

### **a. Chairman's Introduction**

“The army does not determine its own structure, rules and methods of action ... the organization of the army and the determination of its character – all these are within the sole capacity of civilian authorities: the Government, the Knesset and the voters.” (David Ben Gurion, **Army and Defense**, pages 141-142.)

In the past decade, Israel's intelligence services have faced three crucial challenges to their ability to detect the development of non-conventional warfare and ground-to-ground missiles in second and third tier countries.

- In Iran, where they earned significant success by being among the first intelligence services to detect its efforts to develop a military nuclear industry already in the mid-Nineties.
- In Iraq, where they had a certain lack of success in their efforts to establish elaborate Humint and Sigint systems that would be able to trace the existence and/or absence of its chemical and biological weapons systems and their missile capability in real time.
- In Libya, where they failed to disclose the overall picture and woke up one fine morning to learn from foreign intelligence services of the real scope of that country's efforts to obtain nuclear weapons that could threaten Israel's very existence.

With all due respect to innovative methods and brilliant operations – which took place in all the above three cases – these do not add up to the minimal achievement required in matters so essential to our national security. Thus, for example, the idea that a hostile Arab country like Libya, with a leader as unpredictable as Gaddafi, could have developed an elaborate nuclear industry without Israel's intelligence services giving it the necessary early

warning to tackle the threat, or at least to prepare for it in good time, is simply intolerable. So, too, is the thought that our partial blindness regarding the real scope of Libya's nuclear development might be repeated in other countries.

I therefore decided, with the consent of my honorable colleagues, to use this opportunity to plunge into an intensive investigation of the whole intelligence setup and its performance, now that the war in Iraq is over. This is due to the understanding that the failures on various fronts do not stem only from specific problems but rather from substantial structural and methodological problems. One of these is, for example, that the priorities, which were developed during the history of Israel's wars on its borders and against terrorism, are no longer suited to the new challenges, which necessitate a special emphasis on political-strategic intelligence, including the proliferation issue, in the second and third tier countries, and across the globe.

There are those who think that the right "granted" by the Intelligence agencies to the Sub-Committee on Intelligence and Secret Services to look into the holy of holies of their secrets allows them to demand in return that the committee will avoid launching bold public criticism of them, even when possible. However, advocating such behavior would amount to defaulting on our duty to society and the State and, in the final resort, a betrayal of our duty to the security services as well.



As explained above, our enquiry was carried out with an eye to the future; our main aim was not to look for someone to blame but rather to draw constructive conclusions. Nevertheless, even had we wished to point to the

head of one service or another and to draw personal conclusions, it would not have been that simple. The definition of the spheres of responsibility between the various bodies is faulty to the point where any failure or omission, which is not purely point-specific, can be referred to all of the addresses, at the operational level as well as the political echelon.

Thus, for example, the boundary lines between the ISA (Israel Security Agency) – Shin Bet, the *Mossad*, and the Military Intelligence Branch are mainly geographical, or according to patterns of action, and not by subject or overall intelligence responsibility. And since intelligence can be collected on any subject and in any country through a variety of means and patterns of action, it is difficult to attribute full responsibility on any one of these organizations, particularly in instances of a colossal failure.

We could, of course, have made our lives easy and ruled that the IDF Intelligence Branch bears overall responsibility, since its commander, General Farkash, insisted on defining it before us, orally and in writing, as having overall responsibility for formulating the national EEI (Essential Elements of Information) as well as for formulating the overall national intelligence assessment. Nevertheless, despite the Intelligence Branch's claim to a crown it is not entitled to, we took into account the fact that military intelligence is subject to the directives of the army and the Chief-of-Staff. These play an active role in determining the intelligence EEI, whether by deciding the share of the Intelligence Branch in the budgetary pie, according to pan-IDF orders of priority, or by determining the relevant IDF threat data which has a certain bearing on the future EEI.

Alternatively, it would have been possible to try to impose responsibility for the intelligence-collection failures in Iraq and Libya on recent prime ministers, Binyamin Netanyahu, Ehud Barak and Ariel Sharon, by virtue of

their overall responsibility for the security of the State of Israel and their special responsibility in matters of intelligence. We found, however, that prime ministers in Israel lack the appropriate tools that would permit true supervision and guidance of the intelligence community and construction of the intelligence force, such as, for example, an “intelligence staff” or a “limited ministerial committee on intelligence”.

Accordingly, rather than try to impose personal responsibility or draw personal conclusions against this or that senior person, and risk deflecting the main attention to the turmoil this would lead to at the personal level – we resolved to focus on something which, in our opinion, is far more important: drawing system-wide conclusions and recommendations, with an eye to the future and the intelligence challenges we shall have to face.

Upon completion of the report, my colleagues and I intend to fulfill our parliamentary obligation and ensure that the lessons and recommendations are implemented speedily and effectively – whether by internal changes within the intelligence organizations themselves, or by structural reforms laid down by the government, or by initiating the “Intelligence Law” and the “National Security Council Law” in the context of the Knesset Foreign Affairs and Defense Committee.



Finally, it is my pleasant duty to thank all those who engaged in the difficult and rigorous task: first and foremost the members of the Sub-Committee for Intelligence and Secret Services, who invested their time and energy at dozens of exhausting hearings, both in the summer recess and during the winter session: MK Eli Yishai, MK Ehud Yatom, MK David Levy, MK Ilan

Leibovitch, MK Haim Ramon; as well as MK Danny Yatom, who was a member of the Committee in the first months of its work.

Thanks also to the accompanying professional team: our Secretary, Commission of Enquiry, Colonel (res.) Shmuel Letko who, in recent months, became a one-man research division; to the outgoing director-general of the Foreign Affairs and Defense Committee, Mr. Baruch Friedner, who gave me essential aid in writing the report; to the incoming director-general, R. Admiral (res.) Avriel Bar-Joseph, and to the accompanying legal advisor, Adv. Miriam Frenkel-Shor.

I owe special thanks to two personalities: the Knesset Speaker, MK Reuven Rivlin, who gave us all the backing and help; and to the former head of the *Mossad*, Mr. Shabtai Shavit, who served as our consultant, and whose experience and wisdom were invaluable.

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