorism efforts was also enhanced. Indeed, ‘asset freezing’ formed the first strikes in the ensuing so-called ‘War on Terror’ the UK–US intelligence services could jointly take the lead in mobilizing. These began with the bank details of suspect ‘charities’ beginning to be probed.³²⁰ As the US Joint Inquiry observed:

Tracking terrorist funds can be an especially effective means of identifying terrorists and terrorist organizations, unravelling and disrupting terrorist

plots, and targeting terrorist financial assets for sanctions, seizures, and account closures. As with organized criminal activity, financial support is critically important to terrorist networks like al-Qa'ida.³²¹

UK–US-led freezing of ‘terrorist’ assets accelerated over time. The driving force was often the circulation of lists drawn up as ‘a result of intelligence sharing and co-ordination between the UK and US’. UK Chancellor of the Exchequer Gordon Brown continued, declaring: ‘We will continue to work with our allies, and take a leading role internationally to cut off the ready supply of finance which is the lifeblood of modern terrorism.’³²² He later offered the US Treasury Secretary, Paul O’Neill, the services of the UK’s National Criminal Intelligence Service (NCIS) as a ‘force multiplier’,³²³ in order to ‘co-ordinate intelligence’ relating to terrorist finances.³²⁴

How successful these ‘asset freezing’ efforts were remains questionable. At least in the short-term, it appears that they were not outstanding, having only a limited impact. For example, ‘conventional’ Western banking tools and controls were variously undermined by the presence of popular alternative, more ‘informal’, banking methods and systems – especially used in the Middle East – known as *hawala*.³²⁵ By April 2002, according to *The Financial Times*, the United Kingdom and United States ‘admitted they had tracked down only a fraction of funds used to finance alleged terrorists’.³²⁶ Indeed, the FCO declared:

Attempts to address the problem of terrorist financing have been inadequate. While in the three months after 11 September 2001 \$112 million in alleged terrorist funds were frozen, only \$24 million were frozen in the two years that followed. Seized funds represent only a small fraction of total funds available to terrorist organizations.³²⁷

By 2004, a British Bankers’ Association conference was reportedly informed that although ‘the number of terrorist-related suspicious bank transaction reports in the UK has fallen since 2001 ... the overall number of suspicious reports is rising’.³²⁸ Some diversification in the methods of terrorist financing was suspected. This was accompanied by an appreciation that vast sums of money were not necessarily essential when executing *jihadist* terror attacks – as the 7/7 London bombings had demonstrated.³²⁹

Notwithstanding this, the tool of financial ‘asset freezing’ was still useful. As part of the UK counter-terrorism response to the 2002 Bali bombings, and in the wake of similar US moves, the Chancellor ordered the freezing of assets associated with *Jemaah Islamiyah*, the radical Islamic group believed to be responsible for the bombings.³³⁰ As the group’s al-Qaeda connections tried to be ascertained, the announcement came that more terrorist groups were being banned under the UK Terrorism Act of 2000.³³¹ Moreover, this was an area of discreet cooperation where other allies – typically within Europe – could offer assistance to the United States and United Kingdom with little risk of controversy.

Finance intelligence underwent substantial evolution between 2003 and 2005. Given the multiple difficulties encountered, intelligence and security authorities gradually adopted some more sophisticated strategies and tactics. Watching rather than snatching tactics again took the lead. Instead of instantly freezing the assets, reportedly,

Special Branch, regional police forces and the intelligence agencies have learnt over the past 16 months that terrorist money, once identified, is often better put under surveillance than seized. ‘Watching those funds come and go has been a revelation and far more useful in developing new leads than just steaming in with confiscations and arrests’, [said] a Home Office source ... ‘Better for us to know what terrorists are doing than vice versa’.³³²

The ‘asset freezing’ tactics adopted after 9/11 were recognized to be somewhat ineffective. The Home Office source continued: ‘I think everyone now concedes that was a bit of a knee-jerk reaction ... We were all flailing about to reassure the public that we were on top of things, but freezing money didn’t always get us very far.’³³³ Steep learning curves for the authorities were evident here as elsewhere.

American officials argued that there had been partial success by mid-2005: ‘The US government has made significant progress in bolstering the political will and ability of governments in the Middle East and South Asia to combat terrorism and the financing of terrorists, but more needs to be done.’ Although, more positively, ‘burden sharing with our key coalition partners is an emerging success story’.³³⁴

Further actions against terrorist financing were demanded after the July London bombings.³³⁵ These movements would build on the secret programmes that had already been underway for some time since the 9/11 attacks, including the monitoring of international bank and money transactions.³³⁶ By early 2006, these efforts, including those against *hawala*, were judged to be ‘very successful’, particularly as reportedly: ‘*hawala* brokers now turn away suspected terrorists’.³³⁷ Over time, some broader UK and US attempts to tackle terrorist funds were witnessed. These concerned wider multilateral efforts, including the setting up of a G7 anti-money laundering task force in October–November 2001.³³⁸

4.0 UK–US Special Forces’ covert operations and CT efforts in Afghanistan

UK and US Special Forces (SF) have a long history of working together on covert and ‘direct action’ operations.³³⁹ As Robin Moore has noted:

The bonds between the British Special Forces and American Special Forces went back fifty years ... both of whom had conducted joint operations during World War II. These bonds were still deep, kept strong by exchange programmes, joint training exercises, attendance at each other’s special schools, and common enemies.³⁴⁰

The cooperation on covert action and counter-terrorism in Afghanistan from September 2001 was generally close, and reflective of a 'functional' relationship. However, at times these interactions were not without their difficulties – frequently involving technological and classification obstacles. Alongside their own internal differences, there were also several UK–US differences. Neither were these controversies over covert operations entirely divorced from the debate over 'wait and watch' and 'see and strike' approaches.

Mixed teams featured. The UK SF involved in Afghanistan included both the Special Air Service (SAS) and the Special Boat Service (SBS).³⁴¹ Other related intelligence outfits were also involved. This reflected the tradition of deploying mixed teams consisting of various combinations of SAS, SBS, SIS and GCHQ personnel, depending on specific operational requirements.³⁴² The US SF in Afghanistan included Delta Force, the Green Berets, Rangers and the US Navy SEALs (Sea, Air and Land). They were under the US Special Operations Command (USSOCOM) and commanders, such as US Colonel John Mulholland's Joint Special Operations Task Force (JSOTF) located in the field. Clandestine CIA paramilitary units were also present.³⁴³ While being a consumer of intelligence, one of the key general tasks of SF is also as a producer and collector of intelligence, gathering and feeding back intelligence to commanders.³⁴⁴ Frequently they fulfil the role of being an 'advance party', identifying and tracking targets through surveillance. This is often in preparation for an aerial bombardment. Another key function is liaising with 'proxy' forces and local stakeholders.³⁴⁵

Operation 'Enduring Freedom' in Afghanistan in 2001 involved the largest deployment of UK and US SF since the 1990–1 Gulf War. It also involved other SF, from countries such as Australia, and later Belgium, Denmark, Germany and France.³⁴⁶ As Danish political scientist Mikkel Vedby Rasmussen has noted: 'The RMA [revolution in military affairs] is ... making it easier for small countries to project military power. ... In 2003, Danish and Norwegian F-16s using precision munitions provided close air support for US special forces operating in Afghanistan.'³⁴⁷ Due to the nature of covert operations, and the fact that traditionally militaries tend to keep 'tight-lipped' about the exact activities of their SF to prevent their operational compromise, by early 2002 one commentator noted that 'the full extent of the involvement of the USA's allies in Afghanistan remains unclear'.³⁴⁸ However, some observations can be made.

Interoperability was a key theme.³⁴⁹ In joint CT operations in Afghanistan, the UK SF offered much to the United States. The UK SF contribution was comparatively small in terms of men and *matériel* supplied. However, it was considered large, and characteristically 'punched above its weight', in terms of its effectiveness.³⁵⁰ In an article published in the *News of the World* in December 2001, US Defense Secretary Donald Rumsfeld praised the valuable contribution of UK SF both in Afghanistan and to the wider so-called 'War on Terror'.³⁵¹ Other commentators also noted that 'the British elite force is highly regarded by its American counterparts, who have a much broader concept of "special forces"'.³⁵²

Aspects of this breadth have not always or completely appealed to the United Kingdom. There were further contrasts drawn between the national doctrines of the UK SAS and US SF operating together in Afghanistan. Another commentator claimed: ‘Man for man, the British are every bit the equal of their American counterpart. But the SAS simply cannot operate as a force-multiplier the way American Special Forces can.’ The lack of SAS ability to call in unmanned aerial vehicles (UAVs), such as ‘Predators’, was cited, as – until October 2007 – the United Kingdom possessed none that could be deployed.³⁵³ In other ways, the UK SAS was also less technologically adept than their US partners, lacking some of the equipment, together with security clearances, that US SF carried: ‘United Kingdom special operations forces reportedly were never successfully integrated into the C4I [Command, Control, Communications, Computer and Information and Intelligence] structure. In some cases, intelligence coordination failed, not because of technological failure, but due to classification restrictions.’³⁵⁴

However, despite these differences – which were not always necessarily for the worse – the UK SF offered the United States a significant quantity of relevant experience. This was most apparent with the SAS ‘Revolutionary World Warfare’ (RWW) unit, which provided much utility to its US partners.³⁵⁵ Most significantly, RWW was familiar with the hostile mountainous terrain that was encountered in Afghanistan. The unit had been involved in mountain training in similar terrain in neighbouring Pakistan for at least five years. They also had relevant language skills. Another valuable asset was the establishment of good relations with Pakistani Special Forces.³⁵⁶ The UK SAS therefore had much to offer the United States due to its reported ‘long-operational experience of this part of the world and [it] is widely regarded by professionals as “one of the best”’.³⁵⁷ Indeed, the US SF Delta Force and Green Berets were modelled on the SAS.³⁵⁸ Other small, specialist units the SAS offered included the ‘Brigade Patrol Troop’. This provided experts in intelligence gathering on enemy topology.³⁵⁹ Later, in early December 2001, demonstrating the breadth of UK intelligence involvement in Afghanistan, UK Prime Minister Tony Blair thanked the other members of the UK intelligence community for their contribution. This came as SIS and GCHQ also provided intelligence concerning al-Qaeda and Taliban fighters to assist with the UK–US SF operations.³⁶⁰

The UK SF contribution on the ground in Afghanistan was reportedly ‘mostly integrated into U.S. Special Force operations’.³⁶¹ The JSOTF commanded by Mulholland included SAS personnel, with their operations ‘coordinated with JSOC [Joint Special Operations Command] as they would work closely with Delta Force and TF [Task Force] 160’.³⁶² During the night of 19 October 2001, both UK and US SF conducted operations in the Kandahar region. Using their Pashto language skills – the language of the southern Kandahar region – the SAS units involved in the operations made an important contribution.³⁶³ Later, during November 2001, two SAS teams drove over the Bamian desert acting provocatively as ‘bait’ to draw out al-Qaeda and Taliban fighters from hidden positions so that they could be engaged in battle and mopped up by UK and US SF.³⁶⁴ These joint operations with the UK SF as a close ally had a beneficial political

effect for the United States. In terms of international public opinion, the UK–US cooperation demonstrated that the United States was not working unilaterally.

Soon after the 9/11 attacks, Bush and Blair agreed that military operations in Afghanistan would be US–UK-led with a ‘tight command structure’.³⁶⁵ The UK and US SF already had extensive experience of working closely together. During the 1990–1 Gulf War, the SAS and US SF Delta Force had carried out joint operations against Scud missile facilities in Iraq.³⁶⁶ Shortly after the 9/11 attacks, as the US military and SF held crisis planning meetings, official communications were soon quickly opened up with the UK Ministry of Defence (MoD).³⁶⁷

During Operation ‘Enduring Freedom’, Special Force convergence was evident. In September 2001, instead of the UK Joint Forces Forward Planning Headquarters participating in a pre-planned UK military exercise in Oman, it decided to stay at the Permanent Joint Headquarters (PJHQ) at Northwood so it could work with its US counterparts.³⁶⁸ A few days after the 9/11 attacks, Assistant Chief of the Defence Staff (Operations/Commitments), Sir Anthony Piggott, visited the Pentagon with a small team of planners.³⁶⁹ Reportedly from this liaison, the United Kingdom heard for the first time the US battle plans that were coalescing.³⁷⁰ During Operation ‘Enduring Freedom’, much was made of the United Kingdom and United States closely operating together officially at the different levels. The UK contribution was codenamed Operation ‘Veritas’. Over time, to varying degrees of effectiveness, there was also a joint UK–US media message trying to be disseminated. This occurred while UK and US military chiefs and planners were (at the least) reputed to be working together at US Central Command (CENTCOM) in Tampa, Florida, and as UK and US SF were cooperating together out-in-the-field in Afghanistan.³⁷¹ Early on, US SF focussed on working in the north, while UK and US SF were working together in the south of Afghanistan. The role and tactics of the SF were to ‘pin-point’ Taliban and bin Laden’s al-Qaeda forces, and then direct air-firepower onto them.³⁷²

As Operation ‘Enduring Freedom’ was on the verge of being overtly launched, there was speculation (not entirely unfounded) that the United Kingdom was trying to act as a restraint on the United States, through trying to help influence US decisions. Arguably this was attempted by the United Kingdom as it strove to keep the so-called ‘War on Terror’ confined to just Afghanistan. The United Kingdom also wanted to ensure that the US military responses were sufficiently measured, with ‘collateral damage’ and civilian suffering kept to a minimum.³⁷³

Naturally some UK–US military differences emerged as the war in Afghanistan unfolded. First, the US-led SF insertions met tougher than expected resistance. The intelligence-gathering operations proved harder and, at this early stage, less fruitful than originally anticipated. Several ideas of how to best next proceed were tabled. The United States thought of sending in a full US invasion force, extending beyond just SF action. The United Kingdom meanwhile wanted to use the Northern Alliance as a ‘proxy’ force backed up by SF, and closely follow-up these activities with humanitarian aid and other incentives. Hopefully this approach would win over the civilian population of Afghanistan to the side

of Western forces. Partly influenced by SIS, the CIA also favoured adopting that strategy; while reportedly ‘both MI6 and Brigadier Graeme Lamb, Britain’s Director Special Forces, the equivalent of the JSOC [Joint Special Operations Command] commander, saw British operations in Oman during the 1970s as the perfect model for Afghanistan’.³⁷⁴ More sceptical of special operations, the State Department and senior US military commanders were apparently less impressed by such plans.³⁷⁵ The UK military, however, were wary of a full-scale invasion – particularly after the experience of the Soviet Union in the 1979–89 Afghanistan war.³⁷⁶

Amid these UK–US military differences, talks were held in Washington between the Defence Secretaries, Rumsfeld and Hoon. Hoon reportedly ‘insisted there were no differences of views either between British and US politicians or between their military planners’.³⁷⁷ However, simultaneously there were reports of differences internally within the Pentagon on how to proceed with the military operations.³⁷⁸ Some UK defence sources also had concerns regarding the Northern Alliance. These concerns were based on the Northern Alliance’s poor historical record in Afghanistan, when they had supposedly been in power in the early 1990s before the Taliban had seized control. Moreover, the groups composing the Northern Alliance had a history of infighting and were regarded as a ‘ramshackle group’.³⁷⁹ Frequently, CIA and SIS teams had to supply large sums (and suitcases) of cash in order to help buy the various warlords’ cooperation. As Michael Smith observed, CIA paramilitary operative Gary Schroen’s ‘case full of dollars was a major factor. But the key to winning support was rarely if ever money alone’.³⁸⁰ This was hardly a long-term sustainable strategy to adopt. In the event, at least some aspects of all the different ideas circulating were applied. The US–UK-led military campaign was eventually focussed more on the Taliban front line and the ‘key’ northern city of Mazar-i-Sharif.³⁸¹ On Friday 9 November 2001 it fell. Reportedly: ‘The CIA and MI6 teams waited until precisely the right moment before using their agents to ... [persuade people] needed on side to defect at the most advantageous moment for the allied advance.’³⁸²

UK–US military differences on how to proceed persisted. To militarily defeat the Taliban in their own region, UK Chief of the Defence Staff Admiral Sir Michael Boyce noted that the operation would take a long time and a sizeable commitment of regular troops. SF alone would not be sufficiently adequate. This contrasted with some US officials who claimed that the war in Afghanistan would be a ‘new kind of war’ conducted by the SF in isolation. However, the Chairman of US Joint Chiefs of Staff, General Richard Myers, came to agree that Operation ‘Enduring Freedom’ would be longer-term.³⁸³ Because of the stiff resistance encountered so far, the United Kingdom was reportedly compelled ‘to consider a much larger deployment of ground troops than originally envisaged’.³⁸⁴ The contributions of the UK–US SF, while valuable and essential, appeared to be too small-scale given the wider war objectives, such as encouraging the toppling of the Taliban. As Charles Heyman, editor of *Jane’s World Armies*, argued: ‘The brutal truth is that there are nothing like enough Special Forces to do the job on their own.’³⁸⁵

Continued US uncertainty over the direction of the war caused UK worries. Hoon again flew to Washington at the end of October 2001 for further discussions.³⁸⁶ The lack of intelligence in Afghanistan was contributing towards the stalling of UK–US ground operations. Rumsfeld suggested the centrality of liaison between the SF and the Northern Alliance for intelligence gathering activities. Hoon meanwhile denied any ‘disconnect’ between the UK and US approaches to the war. By early November, more SF were sent into Afghanistan. Rumsfeld again highlighted the importance of their liaison role in intelligence-gathering efforts. The United States also decided that the bombing would not stop for the Islamic holy month of Ramadan starting from 17 November 2001. US National Security Adviser Rice reportedly said a pause could not be afforded.³⁸⁷

Policy and strategy differences between the United Kingdom and United States were increasing. These were focussed on the political ‘War on Terror’ strategy involving Afghanistan. In contrast to Washington, London saw Ramadan as a factor to consider in military planning. The United Kingdom also had more limited objectives, such as bringing bin Laden and al-Qaeda ‘to account’ for 9/11. The United States instead envisaged a wider global so-called ‘War on Terror’ eventually extending beyond Afghanistan.³⁸⁸ The United Kingdom also wanted more emphasis on the humanitarian effort, and was dismayed by the delays to the US efforts to help try and resolve the linked Israeli–Palestinian conflict. Further UK worries were provoked by some key players in the Bush administration already talking of firmer action against Iraq.³⁸⁹

Concerning SF, differences over the type of deployment for UK and US SF emerged. The UK SF were usually involved in longer operations than their US counterparts. There was also dismay amongst some UK defence officials that the full extent of the UK military contribution to the war in Afghanistan, such as by the Royal Air Force (RAF) in reconnaissance and bombing raids, was not really acknowledged by the United States. Tactically, some UK military commanders also felt that there was too much reliance on the aerial bombing by the United States. Several UK military commanders, like some Pentagon military strategists, wanted to be more innovative.³⁹⁰ As debate over strategy continued, a *CNN* military commentator suggested: ‘Taliban first, al-Qaeda later.’³⁹¹

By early January 2002, the SAS commander, Lieutenant General Cedric Delves replaced UK Air Marshal Jock Stirrup at US CENTCOM in Florida. This occurred as operations in Afghanistan had morphed from being air-dominated to being more focussed on ground-based SF-led search missions.³⁹² US media noted that the presence of Stirrup at US CENTCOM, having arrived there just six days after 9/11, highlighted the extent of the UK–US ‘special relationship’. The report continued: ‘Asked to detail the role of special forces ... Stirrup said, “We don’t do that. Suffice it to say that we have been continually involved.”’³⁹³ Although on the general and traditional policy of non-disclosure concerning UK SF operations, later potential change was suggested, particularly if SF were to be deployed more frequently and extensively in the so-called ‘War on Terror’ context.³⁹⁴ Germany similarly preferred to keep its SF activities shrouded in secrecy and out of ‘politics’.³⁹⁵

The involvement of SF would be key. Early on, and indeed reiterated throughout, it was recognized that SF would play an important role in Afghanistan.³⁹⁶ This would be as an integral part of the wider Middle East and CT efforts anticipated during the long so-called ‘War on Terror’ response that was embarked upon after the 9/11 attacks on the United States.³⁹⁷ In the weeks after the attacks, UK and US SF quickly built up in the countries surrounding Afghanistan.³⁹⁸ Over time, those countries provided useful bases from which to launch military and SF operations into Afghanistan.³⁹⁹

‘The British have been here since the beginning. They have been very valuable’, remarked US Marines spokesman Captain Stewart Upton in early December 2001.⁴⁰⁰ It appears that the UK SAS had joined their US counterparts more or less as US SF had entered Afghanistan towards the end of September 2001. When they exactly entered is unclear. According to *CNN*, the ‘first confirmation that British military personnel have been deployed inside Afghanistan’ and that they were working alongside the Northern Alliance came from UK Defence Secretary Geoff Hoon on 11 November 2001.⁴⁰¹

One of the UK and US SF roles was to act as ‘advisers’ and conduct liaison with the Northern Alliance. This helped to explain the Northern Alliance’s ‘success’ versus the Taliban and al-Qaeda fighters by around mid-November 2001. The UK and US SF were trying the challenging task of uniting the diverse Northern Alliance factions, and turning them into an effective anti-Taliban fighting force.⁴⁰² Their collective targets were the ‘al-Qaeda’ training camps and Taliban military bases against which they were able to call down air strikes.

Towards the end of September 2001, unconfirmed reports were forthcoming in the media. These revealed that a four-man SAS team conducting reconnaissance had already been in Afghanistan for five days, and that it had established connections with the Northern Alliance. Its presence was noted when it reportedly surprised Taliban troops. However, at this early stage, the UK MoD resolutely continued its tradition of not discussing SF contributions publicly. The report was neither confirmed nor denied.⁴⁰³ *Reuters* was instead told by the MoD: ‘We never discuss special forces or operational matters ... We are currently in our planning phase to decide what help we can offer to the Americans.’⁴⁰⁴ By 29 September 2001, sources at the Pentagon and the White House had confirmed to the media that both US and UK SF were operating in Afghanistan. They were reportedly doing reconnaissance work rather than actively searching for bin Laden, at least at this early stage of operations.⁴⁰⁵ These ‘leaks’ to the media caused annoyance to UK and US military and SF commanders. Concerns materialized that SF soldiers and their operations, which should usually be shrouded in intense secrecy for maximum operability, could potentially be compromised, with the Taliban now actively on the ‘look out’ for SF units. The element of surprise had been lost.

Arguably, the White House undertook the ‘leaking’ to the press for political reasons. This was to satisfy American public demands that military action was underway in Afghanistan, representing a firm response to the 9/11 attacks. Regarding disclosures concerning SF, UK defence analyst Paul Beaver later remarked: ‘The Americans have been much more up front all the way through

this than we have. All the information about the SAS has come from the Americans.⁴⁰⁶ UK Members of Parliament also reportedly ‘said military chiefs and politicians should be more open about Britain’s Special Forces. The Government never discusses officially the work of the SAS and its naval equivalent, the SBS’. But, as the report continued, ‘both are proving vital to the campaign in Afghanistan and this new prominence mean the capabilities of the elite units may have to be discussed publicly’.⁴⁰⁷ Worries simultaneously existed that expectations placed on both UK and US SF soldiers were too high.⁴⁰⁸ Noting their value, Peter Riddell of *The Times* observed: ‘Special forces have been welcome, but not other forces.’⁴⁰⁹ Later, some SF commanders expressed the belief that some of the operations conducted in Afghanistan would have been better conducted by ‘regular’ and ‘conventional’ troops, rather than by their SF units.⁴¹⁰ As Michael Smith argued: ‘Throughout the operations in Afghanistan, both Delta and the SAS repeatedly found themselves used in a role for which they were never intended, carrying out large-scale assaults on enemy positions.’⁴¹¹

In the wake of the 9/11 attacks, the CIA had been granted explicit Presidential authority to kill bin Laden.⁴¹² Together with al-Qaeda, bin Laden continued to be a CT ‘grail’ for the United States.⁴¹³ Significantly, one of the first US ‘SF’ units into Afghanistan on 26 September 2001 was a covert CIA paramilitary team. It was codenamed ‘Jawbreaker’, headed up by Gary Schroen.⁴¹⁴ ‘Jawbreaker’ and other later CIA paramilitary and US DoD SF deployments sought to address the early intelligence deficit concerning Afghanistan.⁴¹⁵ Although, at least in the early days of action in Afghanistan, severe thirst for ‘real-time’ and ‘actionable’ intelligence continued.⁴¹⁶

Early in October 2001, the United Kingdom and United States issued an ultimatum to the Taliban: Surrender bin Laden or face military action.⁴¹⁷ With no hand-over of bin Laden, UK–US air strikes formally began on 7 October.⁴¹⁸ By around 19 October, the ground phase of the war in Afghanistan was launched. Ground troops were deployed into Afghanistan supported by US and UK SF in a characteristic directing role. The first phase of the war in Afghanistan, the air bombing campaign, had been judged as ‘effective’.⁴¹⁹ Previously the ‘periodic presence’ of SF in Afghanistan had focussed on specific operations, such as directing the air strikes.⁴²⁰ Meanwhile, US SF continued to assist the CIA on the ground in south Afghanistan, in the Taliban ‘heartland’.⁴²¹

Blair was now deciding which other UK ground troops would be sent to join US ground troops in Afghanistan. Demonstrating the close UK–US military liaison, the 10 Downing Street spokesperson remarked: ‘In terms of overt ground forces – we are in detailed discussion with the US about the UK military contribution’.⁴²² The United Kingdom decided to deploy up to 1,000 troops, including agreeing to further SAS input at the request of the United States. Rather than forming a major invasion force, specialist UK Royal Marine Commandos would also conduct ‘raiding parties’ into Afghanistan, forming part of the UK contribution codenamed Operation ‘Veritas’.⁴²³ Later, due to some complications and the continued meeting of fiercer resistance than expected, the UK contribution put onto standby included some 4,000 troops, with some further SF (SAS and SBS) input.⁴²⁴

By mid-November 2001, Bagram airfield near Kabul was being prepared by UK SBS troops to provide a future capability. This was – ostensibly at least – for the deployment of the large numbers of ‘overt’ UK troops. These troops were intended to conduct humanitarian peacemaking and keeping tasks in post-Taliban Afghanistan.⁴²⁵ More covertly, the intention appeared to be for the M-Squadron of the SBS to ‘act as the advance party for General John McColl and ISAF [the International Security Assistance Force], his security force that was preparing to enter Kabul one month later’.⁴²⁶ The Bagram airbase was a key location for allied operations. Also established at Bagram airbase was an intelligence ‘fusion cell’ to provide better intelligence feedback to CENTCOM. ‘Joint Inter-Agency Task Force – Counter-terrorism’ was placed under the command of US Brigadier-General Gary ‘Shooter’ Harrell, and consisted of around 100 intelligence experts, including a mixture of personnel from the CIA, NSA, DIA, FBI and US, UK and Australian SF.⁴²⁷ As the SBS were in Bagram, the SAS continued to work alongside their US counterparts. Tasks included helping to stop and search vehicles in southern Afghanistan.⁴²⁸

UK SF input and their activities were not always entirely welcomed by allies. Despite some contrary denials by Hoon, the ‘large’ number of UK SF troops securing and preparing Bagram airfield appeared to receive a hostile response. The Northern Alliance was much happier to keep just a handful in an advisory role.⁴²⁹ Moore *et al.* further highlighted the cause of these tensions by noting that: ‘The SBS would frequently fail to coordinate with Northern Alliance [(NA)] forces, or include them in their planning due to a lack of trust.’ They continued: ‘The SBS did not have the experience with the NA fighters that the Green Berets and SAS had, and often ran into problems because of it.’ Unlike the SAS and some US SF units, the SBS were more exponents of ‘direct action missions’ (DA) and were supposedly less attuned to ‘unconventional warfare’ (UW) tactics, including working alongside ‘partisans or guerrilla fighters’.⁴³⁰

These problems grated in UK–US relations. To further complicate matters, the US State Department was also allegedly opposed to significant numbers of troops from the United Kingdom (or indeed from elsewhere) being based in Afghanistan.⁴³¹ The United States was reportedly more focussed on the short-term defeating of the Taliban and al-Qaeda. This was while the United Kingdom and other European countries were simultaneously more focussed on the longer-term future of post-Taliban Afghanistan, and rebuilding and reconstruction efforts. Such UK–US disagreements were officially denied, however.⁴³²

Stagnation problems occurred. The delay to the reinforcement of the SBS eventually led to UK military commanders delivering a stark warning to Blair: Either send more troops into Bagram airbase or pull out the troops already there. The seeming lack of US support for the United Kingdom on the issue appeared to be causing friction. Alongside this was the claimed lack of US support for the essential necessity for humanitarian efforts.⁴³³

However, these differences did not appear to hamper field operations. Over time, US and UK forces conducted more sustained ground attacks. US SF were particularly concentrated around the northern Afghan city of Mazar-i-Sharif, in

order to assist the Northern Alliance with its capture.⁴³⁴ Also by 14 November, Kandahar, a Taliban ‘stronghold’ in the south of Afghanistan, was claimed to be on the brink of ‘collapse’. The gradual routing of the Taliban allowed the freeing up of UK and US SF so they could now focus on pursuing bin Laden and al-Qaeda targets.⁴³⁵ By mid-November 2001, the military commander of the war, US General Tommy Franks, presented an updated war strategy to Bush. Greater focus was now placed on bin Laden and his presumed headquarters element.⁴³⁶

The general direction of operations had undergone a shift by 19 November 2001. Approximately 300 US SF were searching the Tora Bora mountains of southern Afghanistan for bin Laden *et al.* These forces had the assistance of at least 24 UK SAS, alongside the presence of CIA paramilitary units.⁴³⁷ These were later bolstered by more US troops.⁴³⁸

UK–US SF cooperation was not all smooth during these operations.⁴³⁹ The UK SAS penchant for lengthy radio silence caused some problems with their CIA paramilitary counterparts, who complained that they were not being kept fully informed. Also there were some reports of (not necessarily negative⁴⁴⁰) UK–US SF rivalry and competition based on pride of being ‘the first’ to find bin Laden. Additionally, the UK and US SF deployed different tactics. The US SF tended to go for ‘hit-and-run’ – quick in, quick out tactics – whereas the UK SF were arguably more accustomed to spending a longer time embedded in enemy territory, occasionally transmitting back intelligence to headquarters. Therefore, to keep leaks, and indeed knowledge, of their precise whereabouts to a minimum, the UK SF generally kept incommunicado, including to their US counterparts.⁴⁴¹ The fact that some SAS were operating in the area was exposed as two soldiers were injured in clashes with Taliban and al-Qaeda fighters.⁴⁴²

UK–US SF and ‘conventional’ military tensions surfaced early into the operations in Afghanistan. These were witnessed after the first major operations conducted on 19 October 2001 around Kandahar when targeting the Mullah Omar compound. US General Tommy Franks’ leadership of the special operations dimension had dismayed both the UK and US SF. As Smith noted:

The commanders of Delta were furious at the way in which their men were used as a large-scale force.... They demanded that the SAS – who had been kept on the sidelines by ... Franks ... – should be brought in to help and expressed dismay at the continued lack of understanding of special operations among senior US commanders.... The hope was that British Special Forces commanders might be able to make Franks and his planners see sense. It was a vain hope.⁴⁴³

Indeed, such was the dismay of the UK SF commanders that reportedly ‘the SAS command sent word back that they would operate independently of CENTCOM micro-management, preferring to be given a task and left alone to complete it’.⁴⁴⁴ The United Kingdom tried to create essentially a miniature special operations command. Soon afterwards, in subsequent operations in the foothills of the Hindu Kush, there were further UK SF complaints. They felt under-deployed on

‘a second-rate job’.⁴⁴⁵ Significantly, research in 2003 found that overall ‘the war as a whole was much more orthodox, and much less revolutionary, than most now believe’.⁴⁴⁶ Later, in November 2001, UK SF were more content. This came as they were deployed on some more challenging operations in the south, after being reassigned to ‘Combined Joint Special Operations Task Force – Sword’.⁴⁴⁷

By December 2001, the UK and US SF were operating together on the cave-to-cave search operations in southern Afghanistan.⁴⁴⁸ Again these operations were arguably mixed in terms of their productiveness. Claims materialized that more than once the SAS and US SF were set to trap and kill a target that was believed to be bin Laden. But senior US SF commanders had then undermined the SF operatives, preventing them from taking further action. Often, this reflected fears of potentially heavy casualties in any ensuing ‘last ditch’ battles.⁴⁴⁹

On 2 December 2001, a commentator remarked: ‘It would be a big mistake to take British support for granted. There is a fundamental divide between the way Americans and Britons interpret Sept. 11’. The commentator, an American academic based in Cambridge, UK, continued by noting that: ‘Most coverage of the SAS in the British press frames them as the rescuers of incompetent, trigger-happy, technology-obsessed American forces.’⁴⁵⁰ An element of this was perhaps true of some of the regularly sensational tabloid press coverage, but less so of the broadsheet reportage.

