

4. PART FOUR: APPENDICES

4.1 THE PUBLISHED COMMITTEE MANDATE

During the months of March and April 2003, the coalition forces, with an emphasis on the USA and Britain, undertook an attack in Iraq, with a twofold purpose:

- a. To bring down the dictatorial regime of Saddam Hussein
- b. To eliminate non-conventional capabilities and disclose “the smoking gun”.

Prior to the campaign in Iraq, many intelligence assessments were heard on the part of various intelligence agencies regarding the “prohibited capabilities” (existence of ground-to-ground missiles and non-conventional weapons) held by the Iraqis.

Various assessments were also heard regarding the possibility that Israel would be attacked by these means of warfare, particularly in a situation in which Saddam Hussein felt that his personal fate and/or the fate of his regime was in concrete danger, and would take the Samson-like step of “Let me die with Israelis”.

Accordingly, operative steps – with the emphasis on active and passive defense - were taken in Israel in preparation for the possibility of non-conventional missiles being fired at the civilian front.

In retrospect, it is known that, at the time of writing, those capabilities which actually constituted the main public reason for going on the attack, and which constituted a central reason in Israel for exceptional defensive preparations, have not yet been found by the coalition forces.

It is possible that these capabilities will yet be found, but it is already clear that, even if found, there is a significant gap between the intelligence assessments that such means of warfare would be ready

for operation and the reality as discovered or to be discovered in the future.

The gap between intelligence evaluations and the reality we actually faced should be studied, so that we can know if there are points of intelligence failure with the information and/or the evaluation.

Therefore, the Chairman of the Foreign Affairs and Defense Committee, MK Dr. Yuval Steinitz, decided on a comprehensive investigation of the subject, with the Sub-Committee for Intelligence and Secret Services, joined by coalition and opposition coordinators, dealing with the matter in the format of a committee of enquiry.

Composition of the Committee of Enquiry

Chairman:

MK Dr. Yuval Steinitz

Members:

MK David Levy

MK Ehud Yatom

MK Danny Yatom

MK Haim Ramon

MK Eli Yishai

MK Ilan Leibovitch

Committee of Investigation Consultant:

Mr. Shabtai Shavit

Goals of the Committee

- a. Examination of the validity of the information and the intelligence assessments prior to the campaign in Iraq.
- b. Examination of the decision for Home Front preparedness for a possible Iraqi attack.
- c. Re-examination of the order of priorities and division of spheres of intelligence handling in the Israeli intelligence community, between Military Intelligence and the *Mossad*, particularly as regards the second and third tier of countries and the matter of strategic and non-conventional threats.

- d. Examination of orders of priority in the allocation of central collection elements.
- e. Examination of the intelligence cooperation between Israel and friendly countries, with a comparison between the picture of the situation as drawn in Israel and that in the other countries and as disclosed in part at the UN and through the communications media in those countries.
- f. Re-examination of the scale of intelligence requirements from countries of the second and third tier; in everything to do with areas of strategic weapons (long-range missiles), non-conventional weapons, and an understanding of the decision makers at the strategic, military and political levels.
- g. Examination of the mode of reliance of the operational and political system on the intelligence evaluations; what are the thresholds for activating emergency and defensive systems; and the recommended levels of security for similar cases in the future.

Method of Work

The Committee will begin its deliberations in the coming period, will hold meetings and tours mainly during the summer recess, and will aspire to complete formulation of its conclusions by the Eve of Rosh Hashana, September 26, 2003.

The Committee will obtain all the relevant documents for examination of the above issues.

In all, there will be between 15 and 20 meetings and tours.

4.2 PROPOSAL FOR THE PRIME MINISTER'S INTELLIGENCE SECRETARY

The military secretariat in the Prime Minister's Office currently functions as an intelligence aide, subordinate to the military secretary. The aide and the military secretary have no intelligence functions

whatsoever apart from sorting and preparing the intelligence material and submitting it to the Prime Minister and to the main office-holders in the Prime Minister's Office.