By the end of November 2001, UK SF efforts were being stepped up in the south of Afghanistan in the Kandahar area. Supposedly, this was near bin Laden’s location. The SAS were tasked by TF 11 to target mountain caves to the south-east of Kandahar containing senior Taliban and al-Qaeda personnel. Based on intelligence gathered, and demonstrating some multinational jointery,

The operation was planned and coordinated between JSOTF, JSOC, and the British [PJHQ]. . . . They would also hit an al-Qaida training and headquarters compound in the same region. . . . The U.S. JFACC [Joint Forces Air Component Command] would provide the air support.

The SAS would then move on to support the US Green Berets in operations in the Tora Bora mountain range.⁴⁵¹ There, according to Moore *et al*,

The SAS would be responsible for SR, strategic reconnaissance, one of their specialities. They would also be responsible for specific search-and-destroy missions against cave complexes and a quick-reaction blocking force if U.S. Navy Orion P-3 surveillance planes or CIA Predators [UAVs] tracked a hot AQ [al-Qaeda] target trying to escape into Pakistan.⁴⁵²

These SAS forces were later bolstered.⁴⁵³ Joint close-quarter battle and counter-revolutionary warfare (hostage rescue) tactics would be deployed in the cave-to-cave routings.⁴⁵⁴

UK SF also soon joined US SF in action at the northern city of Mazar-i-Sharif. This came as over half of the 6,000 UK ‘overt’ troops due to be deployed

were taken off 48-hour standby. Hoon in the House of Commons denied the media reports of divisions with the United States over UK troops going into Bagram or elsewhere.⁴⁵⁵ In Mazar-i-Sharif, the UK SF helped US SF and the Northern Alliance end a prison and fort uprising by captured Taliban and al-Qaeda fighters at Qala-i-Jangi.⁴⁵⁶ These forces helped guide in US airstrikes, which reportedly killed at least 500 Taliban. They also helped to rescue, by extraction, besieged CIA personnel. Later, in January 2003, a SBS member was awarded the US Congressional Medal of Honor for helping rescue a CIA officer from the chaos.⁴⁵⁷ The UK SBS troops holding Bagram airbase were eventually reinforced, as the political wrangling over the deployment of UK troops appeared to be resolved.⁴⁵⁸ At last some concerted attention could be given to medium-term planning.

By December 2001, the nature of the war appeared to be changing. This occurred as the Taliban were being increasingly defeated and became increasingly dissipated. Worries soon emerged that the war could become more akin to an extended guerrilla conflict.⁴⁵⁹ As SAS and US SF continued their 'cave-to-cave' and 'clean-up' searches for bin Laden, al-Qaeda and Taliban remnants, reports noted that the UK overt troops would be deployed as part of a UN peacekeeping force. Even as this was proceeding, due to the United Kingdom being a signatory of the European Convention on Human Rights (ECHR), if the UK forces captured bin Laden, Hoon claimed, there would have to be 'certain undertakings' – namely assurances that bin Laden would not face the death penalty – before the United Kingdom would hand him over to the United States. Inevitably, this observation clashed with Bush's earlier 'lethal finding' authorizing bin Laden's assassination. However, according to Moore *et al.*, ethereal concerns were essentially overridden, particularly in the context of the heat of battle: 'The matter was forgotten when the reality of it all surfaced. No one in the SAS had any intention of capturing bin Laden alive.'⁴⁶⁰

The cave-to-cave UK–US SF operations were useful. From an intelligence-gathering perspective, they helped to fill in the blanks and rectify 'inaccuracies'.⁴⁶¹ These operations included the later uncovering of what appeared to be a potential terrorist and al-Qaeda-linked chemical and biological weapons (WMD) development site near Kandahar.⁴⁶² During the end of February 2002, the SAS and US SF turned their bin Laden-hunting attentions more towards Kashmir, as he continued to evade capture in southern Afghanistan.⁴⁶³

In an interview during October 2008, Gary Berntsen, the head of the 'Jawbreaker' CIA paramilitary SF unit tracking bin Laden around 2001–2, succinctly remarked that there was:

A 'missed opportunity' to kill Mr. bin Laden when he slipped into Pakistan through the snowy mountain passes of Tora Bora. 'He crossed the border on December 16, 2001', said Mr. Bernsten [*sic*] ... a lack of manpower ... prevented his Jawbreaker outfit from making the kill. By Mr. Bernsten's account, as an army of roughly 1,000 jihadists surrounding Mr. bin Laden began the retreat into Pakistan ... [a]n Arabic-speaking team member picked

up Mr. bin Laden’s voice coming through on a radio taken from an al Qaeda fighter killed by U.S. forces. ‘We needed more troops’, Mr. Bernsten, who made an emergency request for 800 U.S. Army Rangers, said. ‘Those troops never arrived’.⁴⁶⁴

The report continued:

At the time, only 40 or so U.S. Special Operation forces were available to Jawbreaker. The reasons the Rangers were not deployed, according to Mr. Bernsten, was that the United States was relying too heavily on local militias. Though critical of the failed strategy to kill Mr. bin Laden, Mr. Bernsten credits the overall effort in Afghanistan and said that President George W. Bush deserves high marks for making the United States safer since 9/11 and stopping further attacks. ‘He’s made the United States what’s called a denied environment’, Mr. Bernsten said. ‘That’s a very important term’.⁴⁶⁵

Some insights from the US DoD SF teams who were on bin Laden’s trail in 2001 were also forthcoming by October 2008. Their units had experienced some similar operational restrictions, such as a shortage of manpower, as well as collaboration difficulties with their Afghan allies, who were trying to be used as proxies.⁴⁶⁶ Another former CIA operative, Charles ‘Sam’ Faddis, provided more detail on the tensions between the DoD and CIA during operations vis-à-vis Afghanistan and Iraq. Essentially he believed that those operations had become too hampered by bureaucratic considerations, and were not fast moving enough.⁴⁶⁷

In March 2002, as Operation ‘Anaconda’ was launched to strangle and fracture the regrouping Taliban and al-Qaeda fighters in the east of Afghanistan, the overall UK–US political focus had instead moved more onto Iraq.⁴⁶⁸ During Anaconda, large numbers of US, UK, Australian, German, Danish, Norwegian and New Zealand SF were deployed. It was to be ‘Mulholland’s last hurrah’ as special operations tasks were essentially re-allocated.⁴⁶⁹ On 15 March 2002, Task Force Dagger was ended as Mulholland’s 5th SF Group was replaced by the 3rd and 19th SF Groups.⁴⁷⁰ By May 2002, some UK SAS were participating in highly unpopular drug and narcotic ‘search-and-destroy’ missions against Afghan heroin-producing poppy crops. These also had some knock-on reverberations for UK–US relations, as reportedly in November 2002, ‘Washington is disappointed by the Blair government’s failure to force back opium poppy cultivation’.⁴⁷¹

Afghanistan seemed to have generally quietened down. Although, military operations – such as ‘Condor’⁴⁷² – continued, together with some associated UK–US disputes. These arose concerning the UK Royal Marines and the conduct of their commander, Commander Lane, including his alleged lack of consultation with US CENTCOM. Reportedly, at this time, much of the SAS effort with the US SF and CIA paramilitaries was looking for al-Qaeda fighters

in the tribal areas just inside Pakistan, near the insecure border area with Afghanistan.⁴⁷³ However, while there were some prevailing US and UK military tensions, the United States and UK SF that remained in Afghanistan participated in successful joint operations, including seizing large quantities of weapons. The lack of intelligence persisted as US military sources highlighted their uncertainty by admitting that they were unclear how many al-Qaeda fighters were left in Afghanistan.⁴⁷⁴ The ‘terrorist’-fracturing actions in Afghanistan had destroyed training camps and bases, together with many al-Qaeda and Taliban fighters. However, how many had melted away in the short-term to pose a more dissipated, longer-term threat in the future, was less certain.⁴⁷⁵

The operational tempo had wound down by September 2002. US SF commanders were now requesting that their units be pulled out of Afghanistan and instead be re-deployed elsewhere in the so-called ‘War on Terror’ efforts. They argued that bin Laden was probably killed in the earlier bombing of the Tora Bora mountains and cave complexes.⁴⁷⁶ UK and US SF were now being called on for the next campaign, against Saddam Hussein and Iraq.

Later, during December 2003, the SF were reported to be increasingly ‘overstretched’. This was as both continuing operations in Afghanistan and those in Iraq had to be conducted.⁴⁷⁷ By March 2004, UK and US SF efforts to track down bin Laden and the dissipated Taliban and al-Qaeda remnants were renewed in Afghanistan and in the border area near Pakistan. This formed part of Operation ‘Mountain Storm’.⁴⁷⁸ Whether alive or dead, bin Laden, however, remained at-large as counter-insurgency (COIN) operations against the Taliban continued.⁴⁷⁹ UK–US SF covert CT and COIN operations in Afghanistan persisted over time, and made increasing inroads into neighbouring Pakistan.⁴⁸⁰ As Berntsen reportedly observed at the end of his interview in October 2008: ‘He is certain Mr. bin Laden is still alive, but said he is equally certain that he will be captured or killed. “It could be tomorrow, I don’t know,” he said. “But it will happen.”’⁴⁸¹ These covert operations are also ongoing in other locations across the globe, as the US-led efforts have continued.⁴⁸² They also continue to be subject to the occasional bout of recalibration.⁴⁸³

5.0 Overall conclusions – evaluating UK–US intelligence liaison on CT

Terrorism featured prominently in the early years of the twenty-first century. At the end of 2005, the results of the US-led so-called ‘War on Terror’ were mixed. As it morphed into the ‘Long War’⁴⁸⁴ during early 2006, at best there could be deduced some partial counter-terrorism (CT) success.⁴⁸⁵ Arguably this success was particularly seen in the disruption wrought to, and within, the structure of terrorist groups. Terrorist ‘al-Qaeda’ bases in Afghanistan had been destroyed and numerous ‘persons of interest’ had either been killed or detained across the world.⁴⁸⁶ Yet, by 2007, and continuing into 2009, how long-lasting, and indeed sustained, this ‘success’ would be, appeared to be more debatable. In 2007, reports highlighted that according to US intelligence and CT officials

Senior leaders of Al Qaeda operating from Pakistan have re-established significant control over their once-battered worldwide terror network and over the past year [2006] have set up a band of training camps in the tribal regions near the Afghan border.⁴⁸⁷

Entities akin to pre-9/11 ‘al-Qaeda bases’ had returned.⁴⁸⁸

At worst, the counter-terrorism strategies were not sufficiently effective.⁴⁸⁹ Their long-term sustainability, both in terms of their *modi operandi* deployed and the resulting *modus vivendi*, was at best questionable. This was because, in implementing the ‘counter-terrorism paradigm’, narrower *counter*-terrorism activities, rather than wider *anti*-terrorism efforts, were being promoted. The considerations concerning *how*, rather than *why*, there was terrorism were being better addressed.⁴⁹⁰ According to the annual US State Department report *Patterns of Global Terrorism*, an increase in terrorism was recorded during 2005.⁴⁹¹ In the United Kingdom, Manningham-Buller and MI5 were also warning about the terrorist threat, as reportedly MI5 was ‘tracking “30 UK terror plots”’.⁴⁹² Al-Qaeda as a command-and-control organization had received a battering, but not a killer blow.⁴⁹³

By 2006 and extending into 2009, the security situation in Afghanistan was still volatile. There were continued Taliban uprisings and there was the further expanded presence of the NATO-led International Security Assistance Force (ISAF).⁴⁹⁴ Moreover, *vis-à-vis* the policy level – the most important dimensions of the *jihadi* terrorism being faced by the end of 2005 and beyond – success was more lacking. Indeed, a convincing case could be made that, on the ‘ideas front’ aspects of the CT strategies – crudely the winning of ‘hearts and minds’ – the approaches currently being adopted were even being counter-productive.⁴⁹⁵

Essentially, not enough ‘counter- *jihadism*’ was taking place. UK Foreign Secretary Margaret Beckett declared in 2006, ‘this warped vision needs to be addressed head-on’.⁴⁹⁶ However, the associated circumventing of international law, and the abandonment of the moral high ground with highly visible so-called ‘War on Terror’ symbols, notably Guantánamo Bay, highlighted the shortcomings.⁴⁹⁷ These could be, and were, effectively exploited by opponents, further fuelling widespread vitriol against the West and its allies.⁴⁹⁸ In 2003, the US *National Strategy for Combating Terrorism* had declared: ‘We will win the war of ideas.’⁴⁹⁹ However, by 2006, and again continuing into at least the early days of 2009, this objective was not being achieved in any measurable sense. As Rumsfeld himself remarked on 27 March 2006: ‘If I were rating, I would say we probably deserve a D or a D+ as a country as how well we’re doing in the battle of ideas that’s taking place.’ He continued: ‘I’m not going to suggest that it’s easy, but we have not found the formula as a country.’⁵⁰⁰ ‘Soft’ power was still not being sufficiently projected.⁵⁰¹ Indeed, through being overly ‘kinetic’⁵⁰² in its efforts, the United States was even being counter-productive. Strains were also caused with close allies:

As Sir Richard Dearlove [former ‘Chief’ (‘C’) of the UK SIS (MI6) (1999–2004)] ... put it, by the end of the Cold War there was no doubt

about which side stood on the moral high ground. 'Potential recruits would come to us because they believed in the cause,' he said. 'This made our work much easier.' Dearlove and countless others argued that the United States had gravely weakened its position by seeming to ignore its long-standing constitutional principles, in internal checks-and-balances and in its practices around the world. 'America's cause is doomed unless it regains the moral high ground,' Dearlove said.⁵⁰³

Implementing the 'counter-terrorism paradigm' has therefore had chequered results. This prompts some interesting recommendations. Especially for the United States, rather than counter-terrorism ('rollback') featuring as a strategy, this dimension should be somewhat more scaled back and feature more as tactics. In turn, this dimension should then be subsumed within, and as part of, a broader *anti-terrorism* strategy, which involves more 'containment'. With the advent of the new Obama administration from the beginning of 2009, this approach now appears to be being introduced, with the 'end' of the so-called 'War on Terror' and the retirement of its terminology.⁵⁰⁴

These observations can be extended to include the United Kingdom. Within its overall anti-terrorism strategy, arguably the United Kingdom needs to marginally extend its counter-terrorism dimension. Some 'threats' need to be better downgraded to 'risks', while the prevailing argument articulated in and with the public needs to move away from (a) being so focussed on blunter and harder 'security' terms to (b) instead being more understood in 'public safety' terms, as used substantially by Canada.⁵⁰⁵ Sensitive questions, concerning whether the current vein of 'prevention' is really working, or whether it constitutes 'provoking', also need to be better answered.

The problem of prioritization can also be highlighted. While funding and resources for intelligence, law enforcement and security services during the so-called 'War on Terror' undoubtedly increased substantially, as US intelligence scholar Stan Taylor observed, 'an increasing percentage of intelligence spending is being targeted against terrorism'. Concerns have been fuelled that 'it is leaving other traditional intelligence targets (non-proliferation, transnational drugs and crime, and even WMD, for example [including counter-intelligence (CI) efforts]) under-funded and ripe for surprise'.⁵⁰⁶ Open sources (OSINT) also needed their further exploitation.⁵⁰⁷ A case for a coherent and comprehensive UK national security strategy was also being advanced from 2006.⁵⁰⁸

By 2006, there was still much to do.⁵⁰⁹ In January 2006, Henry A. Crumpton, US Coordinator for Counterterrorism, summarized the currently perceived situation:

Non-state actors like Al Qaeda have ... developed asymmetric approaches that allow them to side-step conventional military power. They embrace terror as a tactic, but on such a level as to provide them strategic impact. Toward that end, they seek to acquire capabilities that can pose catastrophic threats, such as WMD, disruptive technologies, or a combination of these

measures ... we will increasingly face enemy forces in small teams or even individuals ... these are ‘micro-targets with macro-impact’ operating in the global exchange of people, data, and ideas ... all evolve at the pace of globalization itself. We are facing the future of war today. The ongoing debate, sometimes disagreement, among allies reflects this new reality.⁵¹⁰

Offering some further detail of the US perspective, he continued:

We see the enemy as a ‘threat complex’ comprising three elements: leaders, safe havens and underlying conditions.... We seek to act globally, over an extended time-frame, to isolate the threat, defeat the isolated threat, and prevent its re-emergence.... The first implication [for the future] is the need for us to build trusted networks of allies and partners – state, non-state, and multilateral – who support the rule of law and oppose the use of terrorism to resolve grievances.⁵¹¹

To progress CT efforts further, the psychological and ideological levels needed to be more comprehensively and carefully addressed.⁵¹² In terms of both their comprehensiveness and coherence, enhanced contextualization efforts are increasingly required. This is together with the increased uptake of their results – especially by policy- and decision-makers, politicians and their publics alike. Ideally, in an educative manner, ‘intelligent customers’ are fostered. Also emphasizing the importance of the contextualization task, Crumpton maintained: ‘A final implication is the need for inter-agency operations ... [which] goes way beyond mere coordination or cooperation. It demands that we plan, conduct and structure operations – from the very outset – as part of an intimately connected whole-of-government approach.’⁵¹³

In March 2007, the United Kingdom seemed to address this through the establishment of the so-called Research, Information and Communications Unit (RICU), which was announced as part of wider Home Office changes to attempt to deal better with the tackling of terrorism.⁵¹⁴ RICU is intended to handle the tasks required in the realm of ideas.⁵¹⁵ As Home Secretary Jacqui Smith revealed in a House of Commons debate in early July 2007, outlining RICU’s purpose: ‘We will push forward on the need to counter the destructive ideology.’⁵¹⁶ However, how largely it figures as part of the United Kingdom’s overall strategy is rather more of a moot point. This question is underlined by the reportedly small size of the unit.⁵¹⁷ A comprehensive humanistic Western values system, based on liberal-democratic values, still awaited effective promotion.

Frequently with the highly secret intelligence liaison phenomenon, ‘we cannot know what invisible successes have been achieved’.⁵¹⁸ Equally, we cannot discern what shortcomings have emerged. Here, the (in)famous ‘unknown unknowns’ phrase attributed to Rumsfeld resonates.⁵¹⁹ However, a few specific publicized episodes can be confidently explored and evaluated, yielding some interesting conclusions.

The UK–US intelligence liaison on CT is dynamic. It is multilayered and multifaceted, consisting not of one relationship, but many overlapping ones. As frequently witnessed over time in UK–US relations generally, the *ends* are broadly agreed upon; although the *means* and respective UK–US approaches or styles of reaching those ends can diverge, at times considerably.

Some tensions are generated. These tensions, however, even when intense, tend to be contained. Thus they do not disrupt the relationship more widely. As Stevenson argues: ‘Transatlantic strategic policy differences and a few episodes of counter-terrorism dyspepsia belie overall day-to-day operational harmony, for which there are strong incentives’.⁵²⁰ The importance of the micro level in the intelligence world is suggested. This is where personal relationships, routine (including daily work patterns and practices) and specifics feature significantly. Further trends are apparent. The UK–US divergences that do emerge over time repeatedly appear to tend to revolve around the same or similar contentious issues. These are often also dealt with in a corresponding manner to the previous episodes. Frequently this is done on the basis of lessons learnt from that previous experience. Here, having a long-term and shared history of operating together, as the United Kingdom and United States possess, can have particular ‘added value’.

Overall, ‘functionalism’ and ‘evangelicalism’ are predominant. They appear to trump ‘terminalism’ throughout the majority of UK–US intelligence liaison interactions on CT. The detectable fleeting instances of ‘terminalism’ were confined to particular episodes or issue areas – such as the UK sentiments concerning the counter-productive ceding of the moral high ground by the United States, and the US worries that the United Kingdom was failing to clamp down adequately on their domestic terrorists.⁵²¹ Again, these issues have tended to be focussed on specifics, allowing at least some scope for them to be negotiated in a problem-solving manner.⁵²² The problems encountered do not appear to have persisted for long, or to sufficiently deep or wide extents, without some form of recalibration being successfully implemented.

‘Functionalism’ appears to be the dominant position. This perhaps comes as an unsurprising conclusion, as UK–US intelligence liaison on CT is focussed precisely on the ‘functional’ CT issue. Ultimately, the end stakes for both parties are too high to be forfeited. This is especially to any counter-productive instances of overall ‘terminalism’, which – rather than taking an overawing strategic form in relations – is instead more linked to particular events, episodes or issues. Furthermore, any ‘evangelicalism’ articulated arguably tends to become somewhat more muted at the juncture of production. This is when agreements actually have to be put into practice, and promises have to be delivered. Issues concerning practicalities, such as the control of intelligence, then have a greater impact.

Together, these observed trends help to account for why UK–US intelligence relations have endured as effectively as they have done for over 60 years. Overall, the ‘functional issues’ have essentially provided something tangible around which the United Kingdom and United States can collectively orbit.

Despite the presence of some rhetoric concerning the greater international sharing of CT intelligence in international affairs post-9/11, it is not all over-hyped. Some actual and greater ‘globalization’ of CT intelligence is perceptible. Notably this is seen through the increasingly integrated, both nationally and internationally, terrorism threat assessment and analysis centres.⁵²³

Also, particularly focussed on the issue of CT, there is considerable evidence of Western, UK–US-led, top-down, and long-term ‘international standardization’ and ‘homogenization’ being undertaken. This seems to be being done through the mechanism of the close UK–US intelligence liaison relationship, as well as through international intelligence liaison with other countries – for example, Indonesia. This is underway in both the law enforcement and intelligence agencies’ sectors, through the processes of intelligence and security sector reform (SSR).⁵²⁴

Important implications for intelligence analysis and assessment activities also stand out. In these newer, significantly over-lapping and more ‘globalized’ intelligence arrangements, episodes of counter-productive ‘groupthink’, and other intelligence reach excesses and deficits, will have to be carefully avoided. Some ‘shared perceptions’ are healthy and acceptable; over-shared, unchallenged perceptions, forfeiting considerably divergent micro and lower-level differences, are not. Offering some guidance, the definition of ‘liaison’, as agreed between the US Department of Defense and NATO, states: ‘That contact or intercommunication maintained between elements of military forces to ensure *mutual understanding* and *unity of purpose and action*.’⁵²⁵ This is another fine balance, especially in terms of outreach, which has to be struck. Moreover, all the different trade-offs involved need to be carefully and judiciously weighed.

Into the future, cooperation on CT intelligence is likely to be at least as dynamic as it has been during the first decade of the twenty-first century. This is the case as complications proliferate exponentially – with ‘subjective’ interpretations rather than more ‘objective’ determinants increasingly featuring; and as the arguably ‘post-modern’⁵²⁶ breaking-down of traditional categories used to distinguish and evaluate types of terrorism – for example, ‘domestic’ and ‘international’ – continue apace in the era of globalization writ large being experienced in international affairs.⁵²⁷

Whatever results over the long-term, to observers it was clear by 2006 that: (a) continuing poor adherence to human rights and civil liberties; (b) disregard for international laws and the Geneva Conventions; (c) sidelining international institutions (such as the UN and NATO); (d) the use of the CIA secret prisons and the ‘extraordinary renditions’ process outside of international law (including the shipping of suspects to countries where there is a high likelihood that they will be interrogated under the duress of torture, rather than being taken into custody and then tried in the mainstream justice systems in the United States or UK);⁵²⁸ and (e) related movements, and what have become essentially so-called ‘War on Terror’ ‘symbols’ – such as the phrase ‘War on Terror’ itself and the existence of Guantánamo Bay – as seen especially in the US counter-terrorism approach, were far from helpful.⁵²⁹ As US Defence analyst Derek Reveron noted:

‘The ongoing investigation of [the] alleged secret CIA interrogation sites and continued association with foreign intelligence services that have poor human-rights records challenges U.S. strategic communications, which is attempting to reduce the anti-Americanism in the world.’⁵³⁰ To its chagrin, the United Kingdom shared such stigmatization by its close association. The ‘fallout’ from the Iraq war has also undeniably contributed to complicating the issue of global CT efforts.⁵³¹ The IISS *Military Balance* soberly concluded in 2004 that, ‘overall, risks of terrorism to Westerners and Western assets in Arab countries appeared to increase after the Iraq war began in March 2003’.⁵³² As some more cracks appeared in the international consensus in early 2008, the issue of Afghanistan also continued to be far from ‘solved’ in any sustainable security manner.⁵³³

Ultimately, ‘finding and killing’ terrorists was not enough.⁵³⁴ To use an analogy, just amputating was not curing or preventing the disease. Another concern existed with both the UK and US counter-terrorism strategies, as they stood at the end of 2005 and extending into 2006. This was that Islam specifically, and religion generally, appeared to have been accorded an arguably disproportionate status. Islam is not the *only* religion associated with terrorism.⁵³⁵ Certainly, the religious dimension is undeniably *a* factor to be considered in the terrorism faced⁵³⁶ – for example, with the competing factions within Islam itself trying to triumph over one another, which also unavoidably concerns the United Kingdom and the United States – but it is not *the* (only or main) factor fuelling the terrorism. As Professor Fred Halliday remarked in 2007: ‘We make the decisions, not the religion. Yet we have allowed religion to dominate the story far too much.’⁵³⁷ Author Lionel Shriver advanced a similar point in 2006: ‘I’m no psychologist, but school shooters and suicide bombers surely have much in common ... *It’s a type. It’s not just an Islamic type. You find it in every ethnicity, all over the world.*’⁵³⁸

Indeed, at least in Europe, arguably the main strategic driver behind the terrorism tactic experienced appears to be more *subversion*.⁵³⁹ In intelligence and security terms, that factor should be increasingly targeted. By inflating the role of Islam and religion generally – or by just taking one reading (or even one projected reading) of Islam – a greater confrontation with Muslims, who then feel increasingly and collectively besieged, is enjoined.⁵⁴⁰ Other areas are overlooked, such as a lack of comprehensive education. This is along with a scenario instead being engendered, such as that articulated by the ‘Bush Doctrine’, that more unhelpfully encourages the burgeoning of adversarial and opposing sides – ‘either you are with us or against us’⁵⁴¹ – and a ‘clash of civilizations’ and cultures. Indeed, the phrase ‘Islamofascism’ used by US President Bush in October 2006, which arguably created too strong a linkage between the religion Islam and the terrorism and extremism confronted, was regarded as deeply unhelpful for successfully fulfilling the stated strategic aims of the wider overall so-called ‘War on Terror’ in the long-term.⁵⁴² As UN Secretary-General Kofi Annan argued in November 2006: ‘We need to get away from stereotypes, generalisations and preconceptions, and take care not to let crimes committed by

individuals or small groups dictate our image of an entire people, an entire region, or an entire religion.⁵⁴³ Arguably, again at least in Europe and particularly in the United Kingdom, contemporary terrorism (including the suicide bomber⁵⁴⁴) – driving factors of greater importance in the overall equation can be reduced to including the related areas of: (a) *thorough disillusionment* – for example, with their own life, and with their family, community or society as a whole, and how they perceive these, which then gets expressed nihilistically in the form of rallying *subversion* against all of these factors; and (b) to poor, haphazard, limited or overly-narrow (non-holistic and a lack of comprehensive) education, arguably increasing their susceptibility to some form of ‘brain-washing’ (radicalization) in certain subject domains, for instance.⁵⁴⁵

Two questions come to the fore: (a) taking supposedly ‘well-educated’ suicide bombers and attack plotters encountered over time, how many have been formally educated – for instance, in a university to degree standard – in a science, engineering or technology subject? And, (b) how many have instead been formally educated – in a similar manner and to a corresponding extent – in history, politics or other humanity and social science subjects? These areas are arguably key areas that crucially need to be better addressed and engaged with by governments and society as a whole in their overall terrorism risk management efforts. Encouragement of overly narrow so-called ‘faith schools’ is clearly highly dangerous.⁵⁴⁶

Importantly, the above management also needs to be done from an early age. That is especially in those groups and individuals who are judged to be (potentially) most susceptible to being affected by the above considerations in an adverse manner.⁵⁴⁷ Perhaps to better refine current targeting, at a minimum we should consider – and perhaps, during any flagged person’s interview or interrogation, test – the following three aspects in individuals’ backgrounds: (a) poor or haphazard and a lack of holistic (comprehensive) education (particularly the absence of training in humanities and social science subjects); (b) as well as the presence of some form of ‘al-Qaeda’ link (albeit maybe just ideological – for example, through exploring what type of religious and peer or social group and network input they have experienced⁵⁴⁸); (c) together with any geographic figuring factors (for example, have they recently visited countries in the Middle East, South or South East Asian regions, and for what (readily verifiable) purpose?⁵⁴⁹). Crucially, for fostering better prevention efforts into the future vis-à-vis later generations, on a general basis, greater critical, and broader, minds need to be encouraged in all participants. Ranging as far as possible, the creation of ‘intelligent customers’ needs to be better facilitated. There also needs to be more in-depth and widespread understandings of the so-called ‘awareness of the self’. This is along with improved so-called ‘awareness of the other’ and empathy for ‘the other’, whatever is used to distinguish ‘otherness’.⁵⁵⁰

Collectively, the observed shortcomings in UK and US CT efforts serve only to further alienate people. This includes estranging those critically needed supporters out in communities, located both at home and more widely within other countries’ populations across the world. As the UK Government itself has noted: ‘The Government’s strategy for countering terrorism depends upon everyone

making a contribution to its success.⁵⁵¹ ‘Hearts and minds’ are not being sufficiently engaged, or collectively enough. Crucially, these very people need to be better engaged in order to assist the law enforcement and intelligence and security agencies’ local, extending through to global, CT operations.⁵⁵² Greater, wider and deeper, (more democratic) stakeholder ‘ownership’ needs to be engendered.⁵⁵³

Forfeiting of the ‘moral high ground’ is counter-productive. The achieving of the longer-term ‘end’ objectives is detrimentally undermined. This is both in terms of ‘soft’ and ‘hard’ power and security, and whether those end objectives are deemed ‘realistic’ or ‘idealistic’.⁵⁵⁴ In the shorter-term, operations simultaneously fail to be assisted by such actions, not least where wider engagement is critically needed by, and indeed even beyond, intelligence and security agencies. Much required tolerance is also stifled.

By mid-2006, the United States appeared to be, officially at least, beginning to recognize some of these shortcomings.⁵⁵⁵ Although, some alleged official ‘denial’ was still apparent.⁵⁵⁶ In 2008 and continuing into 2009, UK CT strategy also continued to be updated centrally by the government, with the launch of ‘CONTEST TWO’ towards the end of March 2009.⁵⁵⁷ Recently, the main focus has been on attempting to tackle the ‘individual’ and ‘radicalization’ dimensions more effectively.⁵⁵⁸ This has particularly been attempted with the generally ‘top-down’ emphasis on the governance policy of ‘preventing violent extremism’ (PVE), at both the local and national levels.⁵⁵⁹ Over time, in the United Kingdom ‘The number of police working on counter-terrorism has risen from 1,700 in 2003 to 3,000 in 2009’.⁵⁶⁰ The passage of further time is now required to see whether any new measures subsequently introduced will be effective overall, and whether they have sufficient (deep and wide-ranging) ‘bottom-up’ support.⁵⁶¹ Time is also needed to discover whether they will actually contribute in a productive manner towards wider CT, and related counter-insurgency (COIN) and counter-subversion, efforts into the future.⁵⁶²

Finally, as the new Director of Chatham House, Robin Niblett, observed in early 2007: ‘Cooperation between our intelligence services and our surveillance agencies is as valuable as ever today, at a time when international terrorists are targeting both UK and US citizens on a persistent basis.’⁵⁶³ But, as Director of Friends of the Earth, Charles Secrett, has rightly stressed, that vital cooperation should not be in isolation. Nor should it be confined to solely the intelligence and security sector, again without some wider public (or stakeholder) engagement. As Secrett astutely observed in a UK Cabinet Office briefing in late 2001:

Engagement in Anglo-Saxon culture (political and social) like Britain’s is too often of the oppositional kind ... and ... eventually synthesis emerges. We rely a great deal on the analysis of experts, and a top-down approach to make up our public minds: it is much more a command-and-control political model than in other cultures. It is very different, for example, from a Scandic or Dutch approach, where parties from government, the private sector and societal groups engage around full discussions and consideration of alternatives in the round, and almost as equals in terms of input.⁵⁶⁴

Where does this leave us? In an era where much of the desired command-and-control appears to be lacking, greater engagement on these latter more consensual bases now needs to be better facilitated. This is in both individual and joint UK and US intelligence and security counter-terrorism enterprises. In a transformative manner, this is in order to realize longer-term enduring intelligence and security sustainability, through some better burden-sharing, emancipation, and to best maximize these types of arrangements' potential for success into the future.⁵⁶⁵ Simultaneously, in CT risk management efforts, by adopting such an approach, the United Kingdom and United States can move further away from their current condition of deploying costly crisis management 'fire-fighting' tactics, to increasingly one of effective 'risk pre-emption'.⁵⁶⁶ Informative lessons stemming from the experiences of other close CT partners, such as Canada, should also be carefully heeded.⁵⁶⁷ Otherwise, the commonly shared wider driving goal of 'public safety' will remain increasingly elusive for us all.

4 Enhancing efforts against proliferation

Implementing the ‘counter-proliferation paradigm’

Good intelligence and the rough-and-tumble of the open political process do not always mix ... To be agile and well-informed, policy needs disinterested intelligence. To be relevant, intelligence efforts must address policy concerns.

(Finding from the US Congressional ‘Commission to Assess the Organization of the Federal Government to Combat the Proliferation of WMD’, 1999¹)

1.0 Introduction

This chapter evaluates UK–US intelligence liaison on Weapons of Mass Destruction (WMD) counter-proliferation (CP) efforts. It also assesses whether together UK and US intelligence have delivered effective results in this area. WMD and their counter-proliferation efforts have received prominent coverage in recent years.² Accordingly, this key issue area features prominently in UK–US intelligence liaison, alongside and – especially after 9/11 – intimately tied to counter-terrorism (CT) efforts. However, there has been remarkably little discussion concerning questions such as: (a) how effective is the UK–US intelligence liaison concerning WMD counter-proliferation; and (b) how effectively is that liaison contributing towards the tackling of current proliferation challenges?

The results of WMD counter-proliferation efforts are always mixed. They are also highly complex.³ As Jason Ellis and Geoffrey Kiefer note: ‘The proliferation enterprise is neither static nor necessarily straightforward but rather dynamic and often ambiguous.’⁴ Critically, the proliferation issue is further complicated by the fact that frequently much of the expertise (‘know-how’) and technology and equipment can have a ‘dual-use’: (a) for ‘peaceful purposes’ – for example, as nuclear energy, biotechnology or pharmaceuticals – as well as (b) for application in weapons. As former Australian intelligence officer, Andrew Wilkie, has observed: ‘[The] oft-repeated claims about so-called “dual-use” facilities troubled me in the lead-up to the [2003 Iraq] war. In all countries numerous facilities and materials used for legitimate purposes are suitable also for production of WMD-related materials.’⁵ Proliferation activities are always ongoing, as are the counter-measures, and they often remain unresolved.⁶ The examples drawn upon in this chapter are no exception.

Several UK and US WMD counter-proliferation efforts have involved routine interaction on a daily basis. Two recent particularly high-profile examples, on which there has been considerable UK–US intelligence liaison, stand out. Accordingly, these have been selected for analysis in this chapter: First, the A.Q. Khan ‘nuclear network’; and second, the issue of supposed Iraqi WMD and related programmes, are evaluated. There are additional reasons why these two examples are important. They were both examined by the official WMD inquiries in the United Kingdom and United States, held in the wake of the 2003 war in Iraq. In the United Kingdom, the Butler Committee *Review of Intelligence on Weapons of Mass Destruction* (the ‘*Butler Report*’) was published on 14 July 2004; while in the United States, the Robb–Silberman Commission on the *Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction* was published on 31 March 2005. Both of these reports, and indeed others, offer some valuable official UK and US insights that are fully documented. The examples drawn upon for examination in this chapter also effectively demonstrate the implementation of the ‘counter-proliferation paradigm’.

In both these reports, the familiar problem of the super-sensitive nature of liaison is encountered. Significantly, the *Butler Report* carefully avoided probing in-depth the specific issue of UK–US intelligence liaison. The authors remarked that:

We have focused on the intelligence available to the British Government and the use made of it by our Government. Although that inevitably has led us to areas of UK/US co-operation, we have deliberately not commented in this Report on the actions of the US intelligence agencies, ground that is being covered by the Presidential Commission.⁷

Detailing intelligence cooperation with allies was essentially outside of the UK committee’s remit. It was intended to look solely at the UK use of the intelligence. Acting like professional exemplary allies at the inquiry level, the UK inquiry did not want to publicly probe, pre-empt or discuss critically any US findings on US intelligence on WMD. For similar reasons, in the final US Robb–Silberman Commission report, their references to British Intelligence did not go beyond the findings already presented in the *Butler Report*, which was ‘an important resource for us’.⁸

Some commentators saw this omission as the crucial ‘missing link’. Dan Plesch argued that:

The missing third dimension concerns the relationship of the British with their American counterparts... In general terms, the government is proud of the special intelligence relationship, and we are told that British ministers spoke to their American counterparts almost daily during the run-up to [the 2003 Iraq] war. But Butler and his colleagues produced a report with just eight references to the United States, and several of these are to US publications.⁹

US intelligence historian, Thomas Powers, has also offered criticism, arguing that ‘the close cooperation between American and British intelligence services

... helped President Bush and Prime Minister Tony Blair make their case for war while protecting them from awkward questions'.¹⁰ Publicly available evaluations of UK–US intelligence liaison by each inquiry are significantly absent. A gap is left in the contemporary historical record. This chapter aims to address that gap.

UK–US intelligence liaison on the counter-proliferation of WMD is broadly based. Multiple agency participation is evident. At times, this factor can contribute to some significant disconnects and mis-flows of information. This is particularly the scenario that appears either in the absence of effective overall intelligence coordination and associated orchestrations; or during its cooption for contributing towards the building of specific political cases.

Indeed, disconnects were witnessed frequently during the run up to the Iraq war. Along with their associated mis-flows of information, they particularly concerned the mis-managed source, Rafid Alwan, codenamed 'Curveball'.¹¹ Controlled by the German Foreign Intelligence Service, the BND (Bundesnachrichtendienst), his *product* – rather than the source himself, for reasons of HUMINT source 'protection' – was handled and accessed by the US Defense Intelligence Agency (DIA). Simultaneously the CIA was kept somewhat out of the loop, even ignored and bypassed, concerning Curveball. Eventually the CIA dismissed him as a 'fabricator'. This was a judgement with which their direct counterparts in British Intelligence, namely SIS (MI6), already concurred.¹² As reported in *Der Spiegel*:

The [German] secret service [the BND] now points to a Washington meeting in the autumn of 2002 ... whereby the then-BND agent in Washington met with Tyler Drumheller, CIA operations leader for Europe, for a lunch meeting ... Drumheller recalls that the BND agent warned that 'Curveball' was psychologically unstable and likely a fraud... The British secret service had expressed its doubts openly as early as 2001, after an expert from MI6 used a pretext to arrange a meeting with 'Curveball'. He came to the conclusion that elements of 'Curveball's' behavior 'strike us as typical of fabricators'.¹³

The story of Anglo-American intelligence cooperation on counter-proliferation is complex. However, effective attempts can be readily made towards unpacking their interactions. In order to lend what is arguably an artificial clarity to the subject, this chapter first examines the UK and US intelligence investigation and breaking up of the A.Q. Khan 'nuclear network'; and, then, moves on to explore UK–US intelligence liaison and other international intelligence liaisons, focussed on the issue of supposed Iraqi WMD. It closes with an evaluation of UK–US Special Forces covert operations and WMD CP efforts in Iraq from 2002.

2.0 The A.Q. Khan 'nuclear network'

The sophisticated business-like A.Q. Khan network essentially revolved around the leadership of one key individual, Dr Abdul Qadeer Khan. He was the 'father' of Pakistan's nuclear status and Pakistani 'national hero'. Many other scientists,

middlemen, and front companies, in several countries across at least three continents, featured alongside A.Q. Khan, each composing parts of the network.

The A.Q. Khan network had a sizeable history.¹⁴ In one form or another, evolving over time, it spanned at least 30 years before its existence was publicly exposed around early 2004, when A.Q. Khan himself ‘confessed’.¹⁵ The history of the network is traceable from A.Q. Khan’s research activities in the Netherlands during the early 1970s. Subsequently, that history can be followed through the development of Pakistan’s nuclear capability and parallel, systematic, and secret transfers of sensitive nuclear technology and information to so-called ‘countries of concern’. Notably, these countries included – at a minimum¹⁶ – Iran, Libya and North Korea¹⁷ – even potentially including network-supply to sub- and non-state actors, such as terrorist groups, throughout the 1980s and 1990s.¹⁸ Without hesitation, International Atomic Energy Agency (IAEA) Director General Mohammed ElBaradei called the A.Q. Khan network ‘the most dangerous phenomenon we have seen in the non-proliferation area for many years’.¹⁹

UK and US intelligence eventually delivered effective results against the A.Q. Khan ‘nuclear network’.²⁰ However, it was a partial success. Reflecting the nature of counter-proliferation efforts more generally, the outcome of dealing with the A.Q. Khan network to date has been complex and prone to ambiguity. In many respects the issues remain ongoing, as counter-proliferation efforts never have complete closure. Moreover, rather like counter-espionage, they often produce new leads for further investigations and future ‘covert international programmes’.²¹

Close UK–US intelligence liaison on the network was long-term.²² Earlier UK–US intelligence liaison had also focussed on Pakistan’s nuclear programme.²³ However, as is more the ‘norm’ when dealing with dynamic issues such as WMD proliferation, several differences emerged. Yet, these differences sometimes proved to be a positive and productive asset. They appear to have helped to stave-off known forms of intelligence liaison ‘blowback’, such as ‘groupthink’²⁴ and overreach on the issue. The UK–US liaison also helped to ‘contain’ and ‘rollback’ at least some of the key elements of the network.

Several lessons can be drawn from these interactions. Unlike during the Iraq case, during the A.Q. Khan case, in the ‘ideological battles’ or ‘ideas war’, more of a ‘correct’ deterrent message was communicated to actual and potential proliferators. Arguably, this aspect composes the most important dimension of non-proliferation security enterprises. However, whether the messages are actually heeded by proliferators is more of a moot point. This raises the issue of whether all actors are fully aware of their role in the proliferation ‘supply chain’, and of the final ‘end use’ of the product that they produce. Therefore, how effective a deterrence prescribed non-proliferation mechanisms are in the end result is again rendered more questionable.²⁵ It will be some time before the outcome of the case of the A.Q. Khan network can be properly assessed more fully along these lines. Observations concerning more immediately impacting factors can be offered.

UK–US intelligence liaison on the A.Q. Khan network had been underway for several years by 2004.²⁶ The *Butler Report* acknowledged that: ‘As we looked at the reasons behind this success, several key points became apparent ... [including] close co-operation between UK and US agencies, with both sides working to the same agenda.’²⁷ As the BBC’s Security Correspondent Gordon Corera observed:

In the latter half of the 1990s, the idea was growing in the CIA and Britain’s MI6 that A.Q. Khan was up to something more than just his usual no good ... [They] decided to aggressively target the Khan network and see what could be discovered. This was to be a joint Anglo-American enterprise.²⁸

Furthermore, he continued,

It was agreed early on ... there would have to be real information sharing between the United States and UK; all information, however sensitive, would be shared but only within the small team from both countries working on the case.²⁹

Their operational parameters were set. In the early years of the UK–US intelligence liaison on the network, strict curbs were placed on wider intelligence sharing. This was for security (counter-intelligence) reasons, and to prevent possible compromise: ‘On both sides of the Atlantic, the intelligence was highly compartmentalized, few people were let in on the operations, and to the special code words associated with it.’³⁰ Perhaps remarkably, US Under Secretary for Arms Control and International Security in the US State Department (2001–5), John Bolton, was kept out of the loop until late in the investigations.³¹ Eventually there was also some, albeit limited at first, international intelligence liaison with other countries. However, at least in the early years of the investigation: ‘The same strict secrecy also applied internationally. Even Israel, America’s usual partner on Middle East nuclear proliferation issues, was kept out of the loop regarding CIA operations dealing with both Khan and Libya.’³²

As the network was transnational, international intelligence liaison became a vital component of the investigations.³³ Indeed, it remains so to date. As a result, increased UK–US intelligence sharing with international organizations became unavoidable, typically with the IAEA. This was most substantial in the later stages of investigations, as the network began to be dismantled.³⁴ In its findings, the US Robb-Silberman Commission report similarly noted the central importance of cooperation: ‘The A.Q. Khan achievement also suggests that the Intelligence Community will meet with limited success if it acts alone.’³⁵

A.Q. Khan attracted the interest of several intelligence agencies early on. Dutch Intelligence was in pursuit of Khan as far back as at least 1975–6, when he left the Netherlands to return to Pakistan, illegally in possession of the designs of uranium-enrichment centrifuges from his employer, Urenco.³⁶ Indeed, during a UK House of Commons debate in December 1979, Member of Parliament for

West Lothian, Tam Dalyell, highlighted at length the controversy, especially arguing:

Remembering Alan Nunn May, Bruno Pontecorvo, the Rosenbergs and even Klaus Fuchs, with his overall grasp of the concept of the physics of the atom bomb, it is arguable whether any of them, or, indeed, all of them together, jeopardised world peace to a greater extent than the activities, in the second half of the 1970s, of Dr. Abel Qader Khan.

Certainly the effect of anything that Anthony Blunt may have done pales into trivial insignificance compared with the probable results of Dr. Khan's handiwork.

We now have the real threat of regional nuclear confrontation in Asia or the Arab world, laying a powder trail to a possible world holocaust.³⁷

Later, in 1983, Khan was charged with nuclear spying. He was successfully convicted *in absentia*, but a 'technicality' resulted in the conviction being reversed in 1985.³⁸

Safely ensconced in Pakistan, over the following years Khan then played a central role in helping to set up Pakistan's nuclear capability.³⁹ Originally launched in 1972, Pakistan's struggling nuclear programme was accelerated by India's test of a nuclear device in 1974. At his Khan Research Laboratories (KRL) in Kahuta, Pakistan, Khan, now spearheaded the programme from the late 1970s. By 1987, he had realized a degree of success. This was later confirmed by five successful nuclear tests by Pakistan in 1998.⁴⁰ At least until the mid-1980s, Western intelligence agencies believed A.Q. Khan was only working on Pakistan's own nuclear capability.⁴¹ At this stage, therefore, he was generally evaluated as not being a proliferator beyond the borders of Pakistan.

However, this evaluation was beginning to change by the mid-1990s. Evidence was starting to mount concerning the *external* nuclear proliferation activities of what was later to become identified as the A.Q. Khan network.⁴² Another long-term 'state of interest and concern', Iran, was featuring, and the intelligence was beginning to point towards the existence of a network. Or, at this earlier stage of investigations, at its least the intelligence suggested the presence of a structured entity that was more systematic in the nature of its operation and that was involved in activities that went further than mere coincidental transfers. Moreover, these interactions were taking place *beyond* Pakistan's borders. Concerning the dissemination of knowledge ('know-how'), and following his own ideological drivers, Khan was also openly publishing technical nuclear information which was kept classified or carefully controlled in the United States and Europe.⁴³

Further incriminating evidence emerged around 1995. After Operation 'Desert Storm' in 1991, and during the subsequent UN weapons inspections in Iraq, documents were reportedly handed over to the inspectors – and by extension eventually to UK and US intelligence – by the Iraqi defector Kamel Hussein. These documents suggested the involvement of Khan and his associates

in offering assistance in the form of nuclear technology and expertise to Saddam Hussein. More worrying were reports of Khan offering completely packaged 'nuclear weapons immediately before the 1990–91 Gulf War'.⁴⁴ Already the subject of considerable international ire, the Iraqis, however, were wary about taking up that offer. They appeared to be concerned about potentially becoming ensnared in a 'sting' by the Western intelligence services.

How significant was this development? Critics of the 'wait and watch' approach, such as former weapons inspector, David Albright, claimed:

When I saw the document [from the Iraqi defector] I was really stunned by it. This was like a smoking gun document of some really horrific thing taking place and I was surprised by the lack of follow-up. It didn't seem to be taken that seriously.⁴⁵

However, reportedly, the intelligence investigation into the document was 'inconclusive' as to its authenticity.⁴⁶ Verification was proving difficult. Before more of the pieces of the investigation's 'jigsaw' had fallen into place, a question of differently perceived intelligence 'priorities' occluded the matter.⁴⁷ Intelligence attention was mostly focussed on Iraq itself. The cuts imposed on the intelligence services in the name of a post-Cold War 'dividend' in the early 1990s did not help, impacting on the intelligence world in terms of curtailing resource allocation capabilities.⁴⁸ In the years after the Gulf War, the containment and disarmament of Iraq continued to be a high priority task for the United Kingdom and United States, and their intelligence services. Meanwhile, other 'lower' priority issues (with all of their associated 'risks') received lesser attention from the UK and US intelligence services. From the mid-1990s, however, Khan was visiting North Korea, and by 1997 Libya was also seeking the network's assistance for its own nuclear programme.⁴⁹ The network was becoming more significant. A.Q. Khan's market was expanding and his number of clients was growing.

Was there a slow start to thwarting the network? The UK and US intelligence agencies did take their time in taking disruptive action. However, there were several plausible reasons for this approach. First, the fact that 'hindsight' was not available is worth remembering. Neither was there a suitable precedent of a 'proliferation network' that could be referred to during investigations. Also the intelligence agencies took a while to put together all the pieces of the puzzle to ascertain the nature of the proliferation activities. They also took time to realize that – both structurally and culturally – a 'network'⁵⁰ was being confronted, and then to re-task and prioritize in order to focus more staff and other resources on tackling it.⁵¹

Moreover, there were some more pressing political considerations. The United States (and United Kingdom) needed Pakistani assistance in the 1979–89 Afghan War and wider Cold War against the Soviets. These Cold War considerations arguably slowed remedial action against Khan and his activities.⁵² Later, during the so-called 'War on Terror', awkward pressing political considerations

again had to be accommodated. Pakistan's assistance was important in global counter-terrorism efforts.⁵³ Moreover, Washington did not want to destabilize Pakistan – by now a nuclear power – by exerting too much pressure. Toppling the current leadership, which might result in a neo-fundamentalist Islamic regime, was deemed to be a worse scenario.⁵⁴

Nevertheless, in the late 1990s, SIS and the CIA decided to act more proactively. A joint task force team was established, penetrating Khan's network through infiltrating officers and agents.⁵⁵ These initiatives came as a clearer profile of the network was being developed. As Corera observed: 'The small trans-Atlantic team working on Khan centered its strategy on first identifying the key members of his business network and then gaining as much intelligence on their activities as possible.'⁵⁶ According to a former Dutch Prime Minister, Ruud Lubbers, Khan was not arrested earlier in the Netherlands during the 1970s as at that early stage the CIA had 'wished to follow and watch Khan to get more information'.⁵⁷ Reportedly, 'for more than a decade, British and American intelligence had been picking up clues that one of their worst nightmares could be true – someone was selling "off-the-shelf" nuclear weapons technology'.⁵⁸ The United Kingdom and United States were therefore presented with some strategic dilemmas.

UK and US intelligence were in somewhat of a quandary over the question of how best to proceed. Several UK–US intelligence-gathering operations were deployed against the network.⁵⁹ However, compelling evidence that could be used, for example, as leverage against Pakistan to act on curtailing Khan's activities, was difficult to obtain. Generally, as Ellis and Kiefer note, intelligence non-proliferation investigations are 'predicated on disparate facts that require key analytic judgments relating to the intentions and capabilities of reputed proliferant states (both supply- and demand-side), it is a complex and difficult intelligence challenge'.⁶⁰ In this case, it was a challenge considerably magnified because the Khan network was notably surveillance-shy.

There were many factors to consider. Because of the fragmented supply of varying components and expertise from a plethora of network associates, across several different continents, it was hard to monitor, detect, and completely follow-through compelling details. As Ellis and Kiefer have generally observed: 'The limited availability of "facts" or their roundly disputed nature imposes a key constraint on "objective" intelligence analysis.'⁶¹ Also when each source or piece of evidence is found then it has to be carefully verified. This process takes an uncertain amount of time, it may be inconclusive, and, above all, it cannot be rushed. As *Jane's* analyst Andrew Koch noted: 'Several US officials at the time said the concerns were based as much on Pakistan's potential to proliferate than on hard evidence of it actually doing so.'⁶² Therefore, instead of taking premature pre-emptive action, the case against A.Q. Khan *et al.* was slowly and painstakingly built over time. Intelligence agencies, such as GCHQ and NSA, mapped out the network's clients, associates, front companies, and the factories involved, and monitored finance flows.⁶³ On these tasks, as Corera found, UK and US intelligence worked in a complementary manner:

[They] divided up the targeting based [on] who had best leads on a particular part of the network, although some were targeted jointly ... the ... recruitment of spies was at the heart of the breaking of the A.Q. Khan network.⁶⁴

Indeed, both SIGINT and HUMINT sources were important. As these intelligence-gathering activities were undertaken, and their results were increasingly connected, the pieces of the puzzle slowly fell into place.

The patient UK–US intelligence investigations reached a head by early 2000. UK Joint Intelligence Committee (JIC) intelligence evaluations confirmed that Khan had developed a network that was global in scope, contributing to proliferation through the transfer of nuclear technology and knowledge. This included providing designs and manufactured parts for use in nuclear weapons.⁶⁵ As the *Butler Report* narrative later noted:

During the 1990s, there were intermittent clues from intelligence that A.Q. Khan was discussing the sale of nuclear technology to countries of concern. By early 2000, intelligence revealed that these were not isolated incidents. It became clear that Khan was at the centre of an international proliferation network.⁶⁶

Between 2000 and 2002, debates frequently erupted in Washington and London about how to continue the intelligence operations. These debates, exposing agreements and differences – and occurring roughly along similar lines within each of the UK and US intelligence and policy communities, as well as between them⁶⁷ – were not too dissimilar from the debates frequently seen in counter-terrorism operations.⁶⁸ Should the intelligence agencies act ‘aggressively’ and pre-emptively deploying ‘see and strike’ tactics over the short-term? Or instead should they employ longer-term ‘wait and watch’ (more ‘containment’) tactics; and build up an arguably clearer, tighter and more compelling case against Khan and his associates, in order to better ascertain the extent of the spread of their proliferation activities?

For the United Kingdom, the consensus appears to have been that the necessary tipping-point had been reached. However, apparently the US wanted to holdback intervention for a bit longer, particularly mindful of the above political considerations.⁶⁹ The IISS 2006 *Strategic Survey* summarized the situation: ‘They are constrained by the need to keep domestic Islamist pressure off secular Pakistani President Pervez Musharraf, an important counter-terrorism partner of the West.’⁷⁰ Some US intelligence officers also wanted to strike against Khan and the known elements of the network, launching disruptive, network asset sabotaging covert operations. The problem with this approach – similar to that witnessed when dealing with other highly networked criminal organizations, such as the Mafia and Triads – is that taking out the ‘leader’ does not always terminate the rest of the network and its operations. Indeed, in a worse scenario, new and unknown leaders can emerge, and they can perhaps prove to be more

dynamic than their predecessors. The ‘Hydra’s head’ metaphor is frequently invoked to appropriately describe this situation.

Diplomats, meanwhile, wanted to pursue an alternative strategy. Conscious of the widespread extent of the network (with it operating in several different countries), and concerned about potential ‘blowback’ from the types of covert operations suggested, instead diplomats were keen to pursue a more overt strategy. The idea was to expose the network by publicizing and sharing the intelligence more widely, thus building international pressure on governments, notably Pakistan, to deal with the elements of the network operating on their territory. However, as Ellis and Kiefer have observed in other but not dissimilar contexts, there was still an acute ‘need to strike an appropriate balance between the actionability of intelligence and the potential risks to sources and methods’.⁷¹ As Corera has noted: ‘The sensitivity of some of [the] sources made confronting Pakistan more difficult for fear of exposing them.’⁷² Therefore, the strategy proposed by the diplomats was eventually vetoed amid concerns about revealing sensitive human source assets – principally those infiltrated within the network. As Ron Suskind described in his book *The One Percent Doctrine*,

Khan and his associates had been under intense surveillance for years by the CIA and MI6 – a tight mesh that included sigint and financial tracking. But in the late 1990s, CIA agents, working undercover among the European vendors of specialized centrifuge machinery, managed to isolate, co-opt, and flip Urs [Tinner]. It was a great victory of spycraft. In the world of intelligence gathering, nothing matches the power of the well-placed mole.⁷³

Indeed, the Swiss engineers, Friedrich Tinner and his two sons, Urs and Marco, featured as useful assets that UK and US intelligence did not want to become blown.⁷⁴ There were worries that, in the process of adopting the diplomats’ strategy of greater exposure, long-term ongoing investigations into the network might possibly become compromised. As again Ellis and Kiefer note: ‘Sometimes the risks of “burning” sources may outweigh the net benefits gained by concerted multilateral action.’⁷⁵

A more complex ‘third way’ that amounted to a compromise strategy was finally chosen. Arguably this struck a fine balance between the points of agreement and the differences witnessed both domestically within, and internationally between, the United Kingdom and United States. The compromise decision taken was to persist with the ‘wait and watch’ tactics and continue the intelligence gathering.⁷⁶ This was while simultaneously applying some increased, although limited, pressure on Pakistan’s President Pervez Musharraf to act. On 27 March 2001, Musharraf held a celebration for the popular A.Q. Khan’s ostensible ‘retirement’ to try and appease Washington and London. However, Khan’s proliferation activities continued sufficiently so that by the second half of 2001, as a high-ranking British official observed, ‘the British government was certainly getting nervous that A.Q. Khan was continuing to supply stuff that might not be detected before we intervened to close it down’.⁷⁷

Did this constitute a flawed intelligence strategy? The ‘wait and watch’-dominated approach led to some criticism. Adopting this approach might have allowed for some further nuclear proliferation to take place that the intelligence services were not aware of or monitoring. This is a risk always potentially associated with such a ‘wait and watch’ strategy. Different parties, depending upon either the evidence at their disposal or the extent of their involvement, or indeed even the nature of their assessment methodologies, can always evaluate the tipping-point at different junctures. As Albright and Corey Hinderstein have argued:

Despite a wide range of hints and leads, the United States and its allies failed to thwart this network throughout the 1980s and 1990s as it sold the equipment and expertise needed to produce nuclear weapons to major US enemies.⁷⁸

However, the *Butler Report* presented the alternative rationale for waiting and watching. This approach was adopted until *circa* January 2003, when the extent of the Khan network assistance to Libya had been becoming clearer in UK JIC assessments from the summer of 2002.⁷⁹ Also this was when the proliferation activities were recognized as being part of a cohesive network:

Action to close down the network had until this stage been deferred to allow the intelligence agencies to continue their operations to gather further information on the full extent of the network. This was important to gain a better understanding of the nuclear programmes of other countries that Khan was supplying. But Khan’s activities had now reached the point where it would be dangerous to allow them to go on.⁸⁰

Meanwhile, according to a former head of the CIA’s clandestine service – Directorate of Operations (DO) – ‘it took a “patient, decade-long operation involving million-dollar recruitment pitches, covert entries, ballet-like sophistication and a level of patience we are often accused of not possessing” to first track and then break Khan’.⁸¹ Moreover, by January 2003, both the United Kingdom and United States could agree on the tipping-point to act with regard to Libya. They concurred in their individual and joint assessments that Libya’s progress with its WMD programme was too dangerous to be allowed to continue.⁸²

In the meantime, more compelling evidence emerged. UK–US intelligence assessments by March 2002 suggested that A.Q. Khan had moved the centre of his operations from Pakistan. Instead he was now using associates in Dubai, with production activities taking place in Malaysia.⁸³ This reflected a modicum of official pressure now being exerted by Pakistan. However, UK Intelligence argued increasingly forcefully that further pressure should now be applied on Pakistan. Musharraf should be confronted about A.Q. Khan and be required to stop the network’s proliferation activities effectively. The United States reportedly continued to disagree about exerting more pressure on Pakistan. As *Washington Post* journalists Gellman and Linzer found:

Blair's government argued with increasing vigor, officials of both countries said, that it was time to confront Pakistan about Khan and stop the operation of his network. "We disagreed," said a senior U.S. policymaker, who would not permit quotation by name on the dispute between allies. Moving immediately, he said, would have closed opportunities for covert surveillance.⁸⁴

The shift from an intelligence methodology to a law enforcement methodology was not yet complete. Further incriminating evidence was gathered. During IAEA inspections of Iranian nuclear facilities in 2002–3, more compelling signs of the Khan network's involvement, and better clues as to the extent of its nuclear proliferation, were obtained by the UK and US intelligence agencies. Experts believed that the equipment Iran was using was far more sophisticated than it should have been, had Iran not been receiving some significant outside assistance. Also Iran could not explain the presence of traces of highly enriched uranium (HEU) on the centrifuge equipment, something that Iran was obliged to declare under the terms of NPT–IAEA Safeguard obligations, which it had earlier signed up to in 1974. Suspicions were further raised by the fact that the centrifuge equipment itself also appeared to be a model (P-1) previously used by Pakistan at an earlier stage of development in its own nuclear programme.⁸⁵ From spring 2003, the US State Department applied sanctions against KRL relating to 'illegal missile transactions'. Charges of nuclear proliferation, however, were still not levied.⁸⁶

By November 2003, Iran had offered an explanation for the discrepancies observed. Iran acknowledged that during the late 1980s and early 1990s some assistance and technology had come from middlemen. Significantly, they were attributable to, or at least could be associated with, the Khan network. According to critics, this was something Western intelligence agencies had allegedly 'suspected' at the time, but then, as Albright and Hinderstein continued, 'little was done to stop it'.⁸⁷ Also, arguably, this was not the fullest account Iran could supply, as there was some evidence that these types of transfers were continuing through to at least the mid-1990s.⁸⁸ In March 2003, while London and Washington pondered how to respond to all these revelations, unexpectedly, Libya secretly tabled a proposal for discussions with the United Kingdom and the United States. Libya had decided to 'come in from the cold' and renounce its WMD programmes, which it announced publicly in December 2003.⁸⁹ Libya was also now cooperating with the IAEA on the issue. With respect to the overall UK–US strategy towards the A.Q. Khan network, Libya now moved from being part of the problem to being part of the solution.⁹⁰

Unravelling the A.Q. Khan network could now begin. The Iranian revelations, in conjunction with Libya's decision, provided the necessary tipping-point for finally dealing with the Khan network. The opportunity was offered for firm action to be taken against the network, while simultaneously addressing Libya and its WMD aspirations. Greater global counter-proliferation movements could be set in motion. Close UK–US intelligence cooperation would remain key. Considerable UK and US intelligence liaison and joint operations, such as

involving the participation of joint verification teams, was evident throughout the dealings with Libya.⁹¹ In essence, the United Kingdom played the ‘good cop’ trying a policy of engagement with Libya through diplomacy.⁹² The United States meanwhile essentially played the ‘bad cop’, by applying pressure on Libya and confirming Libya’s international pariah status – having previously included Libya as part of the ‘axis of evil’ in 2002.⁹³ The March 2003 Iraq war arguably acted as an additional warning. It suggested that the United Kingdom and United States were not only uttering rhetoric about their opposition to WMD, and that they might genuinely act pre-emptively and militarily over supposed WMD threats, whatever the precise condition of existence or maturity might be.⁹⁴ As UK non-proliferation scholar Wyn Bowen has observed:

The Libya experience highlights the value of applying both carrots and sticks to persuade proliferators to forego the possession or pursuit of nuclear weapons. . . . This case also demonstrates the importance of quietly communicating and discussing such incentives with proliferators through back-channels and secret negotiations.⁹⁵

Intelligence could now be shared more widely. Over the course of nine months of negotiations with Libya, gradually some of the UK–US intelligence gathered against the Khan network was made public. International organizations – such as the IAEA – as well as other governments, notably Pakistan and Malaysia, were now included in the intelligence sharing loop, helping them to address the network locally.⁹⁶ Action was aided by new policies coming on-stream, such as the US Proliferation Security Initiative (PSI).⁹⁷ At the operational level, according to the *Butler Report*: ‘action was taken to interdict supplies of components moving from Khan’s manufacturing facility in Malaysia to Libya . . . In October 2003, the *BBC China*, a German-registered ship carrying centrifuge parts, was diverted to Italy’.⁹⁸ This diversion was undertaken by German and Italian authorities acting under the PSI at the request of a joint MI6–CIA team. The shipment had been followed by UK and US intelligence from Malaysia to Dubai where, during the surveillance operations, it was observed that the components were transferred to the *BBC China* while en route to Tripoli.⁹⁹ Using the evidence intercepted on the *BBC China*, again according to the *Butler Report*, together ‘in November 2003 the UK and US Governments approached the Malaysian authorities to investigate a Malaysian company run by B.S.A. Tahir’,¹⁰⁰ who had been identified by intelligence investigations as the Khan network ‘financier’.¹⁰¹ The *Butler Report* continued: ‘At the strategic level, [firmer] action was taken in co-operation with President Musharraf of Pakistan to stop Khan.’¹⁰² However, despite all of these useful mitigating activities, the A.Q. Khan network has continued to provoke substantial interest.