The idea of establishing a designated intelligence function in the Prime Minister's Office, whose tasks will be more substantive, has come up many times over the years. The Agranat Commission viewed the appointment of a secretary for intelligence for the Prime Minister as an essential component of the pluralistic arrangement it recommended. According to it, pluralist assessment without a secretary would be problematic. In practice, the subject of pluralism between the intelligence bodies was advanced but the recommendation for appointment of an intelligence secretary was not implemented. Over the years, the intention came up for discussion time after time, including, for example, in the check made by Major-General (res.) Raphael Vardi in the mid-Nineties, the result of which was a fitting concrete recommendation in the opinion of the Committee — which recommendation has not been implemented to this day.

The Committee recommends that his tasks and work patterns be as follows:

- a. The main task of the secretary will be to serve the political echelon (the Prime Minister and the cabinet) and constitute a staff link between them and the intelligence community. He will be the one to formulate a combined integration of the assessments arriving from the various bodies. The intention is that the assessments should not be merged but juxtaposed, to combine what is common and clarify what is in dispute.
- b. In his work method, the secretary will summon representatives of the assessing bodies in order to go over and clarify the source of

disputes. Occasionally it will turn out that the assessment disputes derive from different databases and raw information. The secretary will then ascertain that the databases and the information are identical. If it then turns out that there are disputes, he will leave them as is for the information of the political echelon, while clarifying what has been agreed and what is in dispute.

c. The second task of the secretary will be in the sphere of collection – passing down the leaders' EEI and ensuring that the political and strategic agenda is reflected in the EEI. The secretary will play an active role in the process of formulating the annual intelligence-collection EEI.

d. The secretary will develop Essential Elements of Intelligence in terms of briefing the intelligence bodies with respect to intelligence matters of which the political echelon has need.

Currently there is no such systematic input.

e. The role of the military secretary in the process of implementing intelligence assessments will be as specified in the chapter of recommendations in the report.

f. The secretary will maintain a working link with the National Security Council. The secretary will constitute a coordinating and connecting body between the Prime Minister and the intelligence services and will also coordinate the preparations for sessions of the Ministerial Committee for Intelligence that is supposed to be set up according to the recommendations.

g. The secretary will be a permanent observer at meetings of the Heads of Services Committee

h. The Intelligence Secretary will integrate the gamut of EEIs based on the intelligence services and will place before the Prime

Minister and the Ministerial Committee for Intelligence a recommendation regarding formulation of the overall national EEI.

The main obstacle against establishment of such a function in the Prime Minister's Office, despite its existence in other countries, such as the USA, England, Germany and Italy, stems from the interest of the heads of the intelligence branches to prevent there being a senior functionary who will stand between them and the political echelon and detracting from their powers. In order to prevent the creation of such a barrier and to reduce suspicions in the system, the Committee recommends that establishment of the said function be according to the following rules:

- a. The secretary will be a civilian, a former member of the intelligence community with the rank of Major-General or Brigadier-General or equivalent ranks in the *Mossad* or ISA or, alternately, a senior academic at the level of professor or senior lecturer.
- b. The deputy of the secretary will have a background complementing that of the secretary:
 - (1) Civilian if the secretary is from a mainly military background
 - (2) Military if the secretary is from a civilian academic or other background.
- c. The secretary will be similar to the military secretary in his function and work patterns and will not constitute a barrier between the intelligence establishment and the Prime Minister.
- d. The team that will be at the secretary's disposal will comprise a deputy and a limited staff. Under no circumstances will he be a consultant to a new body in the chain of evaluation. His function will be limited to a senior staff function and nothing more.

4.3 MINOR OPINION ON INTELLIGENCE ASSESSMENT AND GOVERNMENT DECISIONS – MK HAIM RAMON

As stated in the chapter on the findings about the functioning of the intelligence establishment on the eve of the war in Iraq, the Committee determined by majority vote that, in the absence of concrete intelligence information and in view of the gamut of data available to the intelligence services, the assessment with respect to the existence of ground-to-ground missiles and non-conventional weapons in Iraq fell within the boundaries of the reasonable. And, in view of the intelligence assessments, there is no place for criticism of the decisions of the Government.