Several broad questions remain unanswered in the wake of the unravelling of the A.Q. Khan network.¹⁰³ This is despite a number of arrests across the world, including that of A.Q. Khan himself. Obtaining answers to these questions has been complicated by the fact that Khan has been held under ‘house arrest’ in

Pakistan for the last five years, since his ‘confession’ in 2004 until his release without charge in February 2009, thus preventing international investigators and UK and US intelligence from interrogating him.¹⁰⁴ Moreover, his health is deteriorating. Revelations about the Khan network continued to surface throughout 2005. As the IISS 2006 *Strategic Survey* noted, on 23 August 2005,

In a surprise declaration ... Musharraf said disgraced Pakistani nuclear scientist A.Q. Khan had provided ‘probably a dozen’ centrifuges and their designs to North Korea to produce nuclear fuel, but said there was no evidence that he provided a Chinese-origin design to build a nuclear bomb. The Pakistani government subsequently announced the end of Khan’s official interrogation, though he remained under house arrest with no access provided to foreign intelligence personnel.¹⁰⁵

Meanwhile, investigations into the extent of the network, and other ‘spin-offs’, continue by the IAEA and intelligence agencies.¹⁰⁶

Numerous questions now confronted the agencies. Most obviously, who should be held to account – a state (for example, Pakistan), or A.Q. Khan and other individuals themselves, as (quasi or semi) sub- or non-state actors?¹⁰⁷ What was the extent of Pakistan’s official complicity?¹⁰⁸ Were all the middle or front companies uncovered as part of the network aware of the end destination or end intended use of the products they were manufacturing, and hence the extent of their complicity? Some answers can be provided. In one case, at least, the answer to this last question appears to be ‘yes’. This was especially apparent where an engineer in the network revealed to BBC *Panorama* reporter Jane Corbin that ‘I never had the slightest doubt what it was for’.¹⁰⁹ Confronted with these problems, what disciplinary and deterrent sanctions might the proliferators face, and how should these best be applied? Were there any other similar devolved WMD proliferation networks that have not yet been picked up by the intelligence investigations and are consequently potentially still operating?¹¹⁰ In 2004, the then head of counter-proliferation at the UK Foreign and Commonwealth Office (FCO), Dr David Landsman, observed:

There may never be another A.Q. Khan network quite like this one, but equally it would be very surprising if there weren’t some criminals or potential criminals out there looking to take advantage of this kind of trade again in the future.¹¹¹

Critics, including those located on the fringe of related investigations, such as David Albright, argue that the wait and watch strategy was flawed. They claim that the gradual intelligence methodology and approach was unhelpful. This was because it allowed Pakistan the time to develop its own nuclear capability, as well as contributed towards speeding up the development of nuclear programmes of at least Libya, Iran and North Korea. They claim earlier disruptive action against A.Q. Khan and the network could have prevented this from happening.

Meanwhile, those located closer to the heart of the investigations think differently. This group includes intelligence ‘insiders’ and government officials, who were also closer to the associated UK–US liaison on the issue over a longer time period.¹¹² The existence of some officially shared UK and US perceptions, and the extent of their solidarity on the issue, is detectable. Together with the official WMD intelligence inquiries in both the United Kingdom and United States, they claim that the strategy that was pursued was essentially the right one. They evaluate the operations against the network as overall being a ‘success’.¹¹³

However, both strategically and operationally, there is still much to be accomplished. This is despite policy ‘reforms’, such as the US PSI, as well as United Nations Security Council Resolution (UNSCR) 1540, both partly spurred on by the revealing of the A.Q. Khan network. Significantly, these more recent non-proliferation initiatives address the proliferation activities of sub- and non-state actors, as well as state actors.¹¹⁴ By contrast, the earlier non-proliferation ‘regimes’, such as the nuclear Non-Proliferation Treaty (NPT), were state-orientated, ‘pre-globalization’ era agreements and arrangements.¹¹⁵ As Albright and Hinderstein argue:

The international response thus far has not been sufficiently effective. Although revelations about the Khan network have reenergized support for a range of reforms, more extensive improvements to the international non-proliferation regime are still needed to block the emergence of new networks and to detect them promptly if they do arise.¹¹⁶

Paradoxically, the weakest spot for the international non-proliferation initiatives and regimes is perhaps one of their strengths. Notably, this is their multilateral nature. It may hamper the extent of intelligence sharing that can take place on the issue. Yet, potentially at least, the more states that can join together and align against a ‘violator’, the more compelled that ‘opponent’ may be to modify their behaviour, and expeditiously.

Overall, in its conclusions, the *Butler Report* was upbeat. It judged that:

The uncovering and dismantlement of this network is a remarkable tribute to the work of the intelligence agencies ... a team of experts worked together over a period of years overcoming setbacks and patiently piecing together the parts of the jigsaw. Although an element of luck was important in providing a breakthrough [(such as Libya and its decision to renounce WMD¹¹⁷)], this was not a flash in the pan. It was the result of a clear strategy, meticulously implemented, which included the identification of key members of the network and sustained work against their business activities.¹¹⁸

The US Robb-Silberman Commission also concluded that: ‘Working alongside British counterparts, CIA’s Directorate of Operations was able to penetrate and unravel many of Khan’s activities through human spies. They deserve great credit for this impressive success.’¹¹⁹ However several uncertainties remain.¹²⁰

As the Robb–Silberman inquiry also stated: ‘The full scope of Khan’s work remain[s] unknown.’¹²¹ Moreover, the network – as well as other associated proliferation ‘networks’, spin-offs and looser arrangements – are subject to continuing investigations and sanctions.¹²²

3.0 The issue of supposed Iraqi WMD and related programmes

Today, it is widely accepted that the policy dimension was the most flawed aspect of the approach taken by the West to address supposed Iraqi WMD. Moreover, once the questionable decision on invasion had been taken, the overall strategy in Iraq was overly kinetic and had been excessively influenced by ideas of a ‘revolution in military affairs’.¹²³ The intelligence dimension itself was also not flawless. Serious intelligence ‘contamination’ was present. This was especially notable with specific sources, such as ‘Curveball’ (a rather apt codename, used to describe a baseball throw), unfortunately featuring all too prominently. Once such poorly vetted sources were released out into the overall mix, their ‘faulty’ reporting was difficult for the myriad intelligence community elements on both sides of the Atlantic to withdraw retrospectively. The polluting effects of these sources, mostly *émigré* sources with specific agendas to champion, were difficult to mitigate.

UK–US intelligence liaison was remarkably close on this issue. Moreover, it formed the core intelligence liaison relationship around which other international intelligence liaison relationships with other countries – such as Germany, France, Israel, and Italy – bilaterally and multilaterally clustered in their both joint and individual overlap with the United Kingdom and United States. As CIA Director George Tenet demanded: ‘How come all the good reporting I get is from SIS?’¹²⁴ In fact, UK–US liaison was judged to be so close that sometimes it was perhaps ironically too ‘successful’. On the subject of intelligence liaison generally, as the Robb–Silberman Commission later warned in 2005:

A cautionary note: the increased sharing of intelligence reporting among liaison services – without sharing the sourcing details or identity of the source – may lead to unwitting circular reporting. When several services unknowingly rely on the same sources and then share the intelligence production from those sources, the result can be false corroboration of the reporting. In fact, one reason for the apparent unanimity among Western intelligence services that Iraq posed a more serious WMD threat than proved to be the case was the extensive sharing of intelligence information, and even analysis, among liaison services. Such sharing of information, without sharing of source information, can result in ‘groupthink’ on an international scale.¹²⁵

The perceived ‘groupthink’ or ‘a bureaucratic consensus’¹²⁶ appears to have been most acute in the critical domain of the ‘producer–consumer’ relationship. This

was between senior intelligence staff and the politicians in both the United Kingdom and United States. The alleged global and international ‘groupthink’ also has been attributed to what one commentator has characterized critically as ‘an ingrained “inferiority complex” with regard to the capabilities of American intelligence’ amongst the major intelligence agencies around the world that liaise with the United States. This was attributed to being due to them ‘lack[ing] the capability to collect the information on which to base independent judgments’. Furthermore, he asserted that the leaders of these intelligence agencies ‘generally fear to take positions at variance with American intelligence conclusions because the political leaders of their countries tend to judge their performance by the criterion of their agreement with American Intelligence’. Significantly, the British were judged as being ‘no exception to this rule’.¹²⁷ Although that judgement arguably extended too far, as is demonstrated throughout this chapter, a degree of ‘overreach’ did figure in the overall mix.¹²⁸

Iraq and its supposed WMD had long plagued UK and US intelligence. During the 1990s, Iraq, together with its disarmament verification process, evidently absorbed substantial UK and US intelligence resources. Inside the UK intelligence community, a special Defence Intelligence Staff (DIS) led group (cell) focussed on Iraq – part of Operation ‘Rockingham’ – had existed from 1991. Its role over time was to provide intelligence support, as well as chemical, biological, radiological and nuclear (CBRN) weapon expertise, to both the UN weapons inspectors and to a range of UK customers.¹²⁹

The UN soon became central. In 1991, after the ‘Gulf War’ (1990–1) following the Iraqi invasion of Kuwait, UN Security Council Resolution (UNSCR) 687 was passed, establishing the United Nations Special Commission on Disarmament (UNSCOM). UNSCOM was intended to verify the Iraqi disarmament of WMD. However, as the 1990s progressed, the eventual findings of UNSCOM were essentially dismissed by the United Kingdom and the United States. In part this reflected the disquieting revelations regarding the exposure of Iraq’s clandestine nuclear programme in the wake of the Gulf War. In short, a degree of ‘over-correction’ was witnessed. Increasing speculation about what else was being missed by the UNSCOM and the IAEA now had to be surmounted. From 1996, UK and US intelligence had also allegedly ‘infiltrated’ UNSCOM, in order to further enhance the reach of their intelligence gathering in Iraq.¹³⁰

Contested progress was made. Although UNSCOM eventually destroyed several Iraqi WMD facilities, the Iraqis had also ensured that the besieged UN weapons inspectors had been effectively excluded from inspecting so-called ‘presidential sites’. This suggested that the UNSCOM findings of 1997, that Iraqi WMD had essentially been destroyed, were not credible. Indeed, they were incomplete in the eyes of the United States and United Kingdom, to the extent of being substantially discredited.¹³¹ At the same time, other countries, such as Russia and France, were more accepting of those findings. UK–US trust in the UNSCOM verification regime was lacking, and over time continued to haemorrhage.¹³² Plagued with such problems on all sides, and having also been accused of being a thinly veiled Israeli spying mechanism by the hostile Iraqis – who

continued to obstruct the inspectors – UNSCOM eventually withdrew from Iraq in early December 1998.

Air strikes followed. On 16 December 1998, the controversial US–UK Operation ‘Desert Fox’ was launched. A more proactive ‘containment’ approach through the bombing of suspected Iraqi WMD sites was attempted. As William Arkin observed in 1999: ‘The same mission folders that UNSCOM put together to inspect specific buildings and offices in its search for concealed Iraqi [WMD] ... became the basis for the targeting folders that missile launchers and pilots used in December.’¹³³

However, the operation was ultimately judged to be ‘highly ineffective’.¹³⁴ Drift on the issue then ensued as other pressing political considerations, such as Kosovo, took centre stage. Uncertainty regarding the exact status of Iraqi WMD persisted into the new millennium. By 2000, UN-sponsored weapons inspectors carrying out even disputed verification activities were lacking. A lack of high-grade sources contributed further towards the general prevailing uncertainty concerning the exact status of supposed Iraqi WMD. Moreover, according to the BBC, in January 2000, ‘Iraq ... said that it has already destroyed all its weapons of mass destruction and it will not accept a new arms control body’.¹³⁵ Stalemate had been reached.

By 2002, the potential strengths UK–US intelligence liaison could bring on the issue of supposed Iraqi WMD appear to have been *even further* reduced. Indeed, they were shown to be considerably undermined because of their tendency to follow a set political agenda. Thereby the flexibility and open-mindedness needed in approach when dealing with the generally non-static WMD counter-proliferation issue, was absent.¹³⁶ Insofar as they were genuinely interested, rather than a greyer response regarding the supposed Iraqi WMD, political masters in the United Kingdom and United States sought to extract a ‘black-or-white’ answer from their intelligence agencies.¹³⁷ Meanwhile, decision-makers moved from a long-standing policy of seeking covert ‘regime change’ in Iraq to an overt policy. A stronger counter-proliferation paradigm was now advocated and intelligence became an increasingly peripheral issue.¹³⁸

US and UK interest in Iraq and its supposed WMD clearly was not new in 2000.¹³⁹ However, not until the Bush administration took office in January 2001 was the political ‘obsession’ with Iraq clearly apparent.¹⁴⁰ The political ‘obsession’ also fitted with the widespread prevailing, and increasing, beliefs that the Iraq ‘containment policy’ of the previous Clinton administrations during the 1990s had not worked.¹⁴¹ This was apparent in a context where mechanisms were lacking that could detect whether containment had, or equally had not, delivered benefits.¹⁴² The re-invigorated political focus on Iraq of early 2001 also fitted in sufficiently with Western desires to see Saddam Hussein at least disarmed of WMD, if not removed from power altogether. Again, these sentiments dated most strongly from the end of the ‘Gulf War’ in 1991.¹⁴³

The United States was keen to see action. From February 2001, the new Bush administration, with the United Kingdom, increased the pressure on Iraq through

further bombing raids.¹⁴⁴ UK Prime Minister Tony Blair pledged to use ‘whatever means are necessary’¹⁴⁵ to contain Saddam Hussein, and to stop the supposed Iraqi WMD development. As veteran *Washington Post* journalist, Bob Woodward observed:

On Aug. 1, [2001], after a series of meetings among the National Security Council [NSC] principals, they presented a document ... called ‘A Liberation Strategy’ for Iraq, attempting to ratchet up the pressure in terms of covert action, economic sanctions – not a military invasion, however. It was only after 9/11 that the president took [US Defense Secretary Donald] Rumsfeld aside and said, ‘Let’s start looking at Iraq seriously.’¹⁴⁶

Indeed, after the 9/11 attacks, there is considerable evidence that several ‘hawkish’, ‘neo-conservative’, members of the Bush administration believed that there should now be the long hankered after action against Iraq.¹⁴⁷ Rumsfeld and Deputy Defense Secretary Paul Wolfowitz, in particular, thought that 9/11 provided the opportunity.¹⁴⁸

However, significantly, others in the Bush administration were opposed at this early stage in the burgeoning so-called ‘War on Terror’. Notably Vice-President Dick Cheney, National Security Adviser Condoleezza Rice, Secretary of State Colin Powell, and ultimately President Bush himself, decided to focus first on al-Qaeda, the Taliban, and international terrorism, and deal most immediately with Afghanistan. They would then return to the issue of Iraq, Saddam Hussein, and his alleged terrorism links and supposed WMD later. As Woodward again observed: ‘All of the discussion of Iraq, it’s there, it’s serious, but the president and Cheney reject it and adopt very clearly an “Afghanistan first” policy. But it’s background music.’¹⁴⁹ After, at least initial, ‘success’ in the operations undertaken in Afghanistan, and in the wake of the toppling of the Taliban regime, by around the end of November to early December 2001, Bush *et al.* were again much more attentive to the issues of WMD and Iraq. The issue gained in prominence.¹⁵⁰

The US ‘State of the Union’ address of January 2002 highlighted the re-prioritization of Iraq. US President Bush unambiguously declared:

Iraq continues to flaunt its hostility toward America and to support terror. The Iraqi regime has plotted to develop anthrax, and nerve gas, and nuclear weapons for over a decade. This is a regime that has already used poison gas to murder thousands of its own citizens.... This is a regime that agreed to international inspections, then kicked out the inspectors. This is a regime that has something to hide from the civilized world.

He continued:

States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction,

these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred. They could attack our allies or attempt to blackmail the United States. In any of these cases, the price of indifference would be catastrophic.¹⁵¹

The Bush administration's line of argument and course of action was now becoming established publicly.

As a result, Iraq returned to the top of the agendas of the UK and US intelligence agencies. It also featured more in the media.¹⁵² Washington and London started to channel more energy and intelligence staff and resources into continuing to build their case against Saddam Hussein.¹⁵³ Moreover, according to the BBC, 'The day after the ["axis of evil"] State of the Union message, members of the leading Iraqi opposition group, the Iraqi National Congress [(INC)], suddenly found doors were opening for them in Washington. Frozen funding was resumed'.¹⁵⁴

The prevailing political reasoning was one of inevitability. Decisively tackling Iraq and its supposed WMD issue, more or less whatever the intelligence picture of the threat, would have to be undertaken sooner or later – went the argument.¹⁵⁵ What would need to be done in the future might as well be done now, harnessing the favourable political climate. Constellations of location, space and time emerged and had an impact. Executing the desired policy against Iraq seemed to make sense in the wake of the recent 'defeat' of the Taliban in nearby Afghanistan, and while substantial US military forces and *matériel* were already deployed geographically close to Iraq in the South Asia and Middle East Gulf region.

However, the UK political case for tackling Iraq was presently undeveloped. It was not ready at this early stage in the run-up to war. Nor was the UK polity yet sufficiently ready for a future *risk* to be conflated with a *threat* that was supposed to present an immediate danger or crisis, in terms of the underlying conceptualization driving the 'responsive' pre-emptive policy trying to be pushed politically.¹⁵⁶ In April 2002, a UK Government decision to publish evidence against Iraq was delayed. This was because the body of evidence, based on sanitized intelligence sources and UK Joint Intelligence Committee (JIC) intelligence assessments, was judged not yet compelling enough. Pre-existing intelligence, available from older and better-developed and vetted sources, appears not to have provided the desired case. Further tasking got underway and there was pressure for more publicly persuasive intelligence to be gathered. Significantly, some of the conventional intelligence secrecy and control restrictions were eroded. In its report of September 2003, the UK Intelligence and Security Committee (ISC) later claimed the reason for not publishing a dossier in March 2002 was 'because the time was not right to produce either a document on the WMD capabilities of four countries including Iraq or on the Iraqi capability alone'. They continued: 'The 24 September [2002] dossier was a new piece of work, produced by the JIC Chairman, based on earlier material and new intelligence.'¹⁵⁷ This observation simultaneously provides an interesting insight into

the JIC ‘process’ at the time. As a former Secretary to the JIC, Michael Herman, had catalogued in 2001 concerning how the JIC operated:

It is misleading to see JIC assessment as just the work of a committee, or a principal committee sitting over its subsidiary London committees, the Current Intelligence Groups (CIG). It has always been serviced by a central staff who do the important drafting and effectively lead the system, sometimes short-circuiting committee procedures and producing items direct for senior readers.¹⁵⁸

Prolonging the electronics metaphor, did any ‘short-circuiting’ during the run-up to the war in Iraq cause the ‘fuses’ in the JIC system to blow? The methods employed by some of the people acting within and in close proximity to the JIC could point to at least some of the less desirable outcomes observed later in terms of the handling and presentation of intelligence on supposed Iraqi WMD at the important producer–consumer nexus. This also concerned the handling of laundered information that was eventually disseminated to the public through the notorious British dossiers. Intelligence validation processes were badly skewed. In one instance of direct producer–customer interaction, for example, the *Butler Report* provided some enlightening insights:

As it happened, the Chief of SIS had a meeting with the Prime Minister on 12 September [2002] to brief him on SIS operations in respect of Iraq. At this meeting, he briefed the Prime Minister on each of SIS’s main sources including the new source on trial. He told us that he had underlined to the Prime Minister the potential importance of the new source and what SIS understood his access to be; but also said that the case was developmental and that the source remained unproven. Nevertheless, it may be that, in the context of the intense interest at that moment in the status of Iraq’s prohibited weapons programmes, and in particular continuing work on the dossier, this concurrence of events caused more weight to be given to this unvalidated new source than would normally have been the case.¹⁵⁹

Arguably, the JIC itself was by now increasingly reflecting its antiquated structure akin to a relic dating from a different era, the Cold War. In the early twenty-first century circumstances in which it was now being forced to operate, the JIC was being substantially stretched. It had to consider a wider range and volume of sharply contrasting intelligence material of uncertain quality, which also had to meet pressing political – rather than merely deliberative – requirements, suggesting that its processes simultaneously had to be accelerated.

The JIC arguably became overextended and sat awkwardly alongside Blair’s rather informal style of government. The extent of foreign liaison partner participation in the JIC also caused some worry. These concerns were raised in 2005 by Dan Plesch, who claimed that: ‘Some former JIC staff and chairs have told me that they consider that it has become more and more difficult for the UK to

think independently and to reject United States-sourced intelligence for fear of offending the Americans'. However, he continued: 'Others ... say that since JIC meetings have two parts – one open to foreigners and another ... closed, there is no cause for concern.'¹⁶⁰ Although, the precise role of the JIC, in the overall decision- and policy-making processes in the United Kingdom during the run up to the war in Iraq, continued to be a focus of interest.¹⁶¹

Analytical and assessment overlaps were useful. That some UK–US agreement did exist regarding the intelligence assessments on Iraq was readily apparent. As the later Robb-Silberman Commission report remarked:

For its part, the British Joint Intelligence Committee assessed, as did the [US National Intelligence Estimate (NIE)], that the aluminum tubes, with some modifications, would be suitable for use in a centrifuge, but noted that there was no definitive intelligence that the tubes were destined for the nuclear program.¹⁶²

However, the UK–US agreement was not complete. Differences were most sharply delineated when it came to the specifics encountered at the narrower levels of analysis into which intelligence liaison relations can be disaggregated. As former Australian intelligence officer Andrew Wilkie noted: 'Even in Australia the trust usually placed in the CIA was abandoned when it came to the aluminum tubes story.'¹⁶³

The UK–US intelligence differences emerged early on. Some of these persisted over time, although they were increasingly subject to being 'tidied' into the background at the higher levels. In March 2002, CIA Director George Tenet reportedly claimed US intelligence had detected 'contacts and linkages' between al-Qaeda and Saddam Hussein.¹⁶⁴ This was something US politicians, such as US Vice-President Dick Cheney, seized upon.¹⁶⁵ According to Woodward, in an embargoed interview in July 2004 with former US President Gerald R. Ford: 'He agreed with former secretary of state Colin L. Powell's assertion that Cheney developed a "fever" about the threat of terrorism and Iraq. "I think that's probably true."¹⁶⁶ As Paul Pillar, the former US National Intelligence Council (NIC) official responsible for the Middle East region, later observed:

The issue of possible ties between Saddam and al Qaeda was especially prone to the selective use of raw intelligence to make a public case for war. In the shadowy world of international terrorism, almost anyone can be 'linked' to almost anyone else if enough effort is made to find evidence of casual contacts, the mentioning of names in the same breath, or indications of common travels or experiences. Even the most minimal and circumstantial data can be adduced as evidence of a 'relationship', ignoring the important question of whether a given regime actually supports a given terrorist group and the fact that relationships can be competitive or distrustful rather than cooperative.¹⁶⁷

Much scepticism remained concerning these claims in the intelligence communities on both sides of the Atlantic. Regarding official Iraq–al-Qaeda links, according to a US official in early February 2003: ‘Drawing such a conclusion from Mr al-Zarkawi’s presence in Baghdad was “an inferential leap.”’¹⁶⁸ UK intelligence as a whole was especially critical of such links, and instead decided to focus their efforts on supposed Iraqi WMD. Early on, at least, it appeared that a far more compelling case – in the style of a lawyer seeking evidence, rather than as an intelligence officer searching for any further potential investigative leads – could be made on the issue.¹⁶⁹

UK intelligence remained sceptical of the weak alleged links between al-Qaeda and Iraq. As the *Butler Report* later observed:

The JIC made it clear that the Al Qaida-linked facilities in the Kurdish Ansar al Islam area [of northern Iraq] were involved in the production of chemical and biological agents, but that they were beyond the control of the Iraqi regime.

The report continued: ‘The JIC made clear that, although there were contacts between the Iraqi regime and Al Qaida, there was no evidence of co-operation.’¹⁷⁰ The WMD disarmament argument appeared to have more mileage. Unfortunately, the Iraq–WMD argument was subsequently proved to be just as bankrupt as the Iraq and al-Qaeda terrorism-linkage proposition.¹⁷¹

The United Kingdom was keen to know more about American thinking by early 2002. In these early stages of the eventual run-up to war, UK and US political and intelligence coordination and liaison on the issue of Iraq was arguably lacking. Prior to 9/11, SIS and CIA annually held a summit meeting at various locations. After 9/11 and during early 2002, however, Tenet was reportedly ‘too busy’ to have another such conference with UK Intelligence. Tenet’s reluctance suggests that liaison with UK Intelligence at this time was arguably not the priority, or indeed so important. The UK–US intelligence interactions could be left to those at a lower level. By early July 2002, the United Kingdom reportedly urgently requested a meeting with the CIA. This suggested UK hunger for more intelligence input on a range of issues, including top-level US intentions and the latest intelligence the United States had on Iraq. It also underlines the additional value that London attached to intelligence liaison as a helpful window on top-level Washington thinking. After the apparent ‘insistence’ of SIS, eventually a summit meeting was held with the CIA at their headquarters in Langley. Blair appears to have tasked Sir Richard Dearlove (‘C’), the Chief of SIS, with finding out the Bush administration’s current position on the issue of Iraq.¹⁷²

Intelligence from the top-level SIS–CIA meeting was soon forthcoming. On 23 July 2002, Downing Street foreign policy aide, Matthew Rycroft, sent to David Manning, Blair’s chief foreign policy adviser – and to other select UK officials on a restricted list – the so-called ‘secret Downing Street memo’. On intelligence it stated that: ‘C reported on his recent talks in Washington. There was a perceptible shift in attitude. Military action was now seen as inevitable.

Bush wanted to remove Saddam, through military action, justified by the conjunction of terrorism and WMD.’ The memo went on to record: ‘But the intelligence and facts were being fixed around the policy. The NSC [US National Security Council] had no patience with the UN route, and no enthusiasm for publishing material on the Iraqi regime’s record’.¹⁷³

By late 2002, clearly intelligence was increasingly irrelevant, or at least it was becoming an entity that could be ‘picked and mixed’ to fit the prevailing political currents. This was apparent after reportedly ‘the CIA ... made a major intelligence breakthrough on Iraq’s nuclear program [when] Naji Sabri, Iraq’s foreign minister ... made a deal to reveal Iraq’s military secrets to the CIA’. Tyler Drumheller, Europe division chief for the CIA Directorate of Operations (DO), until his retirement in 2005, headed up the operation: ‘This was a very high inner circle of Saddam Hussein. Someone who would know what he was talking about. ... He told us that they had no active weapons of mass destruction program’. Drumheller continued:

‘The policy was set. ... The war in Iraq was coming. And they [the policy-makers] were looking for intelligence to fit into the policy, to justify the policy.’ ... Once they learned what it was the source had to say – that Saddam Hussein did not have the capability to wage nuclear war or have an active WMD program, Drumheller says, ‘They stopped being interested in the intelligence.’¹⁷⁴

Later, he remarked: ‘Eventually I had to accept that nothing we said or did was going to change the administration’s collective mind.’¹⁷⁵ As US intelligence expert Paul Pillar also later astutely observed:

What is most remarkable about prewar U.S. intelligence on Iraq is not that it got things wrong and thereby misled policymakers; it is that it played so small a role in one of the most important U.S. policy decisions in recent decades.¹⁷⁶

This scenario also made it all the more ironic that the case for war would try to be built on intelligence ‘evidence’. At least ‘intelligence’ would give the war a veneer of respectability and seeming public legitimacy – or so it was hoped. Public opinion, through the conduit of the media, is arguably somewhat readily seduced by the presentation of ‘secret’ intelligence, which can only be taken at face value.¹⁷⁷ Its full veracity can rarely be challenged by those ‘not in the know’ and excluded from the ‘inner ring(s) of secrecy’. UK–US strategic differences were also a factor. The Downing Street memo clearly expressed London’s concern that ‘on the political strategy, there could be US/UK differences’.¹⁷⁸ A different approach, or indeed perhaps some capitulation, would have to be devised to prevent this state of affairs from occurring.

WMD featured prominently in the US *National Strategy* of September 2002.¹⁷⁹ Globalized security issues were becoming increasingly integrated (or

conflated).¹⁸⁰ The early uncertainty surrounding the exact status of supposed Iraqi WMD was not missed, however, with reporters noting in September 2002 that: ‘Tony Blair ... has until now insisted that the UK and US do not know the state of Iraq’s weapons capability because United Nations inspectors have not been allowed into the country for the past four years’.¹⁸¹ Moreover, towards the end of December 2002, there were still some concerns emanating from the UK intelligence community that the US intelligence community was perhaps not sharing to the fullest extent. According to an unnamed senior British official: ‘We know [of] material which is unaccounted for ... But we have not got a definite site, a grid reference, where we can say Saddam is hiding it’. Reflecting some of the ambiguity discernible within UK–US intelligence liaison, the official maintained: ‘If the US administration does indeed have that kind of specifics, it has not been passed on to us.’ As they then offered by way of contextualization: ‘The main problem is known to us all. After all, it was Paul Wolfowitz ... who said, “Iraq isn’t a country where we’ve had human intelligence for years.”’¹⁸²

The UK and US intelligence agencies now, at least in theory, had to establish more clearly the status of supposed Iraqi WMD and related programmes. This had to be accomplished without (at this stage) what is believed to have been essentially one of their previously most useful and reliable sources of information (despite the earlier political dismissals), namely the UN weapons inspectors.¹⁸³ Yet, when UN weapons inspectors were later re-introduced into Iraq in November 2002, under the authority of UNSCR 1441, arguably they were not helped by the United States and the United Kingdom, frustrating their efforts to deliver to their fullest potential.¹⁸⁴

In political terms, the selection of Dr Hans Blix to head up the renewed weapons inspections was particularly unfortunate. In the eyes of some decision-makers, especially in the United States, Blix had already failed to impress vis-à-vis the issue of Iraq and its arms inspections. This had occurred when he had previously held the post of Head of the IAEA from 1981–97, during the period when Iraq’s clandestine extended nuclear programme had been exposed following the first Gulf War in 1991.¹⁸⁵ As Drumheller noted: ‘This general view developed that the inspectors were a bunch of clowns, which wasn’t true.’ Continuing, he observed that: ‘The inspectors are very serious guys, and they actually did an effective job – not perfect, but they were pretty effective. But the intelligence that was coming in was saying that there aren’t any weapons, the actual hard intelligence.’¹⁸⁶ Politically, however, these findings were discounted.

Ultimately, UK and US intelligence were under pressure. They felt somewhat obligated to deliver evidence to meet, and indeed surpass, the ‘burden of proof’ for justifying the war. Perhaps more debatable is whether a ‘burden of proof’ was actually needed, given that military action was all but ‘inevitable’ as time leading up to the launch of the war (in the narrow window available) rapidly progressed. This course of action was followed regardless of the precise circumstances. Concerning contextual details and specifics relating to Iraq, Jonathan Steele argued: ‘Blair was not interested in these matters. He took the view that it

was in Britain's strategic interest to go along with whatever Bush decided.' Adopting more of a critical stance, Steele claimed:

[Blair] thought he had considerable influence in the White House, and his various trips to Washington, which always culminated with a press conference at Bush's side, were designed to give the impression that as a major contributor of troops he was an equal partner in decision-making.¹⁸⁷

Intelligence resources in both the United Kingdom and United States were becoming overburdened. Significantly, they now had to contend with the multiple problems of counter-terrorism, counter-proliferation and preparing for a ground war against Iraq that most believed was not far away.¹⁸⁸

Several disconnects emerged. The burden of responsibility being placed upon individual UK and US intelligence, as well as on more joint UK–US shared intelligence, was too great.¹⁸⁹ Later, in January 2004, in a spirited defence of UK intelligence, Sir Rodric Braithwaite, former Chairman of the JIC and foreign policy adviser to UK PM John Major, tried to contextualize the dilemmas UK intelligence had encountered. He railed against 'unreasonable expectations', declaring that 'intelligence agencies are no more immune to error than other human organizations'. Drawing a valid contrast between the United Kingdom and United States, he continued by noting that: 'The Americans believe that truth emerges from a dialectical clash of opinions. . . . The British, on the other hand, try to reach a consensus among interested parties. Their instrument is the Joint Intelligence Committee [JIC].' Indeed, Braithwaite continued: 'The result is often a bland lowest common denominator, which does not make exciting reading. One minister remarked that he found JIC assessments "very boring". And a colleague said they were "very unhelpful" on the subject.' Demonstrating how these critiques should be received, Braithwaite continued:

I took it all as a compliment. The alternative is worse: the risk identified by [another former JIC Chairman, Sir Percy] Cradock [is] that 'the analysts become courtiers, whereas their proper function is to report their findings, almost always unpalatable, without fear or favour'.

In Braithwaite's view, and equally supported by the findings of this chapter,

The JIC's real failure seems to have been that it fell straight into Cradock's trap. It stepped outside its traditional role. It entered the prime minister's magic circle. It was engulfed in the atmosphere of excitement which surrounds all decision-making in a crisis. It went beyond assessment to become part of the process of making, advocating and implementing policy. That was bound to undermine the objectivity which is the main justification for its existence.¹⁹⁰

Both UK and US intelligence capabilities and capacities, together with the sources they were each variously and overly relying upon, were being stretched too far.

In private, the problem of intelligence overstretch was something that was also dawning on US Secretary of State Colin Powell as he later tried to put together his 5 February 2003 presentation for the UN Security Council. In the days before that presentation, rejection of the intelligence, rather than its verification, was the dominant mode. As he and his secret review team checked and decided which supporting intelligence to include or remove from the draft presentation to the UNSC, Powell at one stage reportedly got so exasperated that he declared: 'I'm not reading this. This is bullshit.'¹⁹¹ His case appeared to be built on increasingly shaky ground. Neither UK nor US intelligence were offering much of substance to the formulation of his case.

Worse was to come. At the launch of the UK dossier of 24 September 2002, critically, Blair did not admit any ambiguity in the case. UK and US intelligence concerns regarding their sources were overlooked. As former Australian intelligence analyst Wilkie argued, again demonstrating the extent of allied Western intelligence convergence, as well as the commensurate haemorrhaging of adequate intelligence tradecraft and management techniques: 'Most often the deceit lay in the way Washington, London and Canberra deliberately skewed the truth by taking the ambiguity out of the issue.' He maintained: 'On balance the strong, unambiguous language contained in the case for war seemed more the work of salespeople than professional intelligence officers.'¹⁹² In *Iraq's Weapons of Mass Destruction: The Assessment of the British Government*, essential caveats appeared to be suppressed. Indeed, as part of the UK effort to make a compelling case, Blair announced that Saddam Hussein's 'WMD program is active, detailed and growing. The policy of containment is not working'.¹⁹³ However, it was Blair's forceful 'Foreword' to the dossier – including passages such as the unsupported: 'Saddam Hussein is *continuing* to develop WMD, and with them the ability to inflict real damage upon the region, and the stability of the world'¹⁹⁴ – which was to particularly bedevil the case Blair *et al.* were trying to make.

The dossier featured centrally. Notably, Wilkie judged it to be a 'key building block for the case, not least because of its timing and scope'.¹⁹⁵ This appeared just as the broader disarmament case began to collapse under the weight of its own exaggerated claims. As the *Butler Report* later revealed, there was evidence of UK–US liaison as the dossier was compiled: 'In preparing the dossier, the UK consulted the US.' To help their premier ally, based on sanitized information acquired during a unilateral 'fact-finding' mission they had recently undertaken: 'The CIA advised caution about any suggestion that Iraq had succeeded in acquiring uranium from Africa, but agreed that there was evidence that it had been sought.'¹⁹⁶

Senior Iraqi officials publicly dismissed the September dossier. Blair's launch announcement was also termed by Lt. Gen. Amir Sadi, an adviser to Saddam Hussein, as 'a hodgepodge of half-truths, lies and naïve allegations'.¹⁹⁷ But was this Iraqi rejection a 'double-cross'? During October 2002, the CIA released a National Intelligence Estimate (NIE) document, also including references to Iraq and uranium from Niger.¹⁹⁸ However, some persistent CIA uncertainty was suggested with the qualification in the NIE that the CIA 'cannot confirm whether

Iraq succeeded in acquiring uranium ore and/or yellowcake from these sources'.¹⁹⁹ Overall, the later Australian WMD inquiry was critical of the UK and US dossiers, noting that:

Both the US and UK documents, as published in September/October 2002, presented an unequivocal and uncontested view of Iraq's possession of WMD and its willingness to use them. This view did not recognize the gaps in the intelligence, the problematic nature of much of the new intelligence or the uncertainties and disputes within the agencies about what the intelligence meant. Taken together, the omissions and changes constituted an exaggeration of the available intelligence, since established as an exaggeration of the facts.²⁰⁰

The essential 'irrelevance' of intelligence was again highlighted. This was most apparent when the intelligence was evaluated in the face of a 'fixed' policy. Intelligence that did not shore up the argument being advanced by the Bush administration, including the many sources that claimed there were not any Iraqi WMD, was discarded.²⁰¹ More important was the 'private' judgement by Dick Cheney, for example, that Iraq was 'doable'.²⁰² As Drumheller later observed, '[the] idea that we could overwhelm [Iraq] with our technology really caught on'.²⁰³ Unfortunately, *matériel* – such as satellites, 'smart bombs', and unmanned aerial vehicles (UAVs) – can only go so far before their discernible limits are reached. Arguably the 'human dimension', which the author and former MI6 officer Graham Greene once characterized as 'the human factor', was overly discounted, together with other cultural factors.²⁰⁴ Considerable uncertainty remained. As one US official working on the planning remarked: 'On some days, I get up thinking this will be relatively quick and we will be left with a pretty good situation afterwards. . . . On other days, I wake up and think, "Holy sh—."'²⁰⁵

In fact, at a detailed level, the professional analysts and experts in the UK and US intelligence communities could not agree amongst themselves. This was of little value to the politicians on either side of the Atlantic, given the case they were trying to build and present to the public. Indeed, it was unhelpful and frustrating.²⁰⁶ A sizeable degree of scepticism and ambiguity persisted amongst both serving and former intelligence officials, and the more technically inclined WMD experts.²⁰⁷ This was particularly evident when President Bush's televised address to the US nation on 7 October 2002 was criticized. There was now abundant suspicion, later supported by the findings of the Australian Parliamentary inquiry concerning supposed Iraqi WMD, that 'officials in the CIA, FBI and energy department are being put under intense pressure to produce reports which back the administration's line'.²⁰⁸ However, the persisting US and UK intelligence differences over the Iraq and uranium claim led to the CIA successfully requesting that such references were removed from Bush's address before it was delivered.²⁰⁹

On 8 November 2002, the UN Security Council (UNSC) unanimously passed UNSCR 1441.²¹⁰ The extent of international consensus amongst the members in

the UNSC on the issue of ‘containing’ and disarming Iraq of WMD was demonstrated. Later, however, both the United Kingdom and United States failed to capitalize upon this earlier ‘success’ at the UN in order to secure a second unifying UNSCR. Passing a second ‘insurance policy’ UNSCR could have explicitly sanctioned WMD disarmament and firmly legitimized military intervention in Iraq. To the British, this was preferable to relying merely on the stipulations of UNSCR 1441. In its text, UNSCR 1441 recalled

Repeated warning of ‘Serious Consequences’ for continued violations... Holding Iraq in ‘material breach’ of its obligations under previous resolutions, the Security Council ... decided to afford it a ‘final opportunity to comply’ with its disarmament obligations [within 45 days].

This was ‘while setting up an enhanced inspection regime for full and verified completion of the disarmament process established by [UNSC] resolution 687 (1991)’.²¹¹ Blix, as chief UN weapons inspector, took charge of the new round of UN investigations (UN Monitoring, Verification, and Inspection Commission – UNMOVIC).²¹² UK and US intelligence supplied some information to ‘assist’ with the UN inspections. This was forthcoming as the inspectors returned to Iraq on 27 November 2002 as directed by UNSCR 1441.

Enhanced information gathering was now the urgent matter of the hour. US intelligence ‘desperation’ was underlined by the news that: ‘The United States has signalled that it will reward any Iraqi scientists coming forward with information about Saddam Hussein’s clandestine weapons programmes with sanctuary... “The key to the next few months is getting a couple of good defectors”’, one US official noted.²¹³ These reports revealed the lengths intelligence would need to go to in order to successfully deliver to its tasked requirements. The danger of relying too heavily on potentially untrustworthy defector and dissident sources, such as was eventually witnessed most notably with regard to ‘Curveball’, was recognized. In the UK case, the *Butler Report* eventually discounted such a situation: ‘We do not believe that over-reliance on dissident and émigré sources was a major cause of subsequent weaknesses in the human intelligence relied on by the UK.’²¹⁴ Ultimately, did the presence of potentially untrustworthy sources in this context of an agenda set on regime change really matter? As already witnessed, not really.

For the intelligence agencies, what worried them more was the increasing loss of control of their product to their customers. These concerns reflected the fact that the product was being inputted on an industrial scale into vast intelligence databases, such as the US Secret Internet Protocol Router Network to which policy- and decision-makers had their own secure access. This allowed consumers to conduct their own analysis and synthesize their own assessments. These activities extended beyond those conducted merely by the intelligence agencies and their traditionally skilled analysts. By contrast, they were more inclined to exhibit professional caution, as well as recognize the significance of the material they were handling.²¹⁵

UK and US intelligence confronted early criticism in December 2002. While still facing some Iraqi intransigence, simultaneously the UK–US intelligence sharing with Blix was not as extensive as he would have liked. The US Senate Select Committee on Intelligence (SSCI) also later found that: ‘The rationale used by the Central Intelligence Agency for deciding what information to share with the United Nations was inherently subjective, inconsistently applied, and not well-documented.’²¹⁶ The United Kingdom offered to give UN weapons inspectors Iraqi telephone conversations that had been intercepted at GCHQ, and hinted that the quantity of intelligence shared would increase. Arguably, in harmony with their tasked agenda, this supply of information was provided in order to help bolster the overarching case-building attempts. However, doubts still remained concerning the supposed Iraqi WMD and related programmes ‘evidence’. Those doubts also persisted amongst the weapons inspectors themselves, concerning the quantity and quality of the intelligence held by both the United Kingdom and the United States.²¹⁷ Meanwhile, Foreign Secretary Jack Straw revealed that the United Kingdom had essentially embraced ‘America’s “axis of evil” philosophy’.²¹⁸ The counter-proliferation paradigm continued to burgeon.

The descent towards war was gaining momentum. Early in January 2003, ahead of his final deadline of 27 January, Blix gave an interim status report to the UNSC. He observed that no Iraqi WMD or ‘smoking guns’ had been found. Nevertheless, several questions remained unanswered and it was felt that the Iraqis needed to be more cooperative.²¹⁹ The UN weapons inspectors’ ambiguity concerning Iraqi WMD persisted and the United States was not convinced by the UN–IAEA weapons inspections results.²²⁰ However, in the intelligence world, as former US intelligence officer Frederick Harrison has observed: ‘Sometimes, truth is discovered not by connecting dots, but by determining that there are none.’²²¹ Rightly, the UN weapons inspectors were trying to be more discursive on the issue. They were acting more as a source of information and were trying to just present the facts so the facts could ‘speak for themselves’. This was rather than trying to make a case for a particular analytical view.

On 14 January 2003, the UK Government released a second dossier. Blair again unambiguously claimed Saddam Hussein’s WMD programme was ‘active, detailed and growing’. The conclusions of uncertainty so far reached by Blix *et al.*, who were actually on the ground in Iraq – including visiting the suspected sites that were pointed to by the United Kingdom and United States through the data they supplied – were thus contradicted. Blair meanwhile reiterated, with doubts suppressed: ‘The policy of containment is not working. The WMD programme is not shut down. It is up and running.’²²² The available intelligence appeared to be being stretched once again, since the new dossier sensationally claimed that Iraq could deploy WMD in 45 minutes, Iraq had sought uranium from Africa, and that mobile biological weapon laboratories had been developed. Much to the CIA’s regret, the extent of inadequately controlled UK–US intelligence pooling on this issue was soon apparent. This was with the reference to the Niger yellowcake, and the British links to the claim, figuring in Bush’s January 2003 State of the Union address.

Washington was similarly sceptical concerning the UN inspections. Reportedly, by 31 January, behind-the-scenes Bush saw war as 'inevitable'. David Manning, Blair's head foreign policy adviser, made this clear in a confidential memo recording a Blair–Bush Oval Office meeting.²²³ Blair said he would 'solidly' back the United States, while the second UN resolution would serve as an 'insurance policy'.²²⁴ Back in the public domain, in a push for the second UNSC resolution, on 5 February 2003 US Secretary of State Colin Powell made his presentation to the UNSC. The presentation pulled together the *mélange* of UK and US 'intelligence' and 'evidence'. This was intended to try and convince the UNSC members and international public opinion that the Iraqis were still not complying with UNSCR 1441.²²⁵ The source 'Curveball' was again pivotal. This was underlined when Powell declared: 'One of the most worrisome things that emerges from the thick intelligence file we have on Iraq's biological weapons is the existence of mobile production facilities used to make biological agents'. Providing some further insights, Powell continued: 'The source was an eyewitness, an Iraqi chemical engineer who supervised one of these facilities. . . . This defector is currently hiding in another country with the certain knowledge that Saddam Hussein will kill him if he finds him.'²²⁶ As Drumheller later revealed in an interview with *Der Spiegel* in early January 2007, Curveball's central role was particularly unfortunate for (at the least) German–US intelligence liaison relations. MI6 officers had also already dismissed Curveball as a fabricator:

DRUMHELLER: I had assured my German friends that [Curveball] wouldn't be in the speech. I really thought that I had put it to bed. I had warned the CIA deputy John McLaughlin that this case could be fabricated. The night before the speech, then CIA director George Tenet called me at home. I said: 'Hey Boss, be careful with that German report. It's supposed to be taken out. There are a lot of problems with that.' He said: 'Yeah, yeah. Right. Don't worry about that.'

SPIEGEL: But it turned out to be the centerpiece in Powell's presentation – and nobody had told him about the doubts.

DRUMHELLER: I turned on the TV in my office, and there it was. So the first thing I thought, having worked in the government all my life, was that we probably gave Powell the wrong speech. We checked our files and found out that they had just ignored it.

SPIEGEL: So the White House just ignored the fact that the whole story might have been untrue?

DRUMHELLER: The policy was set.²²⁷

At the UN, the United States, and closely in train, the United Kingdom, tried to push their case for pre-emptive action against Iraq on the basis of the 'evidence' presented. Although the leaders of many key UNSC members, such as France, headed by the former French–Algerian war veteran President Chirac, remained resolutely unpersuaded.²²⁸ This was despite having access to most of the same or similar intelligence, as well as to the sources shared in Powell's recent

presentation. Russia, headed by the former KGB intelligence officer, President Putin, was also opposed. They wanted more time for, and as repeatedly requested by, the UN weapons inspectors.²²⁹ High-level political relations with the United States in particular, and by close association, with the United Kingdom, cooled considerably.²³⁰

'Insiders' were also increasingly uncomfortable. In February 2003, Katharine Gun, a translator working at GCHQ, leaked a memo from NSA. Detailed insights into UK and US intelligence interactions were soon forthcoming. By 2 March, the memo appeared in the *Observer* newspaper. As a consequence of the leak, detailed insights were afforded into the extent and nature of UK–US intelligence liaison then taking place within the SIGINT UKUSA arrangement. The leak again demonstrated the lengths – extending to the allegedly illegal, at least in terms of international law – that both the UK and US intelligence communities were going in order to deliver their tasked outcomes. The leaked document appears to have been an 'informal' approach, in the form of an e-mail memo from Defense Chief of Staff (Regional Targets) at the US NSA, Frank Koza.²³¹ The judgement that this was an 'informal' communication stems from the passage in the text: 'I suspect that you'll be hearing more along these lines in formal channels.'²³² Dated 31 January 2003, the communication was forwarded around GCHQ essentially requesting UK assistance in monitoring the 'Middle Six' non-permanent members of the UN Security Council. These parties' votes would be crucial in order to support the second resolution sanctioning military intervention in Iraq. The telephones of officials from Angola, Cameroon, Chile, Bulgaria, Guinea and Pakistan were monitored in an intelligence 'surge' seemingly violating diplomatic protocols, such as the Vienna Convention on Diplomatic Relations. This enabled the United Kingdom and United States to determine those countries' voting intentions and positions, thus aiding the United Kingdom and United States in advance of subsequent UNSC resolution negotiations. It also allowed the United States to head off a compromise solution that the Middle Six were developing in the hope of avoiding war.²³³ The Iraq war 'insurance policy' was proving increasingly elusive.

Revelations continued. During February 2004, the UK Government decided not to prosecute Gun under the Official Secrets Act. Officials decided to let the issue quietly fade away into the background, especially as the nature of Gun's defence meant that the precise 'legality' of the Iraq War would be increasingly (and uncomfortably) opened up for examination in court.²³⁴ The former Cabinet minister and International Development Secretary Clare Short somewhat, albeit temporarily, thwarted that strategy. She also made some further (but vaguer) allegations concerning the alleged UK and, at least by implication, US bugging of the office of UN Secretary General Kofi Annan in New York. She claimed to have read transcripts of his telephone conversations.²³⁵ The origins and methods of intelligence and its gathering were once again exposed publicly in a manner that both the UK and US Governments were keen to quickly tidy away. The UK Government was determined not to allow the revelations of one intelligence employee and her conscience, and one former Cabinet minister – whom Blair

denounced as ‘deeply irresponsible’²³⁶ – jeopardize overall UK–US intelligence liaison relations.

The United States and GCHQ were concerned by the Gun leak. However, the subsequent investigation and the speed at which the source of the leak was located and dealt with was helpful vis-à-vis the management of relations.²³⁷ The overall damage to UK–US intelligence relations from these episodes was not severe, and they did not impact overwhelmingly on the outcomes and effects of the liaison. Episodes, such as these, of occasional compromise on each side, are anticipated as part of the trade-offs of such a close intelligence relationship. GCHQ in turn, for example, was reportedly concerned about the rapid turnover of NSA staff.²³⁸ As a result, existing on both sides, there is the contingency of effective mechanisms in place to assist with a quick and thorough post-‘incident’ investigation.²³⁹ Additionally in the Gun case, the ‘leak’ investigation was considerably aided by the integrity of the ‘source’ quickly identifying herself to the relevant authorities, and by the fact that her actions were ascribable to those of genuine conscience rather than political maliciousness.

Ironically, the revelations concerning intelligence offered political utility. Including the later findings of the subsequent inquiries into intelligence, these revelations were politically helpful to government. Over time, letting the public and media dwell more on issues pertaining to ‘intelligence failure’, rather than scrutinizing political failings, was arguably preferred by politicians. Encouraging concentration on alleged ‘intelligence failure’ was an effective way of diverting unwanted attention away from the policy-makers and their conduct.²⁴⁰ While observers argued interminably over matters such as the ‘45-minute claim’, this kept any inquisitive spotlights away from more significant issues, such as the ‘legality’ of the war.²⁴¹ Again, however, to talk of ‘intelligence failure’ is perhaps an over-simplification. As Wilkie cogently argued, challenging the hegemony of ‘intelligence failure’ claims:

I emphasize that the [intelligence] agencies were producing measured assessments and that all it took to distort their work decisively was for politicians and their advisers to omit a few words like ‘uncorroborated evidence suggests’ and insert a word or two like ‘massive’ In essence, the politicians turned uncertainty into certainty. Bush, Blair and [Australian Prime Minister John] Howard also chose to use the truth selectively, for example by regularly playing up the risk of WMD terrorism but neglecting to point out that the likelihood of such an attack is low.²⁴²

As UK academic Mark Phythian also acknowledged in his later analysis of these events: ‘As with earlier investigations into intelligence failure on both sides of the Atlantic . . . the possibility of policy-maker failure representing a contributory factor was left unexplored.’²⁴³ US non-proliferation expert, Joseph Cirincione, was similarly critical of the inquiries and their findings: ‘First, by limiting the scope of their investigations to the narrow issues of intelligence policy and procedures, the commission and the committee fail to examine the larger policy

failure.’ He clearly identified where he saw the problems: ‘It was failure at the strategic level, not the operational or tactical, that caused US officials to underestimate the terrorist threat in the first instance, and then target the wrong country for attack in the second instance.’ He continued: ‘Second, in the name of political unity, they both stop short of the logical completion of their investigations: they pull their punches, and find no one is to blame.’ Indeed, he observed: ‘Or rather, they blame everyone, and thus no one.... The result is ... long on organizational diagrams and short on accountability.’²⁴⁴ US political scientist, Ian Shapiro, meanwhile observed that: ‘The intelligence “failure” over WMD masked larger institutional and political failures on Capitol Hill.’ He continued:

In view of what we have since learned of dissenting views within the intelligence community, and field reports that were at variance with the administration’s public claims about the threat Iraq actually posed, the questions have to be put: Where were the checks and balances? Where was the loyal opposition? In the absence of a vigorous opposition it is easy for governments to get people to support war.²⁴⁵

In his assessment, former US intelligence practitioner Drumheller pithily argued, ‘the White House deliberately tried to draw a cloak over its own misjudgments by shining a light on ours’.²⁴⁶

The spotlight was diverted from scrutinizing the vitally important producer–consumer relationship. More muted departures in protest due to the dubious legality of the war, notably that of Elizabeth Wilmshurst from her post as deputy legal adviser at the Foreign and Commonwealth Office (FCO) in March 2003, were potentially more damaging to the UK Government. This increased the pressure exerted on the politicians and focussed the spotlight in a more concentrated manner on their flimsy disarmament case for war. A case that was rooted more in perceived Iraqi intent in the long-term, rather than its actual immediate capabilities.²⁴⁷ Still enduring into 2007 and beyond, public disquiet concerning these issues remained apparent in the United Kingdom.²⁴⁸

The Iraq–terrorism link continued to be probed in the immediate pre-war phase. In February 2003, the UK and US intelligence agencies were still struggling to establish links between al-Qaeda and Iraq. While it was an integral part of their multiple-branched investigations, UK and US intelligence ‘closure’ on this issue remained elusive. Reportedly, they remained ‘unconvinced by the allegations made by senior US politicians’, such as Cheney.²⁴⁹ Reports that Jordanian Abu Musaab al-Zarkawi ‘known to have worked on al-Qaeda’s [WMD] programme in Afghanistan’ had visited Baghdad for ‘medical treatment’ around May 2002,²⁵⁰ were clearly too circumstantial and lacking in substance to draw direct links to Saddam Hussein. US politicians, however, were seemingly more convinced by such links.²⁵¹ Iraq, meanwhile, hardly formed a ‘new’ issue; nor was it a subject that lacked contextualization opportunities. However, none of these were properly seized in a meaningful manner. Events then rapidly overtook the UK and US intelligence agencies and diplomats.²⁵² After the persisting failure to

secure a second UNSC resolution, by 20 March 2003 the overt dimension of the US–UK-led war on Iraq – Operation ‘Iraqi Freedom’ – was underway.²⁵³

In the wake of Rumsfeld’s kinetic ‘shock and awe’, the invasion of Iraq progressed quickly.²⁵⁴ But where were the Iraqi WMD? Despite some Iraqi surrenders, by 17 April 2003, it was observed that ‘no firm evidence of weapons production has emerged ... “Our experience to date is that the [Iraqi] people we have ... are sticking to the party line, that there have been no [WMD] programmes since 1991”’, remarked an unspecified official.²⁵⁵ On the whole, the 1990s Iraq ‘containment policy’ appeared to have worked rather well after all. Towards the end of May 2003, one of the leading proponents for war, Rumsfeld himself, conceded that Iraqi WMD might have already been destroyed prior to the war.²⁵⁶ This was a line of argument that former chief UN weapons inspector and US marine Scott Ritter had been trying to put across forcefully prior to the war in November 2002.²⁵⁷

President Bush is force-feeding Americans ‘a whole bunch of oversimplified horse manure. ... None of what you are being told remotely resembles the truth. Facts do matter, and it is time that you, the American people, start demanding the facts’.²⁵⁸

Postwar, he could feel somewhat vindicated. Indeed, he later even dubbed this episode as ‘an intelligence success and [a] policy failure’. He explained his premise: ‘The job given to the CIA, and the job assumed by MI6, was that of regime change. In April 2003 they succeeded. The regime of Saddam Hussein was eliminated.’²⁵⁹

Tyler Drumheller also challenged the intelligence ‘failure’ allegations. He later observed that: ‘It just sticks in my craw every time I hear them say it’s an intelligence failure. ... This was a policy failure.’ Overall, as already argued, it was *partially* an intelligence failure – spearheaded by the United States and in close train the United Kingdom, both jointly and individually. However, clearly the policy failure aspect contained ramifications for the intelligence world and the nature of its interactions. Thereby, the policy failure also contributed *substantially* to the ensuing intelligence failure, and therefore could quite legitimately take the lead in being the *most flawed* dimension.²⁶⁰ Continuing, Drumheller reportedly said that he did not ‘think it mattered very much to the administration what the intelligence community had to say’.²⁶¹ He continued: ‘I think it mattered if it was verified. This basic belief that had taken hold in the U.S. government that now is the time, we had the means, all we needed was the will.’²⁶²

UK and US intelligence held their breath. Over time, the UK and US governments faced growing disquiet over the rationale for the Iraq war and the failure to locate the supposed WMD.²⁶³ On 17 April 2003, Brigadier General Vincent Brooks, a US military spokesman, tried to contextualize the search for supposed Iraqi WMD: ‘[It] is “very much putting together pieces of a puzzle, one piece at a time, and when you see the shape of the one piece, you see how it may relate

to the other pieces that are out there.”²⁶⁴ However, such pleas for patience did not convince anyone.

The blame games now started.²⁶⁵ Within the US intelligence community, the CIA and Pentagon intelligence rivalries were visible. Each accused the other of intelligence shortcomings and inaccuracies.²⁶⁶ The Iraqi WMD intelligence fallout exacerbated the complicated and hostile politics that has long characterized US intelligence.²⁶⁷ Intense competition and ‘turf battles’ were witnessed between the so-called ‘Cabal’ group of advisers and analysts based in the Pentagon’s Office of Special Plans (OSP) – headed by Doug Feith²⁶⁸ – the Defense Intelligence Agency (DIA), and the CIA.

The ‘turf battles’ also tied-in closely with the long-term enduring CIA and Pentagon intelligence ‘rivalries’, symbolized by each trying to attain some sort of competitive intelligence ascendancy over one another – for instance, in the specific area of HUMINT.²⁶⁹ By 2006, the Pentagon did seem to have triumphed over a weakened CIA, which was the most damaged entity in the wake of the Iraq war intelligence ‘fallout’. The US intelligence ‘centre of gravity’ has therefore shifted away from the civilian intelligence agencies towards the military intelligence agencies.²⁷⁰ As US intelligence expert Mark Lowenthal has observed, highlighting how the US intelligence community operates: ‘The secretary of defense continues to control much more of the intelligence community on a day-by-day basis than does DNI [Director of National Intelligence].’ This could be problematic for US intelligence, as ‘at the same time, the secretary of defense is unlikely to have the same level of interest in intelligence as the DNI does’, with ‘much of the responsibility for intelligence within DOD ... delegated to the under-secretary of defense for intelligence (USDI), a relatively new office that was created in 2002’.²⁷¹ By February 2007, following the published findings of a Pentagon Inspector General investigation, Senate Democrats and Republicans were in disagreement concerning the ‘conclusion that a Pentagon policy office produced and gave senior policymakers “alternative intelligence assessments on Iraq and Al Qaida relations” that were “inconsistent” with the intelligence community’s consensus view in the lead-up to the U.S. invasion of Iraq’.²⁷²

Amid the fallout, UK–US strains were also apparent. In terms of UK–US relations and their interactions over Iraq, together with the Blair-claimed ‘equal’ partnership, according to the *Guardian* newspaper’s Jonathan Steele:

British officials were under no such illusions. ‘We weren’t plugged into the state department’s detailed planning exercise. We tried but couldn’t get into it. It was the first warning sign that we weren’t part of it’, one senior diplomat told me. In the words of another: ‘The UK supplied 10% of the invasion force. We provided 10% of the staff of the Coalition Provisional Authority. We had 10% of input into policy.’ In the final weeks before the invasion, the Pentagon wrested control of postwar planning away from the state department, leaving British ministers even more in the dark.²⁷³

As Professor of War Studies at King's College, London, Sir Lawrence Freedman had presciently observed in 1998, with an eye on Britain and revolution in military affairs (RMA) developments: 'We can assume that [in the future] British foreign policy will still be tied to the United States and, like the Americans, will follow a line of limited liability but without lapsing into isolationism.'²⁷⁴ He continued: 'If the Americans intervene in a particular conflict, it will be difficult for Britain to remain a spectator (although it may still opt for minimal participation).' Historical experience would again perform an important role: 'As in the past, Britain's force structure will be designed to find the minimum level sufficient to ensure access to high-level American decisionmaking.'²⁷⁵ Highlighting the most plausible form that the UK contribution or participation would take, which was exactly witnessed five years later in 2003 in relation to Iraq, he maintained: 'Immediate operational requirements will keep [Britain] focused on the infantry and Special Forces as well as seeing through established [defence and military] programs.'²⁷⁶

As vocal criticism concerning the latest campaign in Iraq gathered momentum, UK-US intelligence interactions were increasingly brought into focus. More worryingly for UK-US intelligence relations, as the United Kingdom liaised with varying effectiveness with all of the different sparring US intelligence agencies, were media claims that 'unreliable information had been passed to London as part of intelligence-sharing by American officials who had interviewed a defector recruited by the INC'. However, some UK intelligence officers forcefully dismissed this claim considering it 'to be unreliable and uncorroborated'.²⁷⁷ Another 'season of inquiries', similar to that witnessed in the wake of the 9/11 attacks in the United States, was soon to be in the offing in both the United Kingdom and the United States.

Holes in the UK-US 'case' for war continued to be exposed. In June 2003, the US Congress decided to open an inquiry probing the intelligence concerning supposed Iraqi WMD.²⁷⁸ In the United Kingdom, the embarrassing UK January 2003 'dodgy' dossier, already exposed as hastily and poorly compiled, was heavily criticized for using plagiarized content reportedly from a 12-year-old PhD thesis,²⁷⁹ authored by an unaccredited 'US-based expert on the Iraqi security services ... and [it] contained elementary cut-and-paste errors'.²⁸⁰ In early February 2003, soon after the dossier's original publication, University of Cambridge academic Glen Rangwala quickly discovered that out of a total of 19 pages, pages six to 16 were 'directly copied', inclusive of the original grammatical errors.²⁸¹ As evidence of supposed Iraqi WMD continued to elude discovery, intelligence officers and agencies on both sides of the Atlantic went on the defensive. Damage limitation exercises were attempted.²⁸² They admitted that intelligence had been placed in the public domain without necessary qualifiers and caveats.

However, a fuller story was yet to emerge. The security situation in Iraq continued to deteriorate. During June 2003, UN inspectors examined the looting of sensitive facilities, such as laboratories, in Iraq.²⁸³ A leaked Pentagon Defense Intelligence Agency (DIA) report, dating from September 2002, reportedly noted

that there was ‘no absolute proof that Iraq had WMD’, adding fuel to the speculation and controversy over supposed Iraqi WMD.²⁸⁴ The so-called ‘45-minute claim’ was also increasingly discredited. The claim about Iraqi WMD being able to be deployed in 45 minutes was shown to be over-simplified. The UK Parliament’s Foreign Affairs Select Committee (FAC) decided to launch an inquiry specifically into this claim.²⁸⁵ In July 2003, Blix also raised concerns about the ‘45-minute claim’.²⁸⁶ The so-called ‘45-minute claim’ continued to be contentious into 2004. It emerged that a former intelligence official thought that the information might have been ‘misinterpreted’. In February 2004, Blair also revealed to the House of Commons that he was not aware which weapons the ‘45-minute claim’ applied to when the Commons voted on the war on 18 March 2003.²⁸⁷ Meanwhile, in Washington, Rumsfeld denied hearing the ‘45-minute claim’.²⁸⁸ Straw also, at least at first, was reportedly vague about the term.²⁸⁹ In July 2004, the *Butler Report* soberly concluded that:

The JIC should not have included the ‘45 minute’ report in its assessment and in the Government’s [September 2002] dossier without stating what it was believed to refer to [that is, short-distance, battlefield weapons, rather than long range missiles]. The fact that the reference in the classified assessment was repeated in the dossier later led to suspicions that it had been included because of its eye-catching character.²⁹⁰

The ‘mystique’ qualities attributed to intelligence, which could be conveniently relied upon for political purposes in complicated circumstances, were underlined once more.

While unhesitatingly critical, the politically charged FAC final report was more muted from an intelligence perspective. On *UK–US* intelligence, the FAC report provided little enlightenment. The findings of the report suffered from the FAC not having access to classified intelligence material, and from the FAC lacking the ability to draw on and question senior UK intelligence personnel. The ISC did have that ability, but in its later investigation into intelligence concerning Iraq’s WMD, the issue of *UK–US* intelligence and their liaison barely featured.²⁹¹ As foreign agents, US intelligence personnel were of course well beyond the scope of both these inquiries’ jurisdiction, and hence could not be summoned to contribute their potentially enlightening insights.

UN weapon inspector findings were similarly critical. In Blix’s final report presented to the UNSC he declared an ‘open verdict’ on supposed Iraqi WMD.²⁹² This was another disarmament and non-proliferation case where ambiguity had trumped certainty. The quality of intelligence supplied to Blix by the United States and UK was also criticized. On the issue of supposed Iraqi WMD, he noted that there remained ‘many unanswered questions’.²⁹³ Later Blix argued that he had encountered some unhelpful opposition from the Pentagon in Washington.²⁹⁴

The UK political controversy concerning alleged political ‘editing’ or ‘sexing up’ of intelligence then broke into public view. It was denied by 10 Downing

Street that pressure had been exerted on intelligence.²⁹⁵ Although they admitted that certain revisions had been needed in the drafting process of the September 2002 dossier.²⁹⁶ UK Minister of Defence Geoff Hoon later remarked to the UK ISC that at the time, after seeing a draft of the dossier, he felt that ‘his “reaction in a political sense was that I was concerned that this was insufficiently dramatic to make our case as strongly as I would have liked it to be made”’.²⁹⁷ The role of the UK PM’s press chief, Alistair Campbell, in that process continued to be probed.²⁹⁸ Allegations made in a BBC report by BBC defence correspondent Andrew Gilligan on the *Today* Radio 4 programme, about which the BBC refused to apologize, as well as (perhaps more provocatively) an article by Gilligan published shortly afterwards in the *Mail On Sunday* newspaper, did not help. These allegations concerned the UK September 2002 dossier essentially being ‘sexed up’, in particular by Campbell, which brought the BBC into conflict with the UK Government.²⁹⁹ In his approximate allegations, Gilligan got close to the roots of what had gone ‘wrong’, and where, in the overall government machinery. However, his chosen approach of focussing on Campbell’s role led to inaccuracies. As a result, the nature of the JIC’s role in the overall dossier drafting process was widely misunderstood.

During early July 2003 the dispute escalated. Eventually the scientist Dr David Kelly – a former UN weapons inspector and important UK and global WMD expert – was identified as the BBC’s key source, and not just Gilligan’s source. This sequence of events contributed to Kelly’s subsequent suicide on 18 July.³⁰⁰ His suicide compelled the UK Government to establish the Hutton Inquiry to investigate his death. Together with the FAC’s inquiry and the later ISC inquiry in September 2003, this inquiry was to form the second of four high profile official inquiries being conducted during 2003 in the United Kingdom and United States. These four inquiries were: (a) the UK Parliament Foreign Affairs Committee (FAC) (July 2003); (b) the Hutton Inquiry (July 2003); (c) the UK ISC inquiry (September 2003); and (d) the US PSCI inquiry (June 2003).³⁰¹ The issue of supposed Iraqi WMD and associated matters were subject to being considerably probed.

Precedents were set. Over the next series of weeks, several government ministers, civil servants and, perhaps more remarkably, intelligence officials, were called to give evidence at the Hutton Inquiry.³⁰² Meanwhile, there was already the postwar ‘withdrawal’ of some of the prewar intelligence by SIS due to its unreliability, which many regarded as unprecedented. Even more remarkably, Dearlove (‘C’) or Scarlett (Chairman of the JIC) did not mention this development in their evidence to the Hutton Inquiry. Blair also appeared to be unaware of these intelligence developments and had not been briefed by ‘C’ on the issue, suggesting that the intelligence services were withholding some information from the intelligence producer–consumer relationship and perhaps demonstrating somewhat of a breakdown of trust within the producer–consumer relationship in the United Kingdom. Instead Blair apparently, and politically conveniently, some might claim, found out later in 2004 from the *Butler Report* that the intelligence had been withdrawn. According to an anodyne comment by

Blair's official spokesman, the 'security services ... felt that this development was "too sensitive" to be made public'.³⁰³

The Hutton inquiry failed to lance the boil of public consternation. Despite the release of numerous government documents and e-mails during the course of the inquiry, the final Hutton report was widely perceived to be a 'whitewash'.³⁰⁴ Many felt that Hutton had perhaps been too harsh on the BBC, while keeping too narrowly to his remit (solely investigating the death of Dr Kelly). There was clearly a public appetite for an investigation that would roam wider, investigating the intelligence and political compiling of the case for war in the run-up to the Iraq invasion, and thus castigating the politicians further. Campbell also was exonerated of Gilligan's earlier 'sexing up' allegations. Indeed, according to Campbell's own diary entry of 7 July 2003 (released by Lord Hutton during the course of his inquiry), Campbell observed from a conversation that he had just held with the Permanent Under Secretary (PUS) of the UK Ministry of Defence (MoD), Sir Kevin Tebbit, that: 'Kevin said the guy [Dr David Kelly] claimed he never mentioned me. ... Felt that maybe Gilligan just lied about the stuff about me. ... Again we should be saying the source was misrepresented by [Gilligan]'.³⁰⁵ Although formally exonerated, Campbell's role as 'communicator-in-chief' in charge of 'presentation' in the dossier process nevertheless still continued to provoke several unanswered questions.³⁰⁶ Unsurprisingly, the US intelligence dimension was again absent from these discussions.

Storm clouds continued to gather. Throughout the summer of 2003, several questions remained concerning the supposed Iraqi WMD. The integrity of UK and US intelligence agencies, their analysis and assessment systems and the quality of their product, were all widely called into question. Their respective relationships with foreign liaison services and the politicians (their customers) also became subjects of greater contention. Again the extent of uncertainty in UK and US intelligence circles concerning Iraqi WMD, and whether they would be deployed against coalition troops when attacking Iraq, was highlighted in a UK MoD report entitled: *Operations in Iraq 2003: First Reflections*.³⁰⁷ For battlespace 'health and safety' considerations, troops were issued with gas masks during the invasion of Iraq. In this context of perceived uncertainty, the invasion of Iraq could actually be argued to instead present itself as a potentially high-risk UK–US gamble. Although, the ambiguity – resulting from (a) the absence of firmer evidence of actual Iraqi WMD, and indeed added to (b) the reporting (both from intelligence and media sources) stating otherwise, and arguably more reliably countering the prevailing general flow of UK–US claims – could suggest that in the event the risks from supposed Iraqi WMD would actually be much lower. At least in part, this last factor accounts for the different Canadian response to the issue: notably its subsequent absence from the US 'coalition of the willing' that invaded Iraq in March 2003.³⁰⁸

The credibility of politicians was similarly under challenge. Blair went on the defensive. When the UK Parliament Commons Liaison Committee questioned him in July 2003, he dismissed doubts concerning supposed Iraqi WMD claiming: 'For me, the jury is not out at all'.³⁰⁹ Across the Atlantic, in front of the US

Senate Armed Service Committee, Rumsfeld claimed: ‘The coalition did not act in Iraq because we had discovered dramatic evidence of Iraq’s pursuit of weapons of mass destruction.’ Providing further enlightenment, he remarked: ‘We acted because we saw the evidence in a dramatic new light – through the prism of our experience on 9/11.’³¹⁰ It was time to wake-up and pursue the perceived real and projected US national security threats more vigorously. This included through the application of a forward strategy of pre-emption.³¹¹ The counter-proliferation paradigm would now receive fuller expression.

Long-standing UK–US intelligence divergences were now easier to perceive. A good example was the UK–US differences over intelligence concerning African uranium or Niger ‘yellowcake’. Evidently the CIA had disavowed the intelligence on the issue in 2002–3. This followed the CIA’s fact-finding mission undertaken by former US Ambassador Joseph Wilson during early 2002. In a memorandum to the National Security Council (NSC), showing the lack of coordination of information flows in the United States, a senior CIA official remarked: ‘We told Congress that the Brits have exaggerated this issue.’³¹² The US Senate Select Committee on Intelligence (SSCI) inquiry also drew attention to an episode during September 2002 where a CIA analyst in conversation with a NSC staff member apparently ‘suggested that the reference to Iraqi attempts to acquire uranium from Africa be removed. The CIA analyst said the NSC staff member said that would leave the British “flapping in the wind”’. The NSC staff member, in a later communication with the inquiry,

Said he had no recollection of telling a CIA analyst that replacing the uranium reference would leave the British ‘flapping in the wind’ and said such a statement would have been illogical since the President never presented in any one speech every detail of intelligence gathered on Iraq either by the U.S. or the U.K.³¹³

Nevertheless, the CIA had other regrets. With hindsight, it bemoaned the fact that the 16 word sentence, ‘The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa’, had featured in Bush’s 28 January 2003 State of the Union address. An apologetic statement was issued.³¹⁴ As US investigative journalist Ron Suskind noted, and as seen earlier: ‘On that last score, CIA had ... alerted the British – in mid-September [2002] – that MI6’s similar claims about the yellowcake had been investigated by U.S. intelligence and shown to be suspect.’³¹⁵ The UK Government, however, continued to defend the African uranium intelligence. It claimed that not all the intelligence on the issue was shared with the United States. Reportedly, that ‘UK-EYES ONLY’ intelligence ‘had come from a foreign [liaison] service and [therefore] could not be disclosed’.³¹⁶ That foreign liaison service was believed to be the French.³¹⁷

Despite their perceived Anglo-Saxon cliquishness, UK and US intelligence were clearly not interacting alone. Several other foreign intelligence agencies were intimately involved in the thirsty UK and US intelligence-gathering

processes in the run-up to war in Iraq. Much international intelligence liaison with both the United Kingdom and the United States, jointly and individually, over the issue of supposed Iraqi WMD was underway behind the scenes. While inevitably many of the originating points of the intelligence involved are difficult to trace and unpack, it appears that the international intelligence liaison included, at a minimum, the Italian, French and German intelligence agencies. This was despite the fact that politicians in France and Germany did not support the ‘means’ – notably the latest US-proposed course of action, war in Iraq. They had, however, remained consistently supportive of the ‘ends’, namely the disarmament of Iraqi WMD.³¹⁸

The existence of this extensive and potentially double-edged international intelligence liaison was most starkly witnessed during disputes over dubious sources such as ‘Curveball’, and during the fallout surrounding the Niger uranium ‘yellowcake’ controversy. Some significant Italian intelligence (Italian Intelligence and Military Security Service, Servizio per le Informazioni e la Sicurezza Militare – SISMI) participation was also present.³¹⁹ The SISMI involvement was interesting.³²⁰ However, Colonel W. Patrick Lang, former Defense Intelligence Agency (DIA) defense intelligence officer for the Middle East, South Asia and terrorism, was under no illusions as to why SISMI might be interested in contributing to overall efforts: ‘SISMI would also have wanted to ingratiate itself with the incoming administration. “These foreign intelligence agencies are so dependent on us [the United States] that the urge to acquire I.O.U.’s is a powerful incentive by itself.”’³²¹ As reported in 2005 by US national security correspondent Laura Rozen, ‘Nicolo Pollari, chief of ... Sismi, brought the Niger yellowcake story directly to the White House’, allegedly via a secret meeting held with Deputy National Security Adviser (NSA) Stephen Hadley on 9 September 2002, this was

After [Pollari’s] insistent overtures had been rejected by the Central Intelligence Agency in 2001 and 2002 ... the Italians sent the bogus intelligence about Niger and Iraq not only through traditional allied channels such as the CIA [and including copies sent to British and French Intelligence], but seemingly directly into the White House ... [a] channel [that] amplifies questions about a now-infamous 16-word reference to the Niger uranium in President Bush’s 2003 State of the Union address – which remained in the speech despite warnings from the CIA and the State Department that the allegation was not substantiated.³²²

For the sake of sustaining their valuable intelligence liaison relationships with UK and US intelligence, routine intelligence cooperation was forthcoming from these quarters. By contrast, for its sceptical stance concerning Iraq, Canada had allegedly experienced some intelligence ‘punishment’ at the hands of the United States: ‘Aspects of the intelligence pipeline, which we’ve taken for granted, are shutting down. We’ve been told essentially by Pentagon officials that some of our senior officials need not call because they’re not going to get calls returned’,

claimed the chair of the Canadian Parliamentary Defence Committee, David Pratt. However, Canadian Solicitor General Wayne Easter directly contradicted this claim (probably with more of a referential eye focussed on the CIA–Canadian Security Intelligence Service [CSIS] ties than on the defence and military intelligence links): ‘Our Canadian security intelligence agency is certainly working very closely with the Americans and with others around the world, as well.’³²³

Weaknesses were being exposed. The worst problem that these retrospective inquiries identified was that compromised intelligence risked being artificially corroborated through other liaison channels. The US Senate Select Committee on Intelligence (SSCI) inquiry later concluded that:

Because the United States lacked an official presence inside Iraq the Intelligence Community depended too heavily on defectors and foreign government services to obtain HUMINT information on Iraq’s weapons of mass destruction activities. While these sources had the potential to provide some valuable information, they had a limited ability to provide the kind of detailed intelligence about current Iraqi weapons of mass destruction efforts sought by U.S. policymakers. Moreover, because the Intelligence Community did not have direct access to many of these sources, their credibility was difficult to assess and was often left to the foreign government services to judge.³²⁴

Indeed, regarding this last issue, Dr David Kay, the former head of the Iraq Survey Group, was sharply critical. This international intelligence liaison had not been as successful as might have been hoped from the outset. Albeit in an educative manner, real weaknesses in tradecraft on all sides had been exposed to each of the participants involved in the interactions, as well as – perhaps even more worryingly – to their other foreign liaison partners beyond. In a 2008 interview with *Der Spiegel* newspaper, Kay remarked:

I stand by my criticism of the BND to this day: To not have checked up on the exile Iraqis in Germany who knew [‘Curveball’], not to have made all the appropriate efforts to validate the source, is a level of irresponsibility that is awfully hard to imagine in a service like the BND. And then, the fact that they failed to provide direct access to him remains one of the most striking things. It was a blockade that made it impossible for any other service to validate his information. The German service did not live up to their responsibilities or to the level of integrity you would expect from such a service ... I feel disillusioned. I think that ‘Curveball’ was the biggest and most consequential intelligence fiasco of my lifetime. It shows how important effective civilian control of the intelligence services is, because non-transparency is extraordinarily dangerous for democracy.³²⁵

Even between the United Kingdom and United States, intimate intelligence sharing was not always forthcoming. Again concerning the Niger ‘yellowcake’ intelligence

issue, similar to the United Kingdom, the United States also did not share all of its intelligence with its closest intelligence partners. The United States appears not to have shared with the United Kingdom or Australia all of its information concerning the circumstances and results of Wilson's fact-finding mission.³²⁶ The plot of the UK–US intelligence controversy over the Niger 'yellowcake' issue then thickened. Remarkably, National Security Advisor (NSA) Condoleezza Rice defended the claim – perhaps with reference back to the secret September 2002 SISMI–Hadley meeting – while still admitting it should not have featured in the January 2003 State of the Union address.³²⁷ The Niger uranium intelligence UK–US differences continued with the CIA arguing that the claim was based on faked documents. The IAEA also had dismissed those documents as forgeries on 7 March 2003, shortly before the launch of the war in Iraq.³²⁸

However, the United Kingdom maintained that it had a separate, unshared independent source the CIA did not possess.³²⁹ This source was believed to be GCHQ intercepts.³³⁰ Although, this claim has not gone uncontested by those in the United States: 'Drumheller, who oversaw intelligence operations for the CIA in Europe doubts the British had something the U.S. didn't. "No. I don't think they did."' ³³¹ The *Butler Report* noted that the UK and US intelligence services did not both rely on all of the same sources: 'It subsequently emerged that the intelligence from one of the US sources, a defector associated with the Iraqi National Congress, had already been retracted by the time the [US] National Intelligence Estimate [(NIE)] was issued.' However, the report judged that: 'This source was not ... relied on by the UK.'³³² Neither did the report judge the forgeries to have been an issue for UK intelligence as: 'The forged documents were not available to the British Government at the time its assessment was made, and so the fact of the forgery does not undermine it.'³³³ In his July 2003 *New York Times* article³³⁴ (now famous due to the subsequently triggered 'Plamegate' affair³³⁵), former US diplomat Wilson argued adamantly that: 'It was highly doubtful that any such (Niger–Iraq) transaction had ever taken place.'³³⁶ Whether 'true' or not, SIS preferred to let this controversy fade away once it had run its course.

Many questions concerning intelligence still remained unanswered.³³⁷ As Mark Huband, security correspondent for the *Financial Times*, argued: 'Information accepted by the CIA was often rejected by MI6, and vice versa.' There were the UK–US differences over Iraq, Niger and uranium, meanwhile, reportedly 'other significant differences existed'. These included regarding the alleged Saddam–al-Qaeda links, and the CIA believing Iraq could build a nuclear weapon in a year if there was no intervention, while UK intelligence instead believed that it would take at least twice that time. Once the war itself was underway, there were considerably differing UK–US views of Iraqi military capability and strategy.³³⁸ Those were not the only problematic concerns. Huband continued:

Herein lies the difficulty for the US and UK governments ... [To 'win' their 'case' they] had at all costs to highlight the common ground and breadth of

agreement that existed between them. But to achieve this they used material from intelligence agencies whose positions differed on crucial issues and whose often opposing views are a normal state for the intelligence community. It is these opposing positions that enrich the US–UK intelligence-sharing process – but which have become the Achilles’ heel of the two countries’ political alliance ... leaving their political masters to utter only partial facts while arguing that the full story cannot be told because it is a secret.³³⁹

As a result of the heat generated by such a scenario, trust rapidly evaporates between the politicians, their officials and the public. Especially in the United Kingdom, widespread bitterness surfaced.

The search for Iraqi WMD led by UK and US intelligence was prolonged. By June 2003, the hunt for Iraq’s supposed WMD was taken over by the US-dominated Iraq Survey Group (ISG), headed by Dr David Kay.³⁴⁰ In the ISG, consisting of over a thousand-strong, some UK and Australian members assisted, again demonstrating their close interactions. Shortly afterwards during a visit to Washington, Blair and Bush jointly defended the Iraq war amid the growing controversy. In a well-received speech to the US Congress Blair claimed that history would prove that the removal of Saddam Hussein and the Iraq war was justified, whether supposed Iraqi WMD were found or not.³⁴¹ His understanding of history was clearly on an equal par with his understanding of intelligence.

By September 2003, the ISG was still drawing a blank.³⁴² Blix was critical of UK–US ‘spin and hype’ after Bush admitted that while: ‘There’s no question that Saddam Hussein had al Qaeda ties ... We have no evidence that [he] was involved with ... September 11.’³⁴³ Later, however, in September 2006, the Saddam Hussein–al-Qaeda links were also shown to be unreliable by a Congressional inquiry.³⁴⁴ In its conclusions, the Senate Select Committee on Intelligence (SSCI) inquiry report observed that:

Postwar findings indicate that the Central Intelligence Agency’s (CIA) assessment that the relationship between Iraq and al-Qa’ida resembled ‘two independent actors trying to exploit each other,’ accurately characterized bin Ladin’s actions, but not those of Saddam Hussein. Postwar findings indicate that Saddam Hussein was distrustful of al-Qa’ida and viewed Islamic extremists as a threat to his regime, refusing all requests from al-Qa’ida to provide material or operational support.³⁴⁵

After his capture in December 2003, Saddam Hussein had made clear his distrust of ‘fanatics’. According to Saddam’s interrogator, FBI Field Agent George Piro, Saddam

Considered [Osama Bin Laden] to be a fanatic. And as such was very wary of him. He told me, ‘You can’t really trust fanatics’ ... He didn’t wanna be seen with Bin Laden. And didn’t want to associate with Bin Laden.³⁴⁶

CBS 60 Minutes correspondent Scott Pelley continued, ‘Piro says Saddam thought that Bin Laden was a threat to him and his regime’.³⁴⁷ Indeed, even if the evidence available prewar could (generously) be argued to be of a more ambiguous nature – and hence somewhat more susceptible to being exaggerated – according to the evidence available postwar, a more compelling case could be made firmly in the contrary direction. This was a direct counter to the claims coming strongly from Bush *et al.* concerning the alleged Saddam Hussein–al-Qaeda links.

UK intelligence and several leading figures in US intelligence circles were right to have remained sceptical of the existence of such links at any time.³⁴⁸ However, again highlighting the deficient intelligence coordination, at least in the United States, as Drumheller later observed: ‘There was no one voice in coming out of the intelligence community and that allowed those people to pick and choose those bits of information that fit what they wanted to know.’³⁴⁹ Meanwhile, in the better coordinated UK intelligence community, the Defence Intelligence Staff (DIS) was evidently sidelined.³⁵⁰

The UK Intelligence and Security Committee (ISC) reported in September 2003 on the intelligence concerning Iraqi WMD. Two brief insights were granted into the UK–US intelligence liaison on this issue. The CIA appears to have had some input into at least the WMD section of the September 2002 UK dossier, as the ISC found: ‘The WMD section of the 10 September draft was also shown to the US Central Intelligence Agency (CIA) on 11 September and they made comments.’³⁵¹ However, in ‘Annex B’ the ISC rejected part of a conclusion that had featured in the earlier July 2003 FAC Report: ‘The UK certainly used US intelligence, but we do not support the statement that the UK was “heavily reliant” on the US defectors or exiles.’ The ISC report continued by claiming: ‘The UK intelligence community had a number of their own reliable sources, including sources in Iraq.’³⁵² In July 2004, the findings in the *Butler Report* later fleshed out this ISC finding, exposing some further flaws with the sources.³⁵³

By early October 2003, the interim report of ISG was produced. The report was released amid the continuing political controversy over the absence of Iraqi WMD, and the ongoing deteriorating security situation in Iraq postwar. Still no Iraqi WMD had been located by the official US-led investigation, although there was some evidence of possible related facilities.³⁵⁴ Prominent anti-war opposition was buoyed up by the growing insurgency. The former UK Foreign Secretary Robin Cook, who had resigned from the Cabinet as Leader of the House of Commons on 17 March 2003 in protest against the imminent war in Iraq, continued to demand an inquiry into the decision for war. US General Wesley Clark, a former NATO commander in Europe, also continued to voice his disquiet.³⁵⁵ Former chief UN weapons inspector, Scott Ritter, remained a vocal critic. He highlighted what was reportedly a SIS ‘disinformation drive [against Iraq] in the late 1990s ... designed to shift public opinion’. Something SIS claimed was ‘unfounded’.³⁵⁶ Media speculation concerning the pending outcome of the Senate Intelligence Committee inquiry thought it would criticize the CIA and Tenet.³⁵⁷ Remarkably, on a visit to UK troops in Iraq, Blair claimed that he saw Iraq as

‘test case’ for dealing with countries with WMD.³⁵⁸ Lessons were being learnt, but pursuing a policy of pre-emption had been shown to be highly problematic. By the end of January 2004, the disillusioned head of the ISG, Dr David Kay, had resigned. The leadership of the ISG was then taken over by a former UN weapons inspector, Charles Duelfer, as the quest to find Iraq’s WMD continued.³⁵⁹

UK and US intelligence were keen to attempt a ‘salvage’ job. According to Australian Dr Rod Barton, the special adviser to the ISG, ‘senior figures in British intelligence tried to stop the ISG publishing its [next] ... report when they realized what it would say’.³⁶⁰ Demonstrating UK intelligence interest in the ISG findings that would be presented, on 19 January 2004, Martin Howard, the Deputy Chief of Defence Intelligence at the UK MoD, had even visited Barton in Baghdad. As Barton observed from that meeting, Howard ‘was not very keen on having this report’ or at least not yet, that is, not until something ‘substantive’ had been located.³⁶¹ Barton’s account continued, ‘when’ the blocking of the ISG report ‘failed’, around 8 March 2004, the Chairman of the UK JIC, John Scarlett emailed Duelfer, and ‘tried to strengthen the ISG report by [suggesting the] inserting [of] nine “nuggets” of information to imply Saddam’s WMD programmes were active, despite evidence to the contrary’.³⁶² The CIA also sought input into the ISG report, not wanting anything presented which might contradict the supposed Iraqi WMD claims made in earlier statements by Tenet.³⁶³ By 22 March the ‘truncated and pointless 20-page’ report was finished.³⁶⁴ Barton resigned in protest shortly afterwards. Kay later judged it as, ‘a misleading and anodyne document’.³⁶⁵

Less than a year after his presentation to UNSC, US Secretary of State Powell was now beginning to publicly express some of the doubts he held. Concerning Iraq’s supposed WMD: ‘The answer to that question is, we don’t know yet.’³⁶⁶ The CIA’s intelligence was criticized by Dr Kay, the recent former head of ISG.³⁶⁷ During a private lunch with Bush and other White House staff, Kay was also somewhat critical of UK intelligence. As Bob Woodward recounted:

Card asked, ‘You told us about the U.S. intelligence service. Who do you think runs a really good intelligence service?’

‘In my experience, it was not the British or the Israelis, despite their reputation,’ Kay said. MI6 and the Mossad were legends in the intelligence world, but Kay said he was not always impressed with the usefulness of their product. ‘In my judgment, the best one is the Chinese.’³⁶⁸

The absence of WMD continued to be puzzled over in London and Washington.³⁶⁹ In February 2004, there was further criticism from the UK FAC, connecting Iraq to other pressing security issues, such as counter-terrorism and alleging ‘blowback’: ‘The continued failure of the coalition to find WMD in Iraq has damaged the credibility of the US and UK in their conduct of the war against terrorism.’³⁷⁰ Within days of each other, both the US Government and, following the US lead, the UK Government, decided to launch in-depth inquiries into their

respective, but not joint, intelligence concerning Iraq's supposed WMD.³⁷¹ In light of Kay's admission in front of the US Senate Armed Services Committee: 'It turns out we were all wrong, probably, in my judgement, and that is most disturbing', the alleged shortcomings of intelligence continued to be probed.³⁷² Powell again expressed that he was increasingly uncomfortable about the case for war that he had himself advanced: 'It was the stockpile that presented the final little piece that made it more of a real and present danger and threat to the region and to the world.' He continued: '[The] absence of a stockpile changes the political calculus; it changes the answer you get.'³⁷³

There were now some whiffs of 'conspiracy'. The case built on contentious intelligence arguably helped to serve as a convenient and distracting fig-leaf for the 'real' intentions of UK and US politicians. By turning the general focus onto the alleged intelligence 'failures' and their subsequent inquiries, these would then serve as a convenient distraction *post facto* and *post bellum*. In both the United Kingdom and United States, this activity served to take the focus off the politicians and their decisions pertaining to war. Instead, that attention would be re-focussed more fully on the 'flaws' of the UK–US intelligence world. This focus aided the emergence of suggestions that perhaps some further modernization of UK intelligence structures, processes and procedures was necessary in the early twenty-first century – manifesting its change and reforms under the guise of 'professionalization'. The actual UK Government response to the *Butler Report*, notably involved the creation of the post of Professional Head of Intelligence Analysis (PHIA), with a support team in the Cabinet Office.³⁷⁴ The murky depths of multilateral international intelligence liaison interactions, including some of their dynamics were also highlighted.

UK and US intelligence braced itself for the onslaught.³⁷⁵ A year after the presentation to the UNSC, CIA director Tenet defended the increasingly besieged CIA in a speech at Georgetown University.³⁷⁶ Blix continued to criticize the intelligence the United States and United Kingdom had on Iraq.³⁷⁷ Israeli intelligence was also criticized by their Knesset oversight subcommittee investigation for poor intelligence assessments concerning both Iraq and Libya – exposed in the light of the tackling of the A.Q. Khan 'nuclear network' in 2003–4.³⁷⁸ Powell meanwhile continued to distance himself further from the arguments that he had himself made to the UNSC in early February 2003. Doubts also emerged regarding the existence of the earlier claimed mobile biological weapons laboratories or trailers.³⁷⁹ These were the sensational claims based on the 'intelligence' passed from the increasingly discredited Iraqi defector source codenamed 'Curveball'. Within the US intelligence community, much 'stove-piping' had occurred concerning Curveball. As the SSCI found:

The Committee noted that concerns about the liaison source CURVE BALL had been raised in CIA operations cables, but were not disseminated to analysts outside the CIA. Despite these warnings, and perhaps in part because of their limited dissemination, the Intelligence Community judged CURVE BALL to be 'credible' or 'very credible'. Uncertainties about his reliability

should have been taken into account by the operations officers who provided the judgment of his credibility, should have made the analysts who were aware of them wary about relying so heavily on his reporting, and should have been noted in the NIE. In addition, these concerns should have been passed on to policymakers, who used CURVE BALL's information publicly ... Europe Division officials had relayed concerns about the public use of CURVE BALL's information.³⁸⁰

UK officials later discovered that the mobile facilities were actually for producing hydrogen for filling weather and artillery balloons, as Iraqi officials had themselves earlier repeatedly claimed. This was in contrast to their sinister claimed germ warfare role.³⁸¹ More embarrassingly for UK intelligence in particular, it was reported 'likely that the units were ... part of a system originally sold to Saddam by Britain in 1987'.³⁸² Indeed, by at least 27 May 2003, US intelligence officials apparently knew that the mobile laboratories or trailers had 'nothing to do with biological weapons'.³⁸³ As Drumheller later cogently argued regarding Curveball's input:

I think a lot of the preconceptions about the weapons of mass destruction and all that were driven by the Iraqi émigré reporting, whether it was from the Iraqi National Congress [INC] or others. ... Émigré reporting is notoriously unreliable ... because they always have an agenda ... I think that [émigré reporting] drove a lot of it.³⁸⁴

Reaching into the intricate depths of intelligence specifics and details, he continued:

There's some complications in the Curveball case. [That] is a good example of how, had that been an agency [CIA] case handled by us, we would have vetted it much, much more before the reporting was put out and given the credence that [it] was given. [Curveball] came out as a defector, was handled by Defense Intelligence [Agency (DIA)] officers. But that's nothing against Defense Intelligence officers; [there are] great Defense Intelligence officers. But we [CIA] have a certain way of doing things that's built up over 50 years. Some people look at that as being cautious. In fact, it's a professional standard that you really have to have.³⁸⁵

The SSCI inquiry again found that, at least sometimes, reservations concerning sources *were* passed on through intelligence liaison relationships. For instance: 'Concerns existed within the Central Intelligence Agency's (CIA) Directorate of Operations (DO) prior to the war about the credibility of the mobile biological weapons program source code-named CURVE BALL.' Further elaboration was forthcoming: 'The concerns were based, in part, on doubts raised by the foreign intelligence service that handled CURVE BALL and a third service.'³⁸⁶ This 'third service' was probably MI6.

Top UK and US intelligence agency personnel began to leave in substantial numbers. By early June 2004, Tenet had announced his resignation as head of the CIA.³⁸⁷ The CIA Director of Operations James Pavitt announced he was retiring.³⁸⁸ Later, in the summer of 2004, the Chief of SIS, Sir Richard Dearlove, also retired to become Master of Pembroke College, Cambridge.³⁸⁹ By 6 July 2004, Blair finally admitted to the Commons Liaison Committee, that WMD might not be found in Iraq: ‘What I have got to accept is that I was very, very confident we would find the weapons. I have to accept that we have not found them – that we may not find them.’³⁹⁰

The CIA and its intelligence did not escape heavy criticism. This came from the report produced by the US Senate Select Committee on Intelligence (SSCI) on 7 July 2004.³⁹¹ The report identified ‘collective group think’.³⁹² In light of this alleged intelligence ‘failure’, President Bush promised reform of US intelligence and remarked: ‘We haven’t found the stockpiles, but we knew he could make them.’³⁹³ UK intelligence also did not escape judgement. The US SSCI Chairman Senator Pat Roberts commented that: ‘It is clear that this group-think also extended to our allies, and to the United Nations, and several nations as well, all of whom did believe that Saddam Hussein had active WMD programmes. This was a global intelligence failure.’³⁹⁴ One commentator, veteran British journalist Tom Mangold, argued: ‘Never before has the Siamese twin relationship between the CIA and MI6 been so roundly condemned. It is unprecedented for Washington to criticize London or vice versa.’³⁹⁵ Although Drumheller later qualified this inquiry’s finding somewhat more effectively by remarking:

They always say, ‘Well, all these other European services and all these other countries around the world felt the same way’. Well, no, it wasn’t exactly the same way. They were all concerned; there was a general fear that Saddam was building [weapons] because Saddam was Saddam.

He continued: ‘It’s the way he kept his enemies inside and outside the country off balance.’³⁹⁶ This last scenario again became clearly apparent during the interrogation of Saddam Hussein. Significantly, the SSCI Report’s evaluation of the ‘British White Paper’ – the first UK dossier of 24 September 2002 – remains classified.³⁹⁷ This raises the reasonable question: would further discomfort to UK–US intelligence relations be caused by the public dissemination of that evaluation?

The general nature of non-proliferation enterprises continued to cast a characteristic shadow. At the end of 2001, the global intelligence ambiguity and uncertainty concerning the exact status of supposed Iraqi WMD stockpiles and associated programmes was apparent. This scenario was coupled with the lack of sources in Iraq – especially those that were well-placed and had little to gain from regime change actions, such as UN weapon inspectors. As reported earlier in November 2002, the UN weapons inspections

Are a valuable source of collateral intelligence. Mr. Blix is understandably anxious about his agency's being seen as an arm of the C.I.A. The earlier Unscom inspection operation probably overstepped a line by helping the Americans eavesdrop, thus lending some credence to Saddam's anti-American rants. But there is ample room for legitimate cooperation between the inspectors and national intelligence agencies.... Intelligence-sharing is another place Mr. Bush can help. Both sides will be wary of cooperating – the U.S. to protect sources, the U.N. team to protect against accusations of being a C.I.A. tool. America should insist on a close collaboration, both ways.³⁹⁸

In such murky circumstances, various intelligence sources were communicated amongst the different international intelligence liaison partners and were picked by their customers. In turn, a paucity of 'intelligent customers' was evident. Those customers themselves were clearly naïve and inexperienced regarding intelligence, exhibiting a demonstrably poor understanding of both the strengths and weaknesses or limitations of intelligence, and all it could hope to offer. Worse still, relying on their strongly held assumptions and beliefs, they were largely doing their own analysis and assessment. The White House failed to query this practice. Even former White House press secretary Scott McClellan observed, in May 2008, that Bush demonstrated a 'lack of inquisitiveness'.³⁹⁹

On 5 June 2008, the US Senate Intelligence Committee released its *Final Phase II Reports on Prewar Iraq Intelligence*. Marking their last official oversight findings on the issue of supposed Iraqi WMD, significantly these two reports addressed the themes of 'Administration Misstatements on Prewar Iraq Intelligence' and 'Inappropriate Intelligence Activities by the Pentagon Policy Office'. At their unveiling, Chairman of the Senate Select Committee on Intelligence, John D. (Jay) Rockefeller IV remarked: 'Before taking the country to war, this Administration owed it to the American people to give them a 100 percent accurate picture of the threat we faced.' That result had not been forthcoming: 'Unfortunately, our Committee has concluded that the Administration made significant claims that were not supported by the intelligence'. He continued: 'In making the case for war, the Administration repeatedly presented intelligence as fact when in reality it was unsubstantiated, contradicted, or even non-existent.' Consequently, 'the American people were led to believe that the threat from Iraq was much greater than actually existed'.⁴⁰⁰ Meanwhile, the report on the Pentagon's activities most significantly found that: 'Potentially important information collected during the meetings', which were held clandestinely between Pentagon officials and Iranians in Rome and Paris, 'was withheld from intelligence agencies by Pentagon officials', and that 'senior Defense Department officials cut short internal investigations of the meetings and failed to implement the recommendations of their own counterintelligence experts'.⁴⁰¹ Against this backdrop, many dubious interactions concerning intelligence were being undertaken both inside and beyond the Pentagon during the run up to the war in Iraq.

The intelligence gathering net was also cast more widely. When the particular line of action the United States wanted to pursue in Iraq became clear in late 2001 this tasked not only the US intelligence agencies, but also their liaison partner intelligence services across the globe, as US intelligence reached out to them. Reporting was then mustered from the few sources each of the various national intelligence agencies could scrape together. They delivered anything that was, or was perceived to be, at least potentially useful for the United States, essentially tailored to the requests. Arguably, the ‘allied intelligence’ conferences on WMD held regularly (annually) also had not thwarted the collective internationally-held suspicions from arising concerning the issue of supposed Iraqi WMD.⁴⁰² However, the assertion of a so-called ‘global intelligence failure’, only partly resonates. It is apparent from all the various inquiries that intelligence agencies in at least the United States, the United Kingdom, Germany, Australia, Italy, Israel and Denmark had some essentially shared perceptions on, and suspicions concerning, supposed Iraqi WMD. Did intelligence alliance politics fail? Not entirely. Like the military coalition that eventually went into Iraq, the basis was more a ‘coalition of the willing’. Subsequently, for better *and* worse, intelligence liaison interactions similarly followed the policy direction.

Indeed, in some ways, this example was arguably a ‘success’ for international intelligence liaison. Unquestionably much information was closely shared and intelligence relationships were maintained between countries even when there were higher political differences concerning the path, scope and timing of the action that was eventually adopted. In some cases, the international intelligence liaison was so widespread that it was perhaps *too successful*, becoming a ‘victim of its own success’. More importantly, this example of supposed Iraqi WMD nicely exposes the discernible operational parameters, limits and dynamics (both positive and negative) of international intelligence alliance politics.

Amid all the associated fallout, the overwhelming desirability of maintaining these intelligence interactions was sustained. According to the *Washington Post*, during the summer of 2008, the CIA was having ‘success’ in ‘mending [its] fences’ with some of the foreign intelligence liaison partners who had ‘distanced themselves’ from the United States over the Iraq war. Reportedly: ‘By late August, [Director of Central Intelligence Michael] Hayden and his chief clandestine officer, Stephen R. Kappes, will have made visits to 50 foreign countries to cement relations with their intelligence counterparts.’ Their efforts extended further as also ‘other foreign intelligence heads have been hosted by Hayden at his private residence on the grounds of Bolling Air Force Base in Southwest Washington’.⁴⁰³ As Hayden remarked in July 2008, again effectively illustrating the degree of internationally connected intelligence: ‘[We] seek out their ideas, undertake common efforts. . . . We’ve given many of them secure phones so they can call me directly.’⁴⁰⁴ Personal links would also continue to perform a demonstrably prominent function.

Crucially, however, the role of international intelligence liaison and intelligence alliances is only to perform *part* of the intelligence process. Moreover, arguably it is only an *auxiliary* role at that, such as assisting in the gathering of

intelligence and contributing final analysis input into final intelligence assessments and estimates. As the supposed Iraqi WMD example also demonstrates, the contribution of such arrangements should not be overextended. Nor should they be uncritically assimilated into overall processes. This is, for instance, by jettisoning differences and weakening or abandoning source verification regimes. Indeed, in terms of intelligence outreach, the best balances were struck at the lower levels of UK–US intelligence liaison relations.

Meanwhile, the intelligence ‘fallout’ continued unabated. By mid-July 2004, there was the ‘rare’ public retraction of pre-war intelligence by SIS. The intelligence informing the assessment that Saddam Hussein had still been developing WMD was withdrawn, an embarrassing admission of its unreliability.⁴⁰⁵ Moreover, recently retired senior UK Defence Intelligence Staff (DIS) official, Dr Brian Jones asserted that he could not reconcile the quantity of intelligence on supposed Iraqi WMD he saw, with the quantity that Blair had claimed, in evidence given to the Hutton Inquiry, had crossed his own desk.⁴⁰⁶ Had Britain’s most experienced intelligence WMD experts effectively been sidelined? On occasions, at least, it appears that they were.⁴⁰⁷ In the United States, intelligence experts on the Middle East were similarly out of the loop. As Paul Pillar later observed:

As the national intelligence officer for the Middle East, I was in charge of coordinating all of the [US] intelligence community’s assessments regarding Iraq; the first request I received from any administration policymaker for any such assessment was not until a year into the war [c.2004].⁴⁰⁸

The result was problems with contextualization. This was due to the bypassing of the thematic and regional experts and advisers in both the UK and US intelligence and diplomatic communities – for example, located in the US State Department and in the UK Foreign and Commonwealth Office (FCO).⁴⁰⁹ This occurred both during the run-up to the Iraq war, and then again on occasions during its progression.⁴¹⁰ The history of the Middle East region evidently appeared to be poorly understood, even ignored or discounted by the decision- and policy-makers. The senior echelons displayed little knowledge of Middle Eastern culture and long-standing sectarian rivalries. The realization of these issues as important factors then dawned far too late, as the security situation in Iraq continued to deteriorate during 2003 and beyond. This problem was especially marked amongst those occupying the highest political echelons, amid the leaders cloistered in their remote home capitals of London and Washington.⁴¹¹ Other observers, however – particularly those participants in the field in Iraq and based on the ground in Baghdad and Basra – were naturally much quicker at grasping the significance of these issues as they collided with them directly and in real-time.⁴¹²

Defenders of intelligence emerged from the shadows. On the day that the UK *Butler Report* was published (14 July 2004), another former UK Foreign Secretary (1989–95), Lord Douglas Hurd, stepped out from the relative obscurity of

retirement. He publicly defended the intelligence services. He claimed: ‘Intelligence services across the western world are looking for help ... Into [their post-9/11 counter-terrorism] effort their political masters threw the spanner of Iraq.’ In this case, ‘offensive’ as well as ‘defensive’ intelligence had to be provided. He highlighted their ‘unenviable’ position: ‘There is always a temptation for politicians to exaggerate the importance of intelligence reports because of the glamorous badge of secrecy. ... The intelligence services do not normally take the front of the stage.’ The differences between the UK and US positions were additionally emphasized, where he noted that: ‘This problem was more acute in Britain than in the US’ as Blair had a tougher political case for war in Iraq to produce, and more substantial political opposition to overcome.⁴¹³ In trying to acquit their tasks adequately on the political front and in the glare of the public domain, similar to their US counterparts, the UK intelligence agencies had, in part at least, shown themselves to be suffering from some shortcomings. They, too, were deemed to be in need of some reform.⁴¹⁴

The *Butler Report* was critical of UK intelligence on supposed Iraqi WMD.⁴¹⁵ The way it was used by the UK Government also came under fire. Intelligence was stretched to breaking point. Its limitations were not made clear and caveats had been removed, for example in the September 2002 UK Government dossier. Perhaps most damaging, the ill-documented and informal sofa-characterized decision-making process in 10 Downing Street was criticized as being unhelpful. It had hints of being more ‘presidential’ in nature, with implications for the UK Cabinet-style of doing government. Moreover, Lord Butler described the ‘45-minute claim’ as an ‘uncharacteristically poor piece of assessment’.⁴¹⁶

In a *Spectator* magazine interview in December 2004, Lord Butler made some stronger comments. Highlighting his criticism ‘of the present government’, he remarked: ‘There is too much emphasis on selling, there is too much central control and there is too little of what I would describe as reasoned deliberation which brings in all the arguments.’⁴¹⁷ He also argued: ‘Good government, in my view, means bringing to bear all the knowledge and all the arguments you can from inside and outside, debating and arguing them as frankly as you can, and to try to reach a conclusion.’ To Butler, it was

Clear that politically appointed people carry great weight in the government and there is nothing necessarily wrong with that, but if it’s done to the exclusion of advice from civil servants, you tend to get into error, you make mistakes.⁴¹⁸

Concerning the handling of intelligence on Iraqi WMD, Butler noted: ‘The purpose of the dossier was to persuade the British people why the government thought Iraq was a very serious threat.’ He continued: ‘Would (adding a warning about the limitations of the evidence) have undermined it? I think it would have; I think it would have weakened it.’⁴¹⁹

Commentators argued that the recent inquiries in both the United Kingdom and United States were incomplete. This was because of their focus on the

intelligence agencies and the intelligence itself, rather than also including evaluating the activities of the politicians and probing their decision to go to war.⁴²⁰ Later, in front of the House of Commons Public Administration Committee in October 2004, Lord Butler denied that the terms of reference of his inquiry had prevented a thorough investigation, essentially observing that ‘policy decisions were a matter for politicians, not inquiries’.⁴²¹ Indeed Butler declared: ‘On the political issues, we wanted to give people the information but we felt that really the proper place where governments should survive or fall is with parliament and the electorate.’⁴²² Sir Lawrence Freedman cautioned: ‘This saga warns of how intelligence, when used to serve a wider political purpose, can be corrupted.’⁴²³ The case for war had been made more on theoretical than on firmer empirical bases. The ‘legality’ of the Iraq war, in the absence of a second legitimizing UNSC resolution, also continued to rankle and be much debated.⁴²⁴

Commentators on intelligence in the United States were rather more dismissive of the Butler inquiry findings. Former CIA operative Bob Baer believed that: ‘They [the UK and US governments] just wanted it all to go away.’ While one veteran US intelligence officer, Ray McGovern, declared: ‘It’s just old boys. You’ve had Lord Hutton, Lord Butler. It’s so clubbish.’ Drawing a comparison between the recently published US Congressional inquiries and the *Butler Report*, Vincent Cannistraro, a former CIA chief of operations for counter-terrorism, argued: ‘I can tell you there’s rampant jealousy in the CIA, where they wish they could have had a report more like Butler’s. It was much more nuanced, much more fair.’⁴²⁵

A ‘leader’ article published in the *Observer* newspaper on 18 July 2004 rightly highlighted that the *Butler Report* findings would have to be carefully read and digested: ‘On first reading, the report from Lord Butler’s enquiry seemed another Establishment closing of ranks.’ However, ‘By today it is becoming clear that it is a more subtle indictment of the processes of British government, the ramifications of which will become clearer in the weeks ahead’. The leader continued:

Butler’s report raises for some the question of whether, with proper process and properly caveated intelligence, the government would have been able to muster a majority in the House of Commons to support the war and of whether government law officers could have judged it legal.

It added: ‘Without those two pillars, it is argued, we could not have gone to war.’⁴²⁶ Reform was also prescribed for UK intelligence. By 21 July 2004, SIS was conducting an ‘unprecedented inquiry’ into its (by now) discredited sources. Showing dismay with its customers, SIS also sought to establish, with the provision of safeguards, ‘greater control over Downing Street’s use of its secret intelligence in future’, as well as changing some of its practices, including agreeing ‘to share information provided by its agents with members of the Defence Intelligence Staff’.⁴²⁷ Summarizing the problems encountered, the BBC’s security correspondent, Gordon Corera noted:

Two central problems areas can be identified ... The first was in the collection of intelligence ... Essentially, the quality control broke down ... [and] the sources were not properly validated. The checking of their reliability seems to have become subjected to the need to produce results ... The scarcity of sources and the urgent requirement for intelligence also meant more credence was given to untried sources than would normally be the case... The second major problem came in the transition from internal [Joint Intelligence Committee (JIC)] assessments to a public dossier. Along the way, the caveats and qualifiers got lost ... and the warnings that the intelligence ... was thin never made it ... public.⁴²⁸

Despite the mounting revelations about pre-war intelligence, Blair continued to defend the war.⁴²⁹ He maintained that the ends would vindicate and still justify the methodology deployed. Unsurprisingly, the ‘reality’ has been much less clear-cut. Undesirable ends – for example, the dire security situation in Iraq with elusive peace and rampant insurgency – have coexisted in a more pluralistic condition of ‘complex interdependence’ with the intended outcomes, such as the removal of Saddam Hussein from power.

The Iraq Survey Group (ISG) finally reported in October 2004. The ISG ‘concluded it was unlikely that Saddam Hussein had [WMD]’. It went on to conclude: ‘He probably meant to make chemical weapons again one day, if sanctions had been lifted. “The emphasis is on capability and intention not on immediate threat,” said one British official.’⁴³⁰ This was echoed in the findings of the interrogators of Saddam Hussein. As FBI Field Agent Piro observed:

[Saddam] told me that most of the WMD had been destroyed by the U.N. inspectors in the ‘90s. And those that hadn’t been destroyed by the inspectors were unilaterally destroyed by Iraq... It was very important for him to project that [he still had WMD] because that was what kept him, in his mind, in power. That capability kept the Iranians away. It kept them from reinvading Iraq.⁴³¹

The 1980–8 Iran–Iraq War was remembered.⁴³² Piro also reportedly found that the impetus to develop WMD still prevailed: ‘Saddam intended to produce weapons of mass destruction again, some day... “He wanted to pursue all of WMD. So he wanted to reconstitute his entire WMD program.”’⁴³³ The ISG report essentially suggested that the ‘containment’ of Iraq had worked, although it was not ‘rollback’, which could only be achieved by regime change. Everyone could feel somewhat vindicated by the report. Although, Blair and Bush again felt compelled to defend the war.⁴³⁴

Shortly after the ISG had reported, more UK intelligence was officially retracted. In the House of Commons, the UK Foreign Secretary Jack Straw formally, and finally, withdrew the controversial ‘45-minutes claim’.⁴³⁵ According to Woodward in *Plan of Attack*,

Tenet and the CIA had warned the British not to make that allegation, which was based on a questionable source, and almost certainly referred to battle-field weapons – not ones that Iraq could launch at neighboring countries, let alone American cities.

More sharply, ‘Tenet referred privately to this as the “they-can-attack-in-45-minutes shit”’.⁴³⁶ Later referring to this passage, the *Butler Report* noted:

We asked the Chief of SIS [Sir Richard Dearlove], if Mr Tenet had ever mentioned his scepticism to him. He said: ‘There’s no record of them having commented negatively on the report and nor does the desk officer at the time recall any come-back from the CIA.’ We asked Mr Tenet directly for a comment but no reply had been received by the time that he resigned from office.⁴³⁷

They, too, did not have the authority to compel a foreign liaison service agent to come forward to give evidence to the inquiry.

Allegations of intelligence abuse were sustained. In October 2004, the former Deputy Chief of the UK Defence Intelligence Staff (DIS) (1995–9), John Morrison, voiced his concern about the use of intelligence. His concerns echoed those earlier articulated by Hurd. He argued that at the time of the 1998–9 Kosovo campaign, and at least by implication again during the Iraq campaign: ‘I had the feeling ... that intelligence was being seen as a PR tool and intelligence should really work in the shadows, not in the limelight.’⁴³⁸

Indeed, intelligence had significant PR value; or so it was believed. This was a role for intelligence that extended considerably beyond that of warning, or of informing, policy- and decision-making. As Pillar later remarked with regard to US intelligence: ‘Another problem is that on Iraq, the intelligence community was pulled over the line into policy advocacy – not so much by what it said as by its conspicuous role in the administration’s public case for war.’⁴³⁹ Discomfort within and surrounding the UK and US intelligence communities was palpable regarding this degree of political collusion. Strains were widely evident. For Morrison, his personal observation, on a BBC *Panorama* documentary programme broadcast in July 2004, that when he heard ‘Blair’s claim that Saddam Hussein’s Iraq posed a “serious and current threat” to Britain, I could almost hear the collective raspberry going up around Whitehall’,⁴⁴⁰ subsequently resulted in his dismissal as the UK ISC’s investigator.

By January 2005, the Iraq Survey Group (ISG) was re-tasked. The search for supposed Iraqi WMD was quietly ended and instead the ISG focussed on helping to combat the postwar insurgency in Iraq. This was by now undoubtedly the dominant task.⁴⁴¹ However, some significant problems persisted. According to a former US defence intelligence analyst, who served in both Iraq and the Pentagon, A.J. Rossmiller, other ‘disconnects’ were readily apparent. He claimed: ‘Indiscriminate detention policies cripple strategic efforts in Iraq’, and, emphasizing a specific example, he argued: ‘The action units place the responsibility on the intel crew to sort out the guys they grab, and intel guys figure that the

action units bring in only legitimate targets. In that space an innocent individual becomes a prisoner.⁴⁴² Fixes to intelligence, being implemented in the wake of the run-up to the Iraq war, had to extend further.

By March 2005, the UK Government had released its account of the implementation of the *Butler Report*'s conclusions.⁴⁴³ Intelligence would no longer be used so unthinkingly.⁴⁴⁴ While unsurprisingly in the report the United States was not mentioned explicitly, a characteristically anodyne insight was granted into 'international co-operation' generally. The report dryly conveyed the conventional driving wisdom behind international intelligence liaison that:

International co-operation is essential to countering current terrorist threats. UK agencies have built on existing bilateral relationships and developed others to ensure that there is extensive international co-operation. Since 9/11, co-operation, information exchange and personal contacts have significantly increased. However, there remain complexities and difficulties in these international relationships. The Agencies and policy departments are continuing to work to overcome these constraints both bilaterally and multilaterally.⁴⁴⁵

On 31 March 2005, the US Robb-Silberman Commission reported in Washington. US intelligence received further critical treatment. As Corera observed: 'Crucially, the absence of new evidence was coupled with a failure to challenge existing assumptions.' Moreover, 'The commission found that dissenting views – of which there were some, notably at the State Department – were not given sufficient weight in the face of ... general consensus.' Further reform of US intelligence was demanded.⁴⁴⁶ The attitude towards sharing within the US intelligence community's culture was also criticized.⁴⁴⁷ That, too, would have to be reformed.

The continuing poor security situation in Iraq postwar, delaying reconstruction, prolonged introspection into the events that led to the war.⁴⁴⁸ Unusually, some senior UK civil servants continued to voice their opposition publicly about how the United Kingdom was taken to war. The political controversy rumbled on into 2006, remaining raw and leaving behind highly visible stains on the reputations of UK and US politicians and intelligence services.⁴⁴⁹ In a leader, published during March 2005, *The Economist* noted: 'America's and Britain's spying operations both stand cursed at the moment.'⁴⁵⁰ As the security situation in Iraq continued to be bleak into 2007 – increasingly akin to civil war, rife with Shia and Sunni Muslim sectarian violence,⁴⁵¹ and as the much-disputed Iraqi violent-death toll continued to rise⁴⁵² – several questions remained unanswered. Or, at best, they were unsatisfactorily and incompletely answered. The passage of more time will have to take place before history can deliver some fuller answers to those questions.⁴⁵³

4.0 Necessary and 'functional' friends: UK and US Special Forces in Iraq

UK and US Special Forces cooperation was again close in Iraq. Significantly, several of their interactions concerned WMD counter-proliferation operations.⁴⁵⁴

The same SF were deployed as those employed in Afghanistan on the counter-terrorism related covert operations. Indeed, some of the same elite units were transferred from the Afghanistan theatre in order to operate in Iraq. Some lessons appear to have been learnt during the UK–US SF cooperation in Afghanistan. These seem to have been successfully applied when operating together in Iraq on WMD counter-proliferation and counter-insurgency operations.⁴⁵⁵ As in the Afghanistan case, when the SF first exactly went into Iraq is unclear. Early in 2002 is believed to be most likely. Whatever the exact timing, more certain is the fact that their entry was sometime before Operation ‘Iraqi Freedom’ was formally and overtly launched towards the end of March 2003.⁴⁵⁶ Again, the key role of UK and US SF was to gather intelligence about the local environs and to prepare for the guiding in of air strikes. Some of the operations were again of a sporadic nature – ‘quickly in, quickly out’ – while others endured longer-term.

No major UK–US disputes appeared to surface. However, as one commentator claimed: ‘Although British and American Special Forces worked well together, there would always be rivalry when it came to skills and daring.’⁴⁵⁷ Perhaps apart from some day-to-day operational difficulties, and from some occasional dips in the extent of functionality, overall this cooperation can be evaluated as remaining of a necessary and purposeful friendly nature. Some operational obstacles did surface regarding information sharing and interoperability. As RAF Squadron Leader Sophy Gardner observed in the domain of general UK–US military cooperation:

Sharing of information and interoperability of information systems were among the greatest challenges facing the coalition ... during Iraqi Freedom, the frustration came in translating the trust engendered at the highest levels into sensible information sharing at the lower levels. The issue was not one of releasability per se; more that each individual in the chain felt beholden to check the releasability of the information before actioning any requests. The system was therefore slow and cumbersome, rather than responsive and agile.⁴⁵⁸

In early 2002, Bush reportedly signed a US Presidential authority sanctioning CIA covert operations in Iraq. The document included authorizing the insertion of US SF, essentially as part of early stage preparations for an eventual full-scale invasion force. This was the pre-invasion ‘softening-up’ of Iraq. The authority also gave permission to remove Saddam Hussein from power in a covert manner.⁴⁵⁹

SF were already operating in Kurdish northern Iraq by early March 2002. ‘Intelligence personnel’, most likely to be SF and CIA paramilitary teams, were already involved in the training of Kurdish opposition groups.⁴⁶⁰ Whether these opposition groups were being trained-up to act as ‘proxy’ forces to be ‘advised’ by UK and US SF during an invasion, similar to how the Northern Alliance had been used earlier in Afghanistan, was not yet entirely clear. Although later this purpose was suggested as being at least a distinct possibility.⁴⁶¹

In July 2002, *The Times* newspaper in London ran a headline claiming that there was a ‘SAS plan to blow up Saddam’s germ sites’. This hinted at the potentially important role SF would perform in a ‘forward’ tackling of the supposed Iraqi WMD. Commentators believed that ‘they will particularly focus on destroying Iraqi’s sites of weapons of mass destruction before they can be used’.⁴⁶² There was also speculation anticipating that the UK SF would be working alongside the US SF and the CIA paramilitary units focussed on missions to detain or assassinate prominent Iraqi figures, while simultaneously identifying targets for aerial and ground attack.⁴⁶³ Attention was similarly drawn towards the announcement that there would be reforms to strengthen and increase the numbers of UK SF, alongside the intention of the UK Ministry of Defence (MoD) to establish a ‘global command and control network’.⁴⁶⁴ The UK SF appeared to be gradually acquiring some of the technology similar to that already used by US SF, and which had been felt by some to be missing during the earlier UK SF activities in Afghanistan.⁴⁶⁵ The recognition of the increasingly prominent role of SF in the future so-called ‘War on Terror’ efforts was evident on both sides of the Atlantic.⁴⁶⁶ Simultaneously, the ‘highly secret’ SAS ‘Revolutionary Warfare Wing’ (RWW), known as the ‘Increment’ when supporting SIS, was reportedly getting a ‘boost’.⁴⁶⁷

UK SF were already operating in the Zakho region of northern Iraq by September 2002. Working alongside the US and Turkish SF presence, supposedly they had been conducting operations there for an undisclosed period of time over the summer months.⁴⁶⁸ On 5 September 2002, there was reportedly an air raid in Iraq by UK and US aircraft. This was intended to prepare and clear the way for UK and US SF to enter Iraq by helicopter from the al-Azraq airbase in Jordan. These units operated in the so-called ‘Scud Box’ in the west of Iraq, in order to prevent Scud missiles being fired onto Israel – an Iraqi military capability that had previously been witnessed during the 1990–1 Gulf War. The SF were also carrying out the reconnaissance of key targets and oil fields. This was to prevent a repeat of the burning of the oil facilities that had also occurred during the earlier 1990–1 Gulf War. Areas were investigated for their utility for the potential detention of Iraqi prisoners of war. This was so that large quantities of prisoners could be quickly processed and did not potentially stall the wider advance of the conventional invasion forces.⁴⁶⁹

By the end of December 2002, reports speculated that: ‘Some elements of the SAS and Special Boat Squadron are probably already in the region.’ The key tasks for the SAS and SBS in Iraq were again claimed to be securing the Scud missile launch sites, as well as finding any secret Iraqi military command headquarters to be attacked. On the WMD CP front, the SF were tasked with pinpointing the alleged mobile biological warfare laboratory trailers and other WMD-related targets. Colonel John Mulholland’s Joint Special Operations Task Force – North (JSOTF-N) was already active with the special operations being conducted in northern Iraq.⁴⁷⁰ Summarizing the types of operations being undertaken by UK and US SF, as Robin Moore *et al.* observed, ‘The initial large-scale special operations missions, in December 2002 and January 2003, consisted of

strategic reconnaissance'.⁴⁷¹ Psychological operations (PSYOPS) were also deployed widely in Iraq, unlike in Afghanistan where they had been considerably more limited.⁴⁷²

In any US-led full-scale military invasion of Iraq, the UK SF were seen as one of four key contributions the United Kingdom could make. By January 2003, alongside their US counterparts, UK SF already had been training up Kurds in northern Iraq for some months. This was together with training Shi'ite (Shia) Muslims in southern Iraq, so they also could act as 'proxy forces' in order to help combat the Iraqi Army when the invasion was formally underway. Simultaneously noted was the ability of these SF to draw on the valuable expertise of the nuclear, biological and chemical defence force, when searching and neutralizing supposed Iraqi WMD.⁴⁷³

Commentators quickly saw the UK contribution as central to a successful US invasion. This was particularly in terms of the specialist expertise offered by UK SF.⁴⁷⁴ The UK SF already were playing a necessary 'functional' role. On the eve of the US-led invasion of Iraq in March 2003, reportedly the 'SAS ... [is] set to play a far more important role in the invasion of Iraq than previously believed.' Now, that the UK and other SF – notably the Australian SAS (ASAS) contribution – would fulfil roles similar to those they had conducted in Afghanistan was becoming clearer. They would be an 'advance party', ahead and directing 'regular' troops, as well as helping to direct the aerial bombardment precisely onto its intended targets. Two SAS Sabre squadrons, as part of the Combined Joint Special Operations Task Force (JSOTF), would help in joint efforts to secure the supposed Iraqi WMD stockpiles.⁴⁷⁵

Joint UK–US SF operations played important spearheading roles early on. In the event, these types of operations formed the majority of those conducted by US and UK SF. This was particularly the case in the eventual absence of the requirement to prevent the deployment of Iraqi WMD. Had the pre-war joint UK and US SF covert operations been a success vis-à-vis the supposed Iraqi WMD? Or, had there actually been no Iraqi WMD? Indeed, the UK and US SF in their pre-invasion operations do not appear to have found any WMD.⁴⁷⁶ Arguably, this demonstrated pre-invasion that the 'containment' policy pursued in the 1990s had worked, albeit perhaps in a less overtly verified manner.

Technical interoperability was also central. As the invasion of Iraq got underway in March 2003, reportedly SF

Operators were sending back their information via LST-5 satellite radios and secure INMARSAT [international maritime satellite telephone and radio] systems to the Central Command SCIF ... in Qatar, and to CIA Headquarters ... who would then forward the information to MI6.⁴⁷⁷

US Navy SEALs, the SBS and the Royal Marines reconnaissance brigade, shortly followed by US Marines, formed the first troops coming ashore to secure the Al Faw peninsula. This was an important objective, due to the peninsula being the location of two oil pipeline heads and a pumping station. Also early

on, within hours of launching the invasion, the SF, including the SAS and SBS, were already supposedly inside Basra negotiating with local commanders.⁴⁷⁸

Other targets were quickly seized. During the first 24 hours after invasion, further contingents of the SAS and US SF and Royal Marines (45 Commando) captured the H2 and H3 airfields in western Iraq. More teams of the SBS and US Navy SEALs continued to perform their amphibious role and captured off-shore oil rigs.⁴⁷⁹ Over time, the joint UK–US SF operations in western Iraq continued,⁴⁸⁰ 22 SAS and 21 and 23 SAS Sabre teams were deployed by helicopter to occupy the ‘central corridor’ of west Iraq. Meanwhile, desert roads became landing strips for Special Operations C-130 Hercules planes, which expelled SAS Land Rovers so infiltrations and incursions could be continued on the ground.⁴⁸¹ Reportedly, by 29 March 2003, an area 170 miles east of the Jordanian border was blocked-off from Iraqi forces, with the captured H2 and H3 airbases now serving as forward SF and RAF bases.⁴⁸²

Urban warfare tactics soon featured largely. As the invasion of Iraq rapidly advanced towards Baghdad, reporters anticipated that the SAS would play a major, and valuable, role in the capture of the Iraqi capital. This was particularly due to the extensive urban warfare experience the SAS had gained during their earlier operations in Northern Ireland.⁴⁸³ As the battle for the capture of Baghdad got underway, the SAS and US SF directed in the air strikes.⁴⁸⁴ CIA paramilitary covert action teams, reportedly tasked with killing key Iraqi regime figures, were meanwhile carrying out search operations in urban areas.⁴⁸⁵ Later, by early April 2003, the regular and conventional UK military successfully captured the Ba’ath Party HQ in Basra. This operation was based on local Iraqi intelligence provided by the SAS during their fruitful separate intelligence-gathering missions conducted in the city.⁴⁸⁶

However, not all of the SF operations in Iraq went according to plan. A UK SF team were discovered in northern Iraq (south-west of Mosul) by Iraqi forces. Subsequently, they were forced to abort their mission and abandon equipment when they were hastily extracted by helicopter. Later, the captured equipment was somewhat embarrassingly paraded on *al-Jazeera* television.⁴⁸⁷ The British reportedly attributed their surprise discovery to poor US intelligence on which the operation had been based.⁴⁸⁸ As part of this failed operation, later some potential ‘blue-on-blue’ or ‘friendly-fire’ covert action ‘blowback’ was suggested. This came as a source hinted that a recently shot down US helicopter was downed by a Stinger missile. Controversially, that very Stinger missile was believed to have been part of the kit abandoned when the UK SF team were quickly extracted after their discovery near Mosul. In keeping with tradition, no comment was forthcoming from the MoD confirming or denying the report.⁴⁸⁹ These scenarios could be anticipated as sometimes being part of the natural occupational hazards of conducting these types of operations in the (‘chaos of battle’ or ‘fog of war’) contexts in which they were trying to be realized.

SF priority tasks continued to be successfully undertaken amid such covert action ‘blowback’. US and UK SF conducted raids as they continued their search for Iraqi scientists to provide further HUMINT information about the supposed

Iraqi WMD programmes.⁴⁹⁰ Some SF link up with the Iraq Survey Group (ISG), to help try and find evidence of WMD, was also suggested with their sharing of bases.

Structurally, the UK and US SF appeared to cooperate closely in their Joint Special Operations Task Forces (JSOTF). JSOTF 20, for example, was especially focussed on tracking down Saddam Hussein. It also played a reconnaissance role in the raid that killed Hussein's sons, Uday and Qusay, casing the villa the night before. The SAS commander believed that the villa could be raided immediately, instantly killing the targets. However, the US commanders demurred, reportedly 'sceptical that the [small-sized] SAS team would be sufficient'. US Delta forces would be used instead, arguably not least for the PR value of US forces doing the scalping.⁴⁹¹ As the net gradually tightened on Saddam Hussein over time as 2003 progressed, US SF and SAS 'shooters' systematically targeted members of his family and inner circle.⁴⁹² Later, in December 2003, JSOTF 121 elements played a key role in the capture of Saddam Hussein. However, this particular operation was American-led with the assistance of Kurdish fighters.⁴⁹³ Reportedly, a UK FCO official, doing their job perhaps rather too diligently, had contributed towards forfeiting SAS involvement in this operation. The contents of a secret meeting had been disclosed to the FCO in London, in what the Americans deemed to be an OPSEC faux pas, compromising operations. The SAS were instead put 'on standby to provide back-up'. The operation would be a US show.⁴⁹⁴

SF managerial issues increasingly took centre stage by early 2004. UK and US official worries were prevalent that experienced UK and US SF personnel were haemorrhaging from SF units.⁴⁹⁵ For personally more profitable motives, these SF members were tempted away in order to lend their expertise to private military companies (PMC) in Iraq.⁴⁹⁶ US SF and regular Army differences were also beginning to emerge more prominently, as reportedly 'SF soldiers were among the first to speak out and criticize the approach the military was taking' in Iraq.⁴⁹⁷ Some civilians also appeared to be struggling in their management of postwar Iraq. In effect from 21 April 2003 to 28 June 2004 and headed by L. Paul Bremer, the Coalition Provisional Authority (CPA) came in for considerable criticism. This was especially for the wholesale disbanding of the Iraqi army and the widely sweeping implementation of the 'de-Ba'athization' policy. Security and governance problems in postwar Iraq proliferated.⁴⁹⁸ Meanwhile, following the future trends of US SF, the UK MoD decided to expand the SAS to allow it to better deal with CT and related issues, such as burgeoning COIN work.⁴⁹⁹ Also a UK SF unit modelled on US SF Rangers (a SF support unit) was to be established to help address, and then prevent, the contemporary 'overstretch' and overburdened and over-used status of the UK SF.⁵⁰⁰ The UK SF moved closer to the US SF set up.⁵⁰¹ Such moves would also help contribute towards facilitating further 'jointery' and interoperability in the future on collaborative UK-US SF covert operations.

As time progressed, UK-US counter-insurgency operations were ongoing and escalating. Indeed, these were exponentially growing in terms of their criticality.⁵⁰² The war in Iraq ('breaking' Iraq or at least the invasion phase) might have

been ‘won’ quickly – ‘Mission Accomplished’ triumphantly declared the banner that had welcomed US President Bush on his visit to the USS *Abraham Lincoln* on 1 May 2003.⁵⁰³ But, what had not yet been accomplished, however, was the ‘winning’ of the peace. Indeed, this dimension continued to remain substantially elusive. There was little grass root Iraqi reconciliation to the occupation of their country, causing all of Iraq’s various intense societal divisions to emerge prominently.

As the security situation in postwar Iraq rapidly deteriorated after the invasion, helping to combat the insurgency in Iraq became an increasingly pressing task. During July 2005, as part of COIN operations, a Baghdad-based unit consisting of UK SAS and US Delta Force (Task Force Black) shot and killed supposed Iraqi suicide bombers.⁵⁰⁴ At the end of 2005 extending into 2008, the role of UK and US SF was by no means curtailed in Iraq.⁵⁰⁵ Or, indeed, neither was their role substantially curtailed elsewhere.⁵⁰⁶ As the global so-called ‘War on Terror’ morphed into the ‘Long War’ during 2006, their operations continued to be waged.⁵⁰⁷ Again, these SF operations were subject to some adjustment over time, depending upon different specific strategic and operational requirements. By mid-2008, Iran had formed a next prominent focus of sustained SF attention.⁵⁰⁸ As Thomas Donnelly, a resident fellow at the American Enterprise Institute, remarked in testimony to the Senate Armed Services Committee (AirLand Subcommittee) during March 2009: ‘Our soldiers, Marines and special operations forces have borne the brunt of the fighting and suffered the majority of the casualties during the post-9/11 era. They have also won remarkable victories.’⁵⁰⁹ Together with their UK partners on occasion, they would continue to perform an important role into the foreseeable future.⁵¹⁰

Part III

Conclusions

5 Conclusion

UK–US intelligence liaison interactions are complex and multifaceted. Amid all the different ‘sectors’ involved – whether they are intelligence agencies, law enforcement bodies, conventional military, and Special Forces – several different, yet interrelated, ‘levels’ of experience can be identified. These levels can be readily adopted for analysis purposes. There are eight levels that can be highlighted most immediately, now commending themselves for some further exploration.

At their most disaggregated, the levels consist of the ‘ideological’ and ‘theoretical’, ‘strategy’ and ‘policy’, ‘operational’ and ‘tactical’, as well as the ‘individual’ (as ‘professional’) and ‘personal’. Moreover, the levels can be brought together into two closely connected ‘macro’ and ‘micro’ groups. Within the macro domain, these broader levels descend from the ‘ideological’ and ‘theoretical’ to ‘strategy’ and ‘policy’. These constitute the higher ‘quartet of levels’. Meanwhile, within the micro domain, the narrower levels descend from the ‘operational’ and ‘tactical’ to the ‘individual’ (as ‘professional’) and ‘personal’. These constitute the lower ‘quartet of levels’. Once these levels have been identified, arguably they offer us the potential to fashion a more sophisticated understanding of UK–US intelligence liaison relations in the early twenty-first century.¹ Harnessing these levels, several important conclusions concerning UK–US intelligence liaison relations can be tabled.

Values appear to have great significance. This conclusion extends across all the levels of experience and analysis in UK–US intelligence relations. With values, lesser immediate and pressing ‘balance sheet’ considerations materialize, especially in terms of the weighing up of the so-called ‘costs’ and ‘benefits’ of the relations. Moreover, some of the quid pro quo bargains that do feature are sculpted at the macro and higher levels. Frequently, this is done in the form of ‘areas of responsibility’ – for example, within the domains of each country’s respective key expertise. For the UK, this is mainly in the realm of HUMINT, and for the United States, mainly vis-à-vis TECHINT.² These interactions then no longer have to be so worked out at the micro and lower levels of interoperability on a daily basis, because these ‘deals’ have already been adequately determined at the macro and higher levels.³ Greater speed in interactions is simultaneously facilitated. This is a valuable asset, especially when the United

Kingdom and United States are operating together in high-tempo and condensed-space contexts, where high-stakes readily feature, such as in Afghanistan.

Within UK–US intelligence liaison relations, the dominance of similarities is apparent. Differences also figure centrally. However, repeatedly, a discernible pattern emerges with regard to the differences. In each of the functional issue areas liaised over by the United Kingdom and United States – whether it is on counter-terrorism, WMD counter-proliferation, or joint Special Forces operations – *similar* differences are apparent. These can also be mitigated deploying similar strategies across the different issue areas.⁴ This is suggestive of how negatively leaning differences can be smartly addressed when they emerge. It also provides a roadmap for later management techniques of these, and associated contested issues, as they arise in UK–US intelligence liaison relations in the future. The problematic issues can also be confined to particular sectors and levels for their solving or management. This ensures that they do not unnecessarily overwhelm the whole system and its regular day-to-day functioning and operability. In the case explored by this study, overall UK–US intelligence liaison relations carry on generally unimpeded by the more specific differences and difficulties encountered.

Adopting levels has additional utility. The levels help explain why the close UK–US intelligence liaison relationship is often regarded as the most ‘special’ and ‘important’ dimension, helping to sustain, wider and overall UK–US relations.⁵ Also the presence of different levels of experience, which can then be used for analysis purposes, accounts for why the ‘low politics’ of UK–US intelligence relations (representative of the lower ‘quartet of levels’) have endured so well over some 60 years. This is despite there being present in history coexisting times of considerable tension over higher and broader policy (representative of the higher ‘quartet’ of levels) – for example, as seen during the Suez Crisis in 1956.⁶ Overall, at a minimum, a ‘duality’ exists across all the levels. This extends more plausibly to a ‘plurality’; especially when further different multiple complexities encountered in interactions are also taken adequately into account in ‘final’ evaluations of the overall *effects and outcomes* of the UK–US intelligence liaison.

Indeed, arguably UK–US intelligence liaison is best conceptualized as consisting of a ‘complex coexistence plurality’. Notably, this is a condition that intimately involves other considerations than merely similarities and differences, both within and across all the different levels of experience and analysis. UK–US intelligence liaison interactions also include multiple bargains or ‘fudges’. These ‘fudges’ consist of situations where agreement is struck to essentially ‘agree to disagree’, particularly at the macro and higher levels of activity. In the process, detailed differences held by each party – for instance, across each of the different levels – can be mutually traded-off, resulting in some greater neutralization. Furthermore, these ‘fudge’ scenarios concern episodes where several differences over specifics and details within the liaison, particularly present at micro and lower levels, are considerably suppressed or navigated. Or else, they are substantially tidied in order to reach better agreement at the macro and higher levels,

such as in strategy and policy terms. Frequently these compromises are implemented by the United Kingdom so that at least some degree of ‘access’ or ‘buy-in’ into the high-level military and political US decision-making processes can be sufficiently maintained.⁷

Some far-reaching consequences emerge. Arguably, several of these episodes of ‘fudging’, together with their associated negative fallout, were most starkly evident in the run-up to the war in Iraq in 2002–3. This was with much controversy and rancour simultaneously sticking on both sides of the Atlantic. Within both the United Kingdom and United States, there were large ‘disconnects’ between the higher and macro quartet of levels (namely, those most pursued by the policy- and decision-makers) and the lower and micro quartet of levels (notably, those most followed by the intelligence and security operators) surrounding the supposed Iraqi WMD case. With all the above ‘deals’ being fashioned and providing prescriptive ‘top-down’ parameters, the operators working at the micro and lower levels then had to engage and produce, delivering policy ‘ends’ essentially *whatever* the prevailing circumstances. Adequate contextualization was more passed over by policy- and decision-makers, meaning that, when fulfilling their requirements, the operators instead had to creatively devise ways of solving the problems and challenges subsequently experienced – for instance, personally – in the field in real-time.⁸ Alongside, the (out)reach deficits of under-reach and excesses of overreach in UK–US intelligence liaison relations were most emphasized. This suggested a degree of phenomena, such as ‘groupthink’ and ‘intelligence liaison blowback’, was present in the overall mix.⁹

Equally, other constructs can also be mapped over the levels of analysis and experience encountered within UK–US intelligence liaison relations. Here, the labels: ‘the good’, ‘the bad’, and ‘the ugly’, are the most appropriate to adopt. Collectively they better capture the *plurality* of interactions involved in UK–US intelligence liaison relations – a domain of activity where all of these dimensions feature. Both within and across each of the levels, these ‘good’, ‘bad’ and ‘ugly’ aspects coexist in complex ways. This allows us to go beyond just observing mere similarities and differences in UK–US intelligence liaison relations during the early twenty-first century.¹⁰ Deeper analyses can be better attained. This is not least as differences, in all of their dynamism, can be: (a) positive, offering synergistic and complementing qualities (‘good, but different’, in overall judgments of their *effects and outcomes*); as well as be judged as being (b) more negative and counter-productively ‘ugly’; and (c) most negative and ‘bad’, in their overarching nature, which causes stress in relations.

‘Continuities’ can also be legitimately raised. They deserve equal consideration alongside the ‘contrasts’. Both structurally and culturally, the United Kingdom and United States can still essentially be generally characterized, albeit somewhat crudely, as being ‘Greeks and Romans’. This is both in terms of their differing structural and scale characteristics, as well as concerning the forms of the approaches they have adopted. Anti- through to counter-terrorism paradigms, reflecting different strengths and rates of implementation, including varying

'wait and watch' as well as 'see and strike' methodological considerations, have similarly flourished. Yet, in conjunction with frequently trying to variously address these differences, overall the United Kingdom and United States continue to forge together in essentially the same direction and to navigate the 'good', the 'bad' and the 'ugly' more or less effectively in their relations. Similarly, they negotiate those characteristics beyond, in global politics, and within other countries across the world. In the contemporary era of globalization, their interactions continue on the trajectory that can be appropriately characterized as being on 'a continuum with expansion'.¹¹ This includes variously across each of the 'good', the 'bad' and the 'ugly' dimensions, which again figure collectively, albeit to different extents, both within and across each of the levels of experience and analysis.

Significantly, as UK–US intelligence relations are ongoing, the overall balance constantly varies between these 'good', 'bad' and 'ugly' dimensions. Which dimension emerges as being dominant within, and therefore over and across, the most levels – and hence is most representative of reflecting the overall condition of relations in 'final' evaluations of their *effects and outcomes* – depends on (at the least) *three factors*. These are: (a) which particular 'aspect' or 'sector' of the relationship is being scrutinized; (b) at which moment in time; and (c) at which level of experience. Again, across each of the three above factors, while one 'good', 'bad' or 'ugly' dimension might predominate over the others in 'final' evaluations of *effects and outcomes* of UK–US intelligence liaison relations, overall a 'complex coexistence plurality' is often reflected across all the levels when they are taken collectively.

Conclusions can be extended further. Again, when evaluating the material presented throughout this book, the 'schools' of generic Anglo-American relations can be drawn upon.¹² Both within and across all the levels of UK–US intelligence liaison relations, generally 'functionalism' succeeds the most. This case continues, apart from when there are occasionally some more specific operational restrictions that make fleeting inroads. But these are usually confined to the particular sector in which they have been encountered, such as Special Forces, and to the level, such as 'operational', at which they have been most experienced, as well as being confined to concerning a particular episode or a soon passing moment in time. These instances, therefore, do not overawe the whole 'system' of UK–US intelligence liaison relations.

Indeed, the overall predominance of 'functionalism' perhaps comes as an unsurprising conclusion. This is given the centrality of the functional issues driving the rationale for UK–US intelligence liaison relations, which are especially concentrated on key counter-terrorism and WMD counter-proliferation tasks. The presence of some 'evangelicalism' is another dominant quality, performing at least a *supporting* role to the 'functionalism'. Sometimes it is even an *essential* component – apparent when UK and US operators are working literally side-by-side in high-tempo and condensed battle spaces. As RAF Squadron Leader Sophy Gardner stressed in the context of Operation 'Iraqi Freedom', routine face-to-face and personal interactions – together with other tangible,

extending to intangible, aspects – clearly matter.¹³ Loss of ‘functionalism’, both systematically and systemically, would clearly spell serious problems in UK–US intelligence liaison relations.

‘Terminalism’ is instead much less prevalent. Indeed, rather than coming more from ‘insiders’ involved in interactions, ‘terminal’ sentiments mainly come from ‘outsiders’, such as critics of UK–US intelligence liaison relations, or from those more located on the periphery of interactions. Moreover, they tend to be (a) more narrowly focussed, or are (b) more focussed elsewhere – for example, on better developing collective European intelligence arrangements¹⁴ – or else (c) they are more denied access to the whole scope of UK–US intelligence interactions, both within and across each of its different sectors and levels.¹⁵

Any ‘terminalism’, when it approaches the surface in UK–US intelligence liaison relations, is generally sporadic. Strategically it is not overwhelming, remaining confined to particular episodes of ‘disconnect’ and restricted to specific sectors and levels. Largely, such ‘terminal’ sentiments and impacts on relations are immediately consigned to the background, and are reduced to concerning particular episodes or moments in time. Defusing and mitigation efforts are quickly undertaken. For instance, this was particularly witnessed during the Katharine Gun GCHQ-‘whistleblower’ affair in 2003–4.¹⁶ In summary, any shortcomings (lows) experienced in UK–US intelligence liaison relations figure embedded in circumstances where the tackling of the globalized security challenges in high-tempo and condensed-space environments occupies a higher-priority position on the considerably homogenized UK and US intelligence, security and foreign policy agendas. Usually, these broader, higher and macro agenda concerns generally override any narrower, lower and micro UK and US differences. This is both in terms of their importance and consequent impact on the whole of relations.

However, observing this last consideration should not prevent the United Kingdom from taking more of an independent line vis-à-vis the United States. In international relations, vis-à-vis is not the same as versus. Neither should these two operators be conflated. The United Kingdom and United States are broadly exemplary ‘friends and allies’. More or less successfully, they will ‘press on’ in this manner into the future. Although there have arguably been some lapses on occasions, these have essentially been quickly addressed. Their long (and shared) history of cooperating together also readily demonstrates that times of wider and deeper differences and difficulties can be overcome. Again, the ‘blip’ in relations surrounding the ‘Suez Crisis’ of 1956 can be highlighted as a well-known example, from which recovery was successfully accomplished. The United Kingdom and United States will therefore continue to be broadly exemplary ‘friends and allies’ for the foreseeable future. This is albeit at times in slightly reconfigured and recalibrated manners, ideally determined appropriately according to the prevailing contexts.¹⁷ Vigilance remains essential.

Again, due to the ongoing nature of UK–US intelligence liaison relations, the overall balance between the different ‘schools’ of Anglo-American relations can be constantly subject to change. Which ‘school’ emerges as being the dominant

position in 'final' evaluations of the *effects and outcomes* of UK–US intelligence liaison relations, both within and across the majority of levels – and hence can be accorded the status of being most representative of reflecting the condition of overall relations – again depends (at a minimum) upon the impact of the 'three factors' outlined above, and their configuration. This is namely which factor(s) are selected and particularly accentuated by different analysts in their own evaluations. While one 'school' will continue to predominate in 'final' evaluations of the *effects and outcomes* of UK–US intelligence liaison relations – such as 'functionalism', as argued in this study – another overall condition of 'complex coexistence plurality' (on this occasion, of 'schools') is effectively reflected across all the levels when they are taken together. This again involves all three 'schools' having varying degrees of impact, differing over time, on UK–US intelligence liaison relations.

UK–US intelligence liaison relations have frequently been argued to be 'hegemonic'. This is especially in terms of what has been characterized by former UK intelligence officer Michael Herman as 'intelligence power'.¹⁸ However, while this argument substantially resonates, in the contemporary era of confronting increasingly complex globalized security issues, enhanced UK and US dependence on intelligence partners, beyond solely each other, can now be observed to significantly greater extents. Today, both to enhance UK and US intelligence capabilities, as well as to help prevent any disconnects from receiving more oxygen, further empowering movements can readily be made. As former Director-General of MI5 (1996–2002) and Chairman of SOCA, Sir Stephen Lander, and US SIGINT scholar Matthew Aid have both valuably suggested, perhaps more energy should be invested in the multilateral UKUSA arrangement?¹⁹ Simultaneously, some of the witnessed pressures and difficulties on the more direct bilateral UK–US intelligence liaison relationship could then be better mitigated.

Following this more inclusive approach brings added benefits. While of course not without bringing some enhanced security and counter-intelligence risks, the 'shortcomings' of UK–US intelligence relations highlighted by 'terminal'-leaning critics would simultaneously be better addressed. Capabilities would similarly be enhanced. Through UKUSA's careful gradual widening and deepening, a greater number of partners, including those in Europe, could be engaged in more of a mutual 'burden-sharing' manner on the contemporary globalized and transnational threats. Albeit occurring more incrementally than within the more specific domain of bilateral UK–US intelligence liaison relations, over time European-associated intelligence cooperation trends are reflective as also being on 'a continuum with expansion'. This is together with other relevant burgeoning transatlantic cooperative security developments.²⁰ They too, can, therefore, all be valuably better harnessed into the future, by both the United Kingdom and United States, bringing with them further synergistic 'added value' to overall UK and US and joint intelligence 'missions'.²¹ Moreover, starting to begin engaging further with these already well-established arrangements is the most 'safe' approach to adopt from a counter-intelligence risk management perspective. Not least, they possess similar concerns.

Indeed, pursuing this type of change could even have a transformative effect on intelligence. The greater interconnected maximization and exploitation of international intelligence resources would be better facilitated, along further enhanced ‘need to share and pool’ lines. Ultimately, whatever is evaluated and agreed, there is plenty of scope for future growth within this area of endeavour as the twenty-first century continues. This is especially the case in an era of increasingly ‘regionalized’, extending to ‘globalized’, intelligence.²²

Arguably, UK–US intelligence liaison will likely continue on its current ‘functionalism’-dominated trajectory for the foreseeable future. Relations will also continue to be subject to some further recalibration efforts, while a degree of legal and ethical ‘re-balancing’ is evidently on the agenda with the onset of the Obama administration from early 2009.²³ In their continued evolution, UK–US intelligence liaison relations will attempt to become increasingly optimized within the scope of their various defining operational parameters.

On occasions, these ongoing developments will continue to be ‘good’, ‘bad’ and ‘ugly’ in ‘final’ evaluations of their overall *effects and outcomes*. While these qualities are present in their overarching condition of ‘complex coexistence plurality’, on which dimension(s) the main weight of evidence falls during evaluations is essential for suggesting how future developments might unfold. The same observation applies equally vis-à-vis the different prevailing ‘schools’ of Anglo-American relations. Although some refraction to varying degrees of intensity will occur from time to time over specifics, overall great dynamism will continue to be reflected in UK–US intelligence liaison relations as the twenty-first century progresses. This conclusion leaves much for analysts to continue to debate, and for practitioners to attempt to navigate when conducting their interactions.

Amid all of these manoeuvres, the overall UK–US intelligence friendship and alliance will be sufficiently sustained. The governance-driving concept of ‘responsibility to protect’ (‘R2P’) continues to resonate strongly in both London and Washington. Politically, this driver cannot afford to be neglected by Western governments, and it will remain a strong constant into the future. Intended paternalistically, UK–US intelligence liaison tries to prevail globally, striving for all of our ‘public safety’ benefit. Alongside the potent machinations of ‘the West and the Rest’²⁴ in an era of highly complex globalization, *Pax Americana* – with attempts at sustaining a substantial degree of *Pax Britannica* closely behind it – seeks to be most effectively maintained on a global basis. Intelligence cooperation can continue to perform a central and increasing role in that ‘mission’. Both the United Kingdom and United States will ensure that it does.

Notes

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