MK Haim Ramon disagrees with this conclusion and is of the opinion that the intelligence failed because it did not dare to determine that Iraq posed no real danger to the State of Israel and that the preparations for defense of the Home Front decided by the Government were exaggerated.

It may be noted that MK Ramon expressed this position and his doubts in relation to the intelligence assessments and the evaluations of the situation in the months that preceded the war, including in the period when he served as Chairman of the Foreign Affairs and Defense Committee (until the date of the last elections, in February 2003) and even thereafter, on the eve of the war.

MK Ramon determined his position on the issue in question on the basis of the fact that, despite the enormous efforts invested by the best of the espionage organizations in the world, including the intelligence-collection coverage of the Israeli intelligence, which was much better than Israel had had in the first Gulf War, and despite the extensive inspection on behalf of the UN in Iraq, no sign was seen or identified of long range ground-to-ground missiles and their

launchers, nor evidence as to the presence of non-conventional weapons there. That was sufficient, in the opinion of MK Ramon, to substantiate the assessment that Iraq did not have the capability to attack the State of Israel, either because it did not have missiles and launchers and non-conventional weapons or because these means, which were at its disposal, had been dismantled and hidden in a way that made them unfit in operational terms.

At the level of Saddam Hussein's intentions, MK Ramon noted that, as distinct from the first Gulf War (1991), a coalition including Arab countries was not lined up against him and, therefore, he had no real motive to attack Israel in order to break up such a coalition. The theory according to which Saddam could attempt to take preventive measures by attacking Israel just before the start of the campaign was, in the opinion of MK Ramon, fundamentally flawed because such a step was in contradiction to the claim of the Iraqi regime that it did not have non-conventional weapons and long-range ground-to-ground missiles. This would have exposed him as a liar and widened the basis of international support for the war. Even the suspicion of the intelligence that Saddam Hussein might attack Israel when his back was to the wall was not reasonable. How could an Iraq army that was blasted to smithereens carry out a complex aggressive move against the State of Israel with an operational capability that it had almost certainly not had from the outset? Apparently the trauma of the Yom Kippur War was burned deep in the awareness and thought patterns of the Israeli intelligence which was, consequently, inclined to interpret stringently whenever there was a fear of a deterrent failure.

Accordingly, MK Ramon determines that the decisions of the Government regarding preparations for defense of the Home Front were out of proportion to the extent of the threat, given the assessment

of the intelligence which was received regarding the low to very low probability of an attack on Israel.

As to the conduct of Saddam Hussein and his refusal to allow UN inspectors to carry out a full inspection in Iraq, MK Ramon is of the opinion that this did not constitute evidence of the concealment of prohibited means of warfare but expressed the character and behavior of the Iraqi leader, as one defending his honor and status as well as the honor and status of his country.

In view of the above, MK Ramon holds that:

1. The decision to open the gas masks, the cost of which was tens if not hundreds of millions of shekels, was an expression of a policy of exaggerated caution in an attempt to obviate a risk of negligible probability.
2. The decision to active warning sirens throughout the whole country, despite the experience that a major warning could result in casualties and even instances of death because of the panic and haste, was unreasonable. MK Ramon recalls, in this connection, that on the eve of the war, he had demanded of the heads of the security system that the warning arrangements be activated on a regional basis if and when there should be suspicion of a hit in a particular area.
3. In accordance with his impression that the pessimistic assessments of the intelligence were tantamount to making a mountain out of a molehill, MK Ramon warned at that time against the intentions of inoculating the citizens of Israel against the smallpox virus and determined, pursuant to his position, that before a decision be made about mass inoculation for all the citizens of Israel, the matter should come up for further discussion and approval by the Sub-Committee of the Foreign Affairs and

Defense Committee. Most of the soldiers of the coalition forces who took part in the war in Iraq were not even inoculated against smallpox, said MK Ramon.

4. Against the threat of Iraqi fighter planes and unmanned drones, it was, in the opinion of MK Ramon, sufficient to rely on the alertness of the Air Force planes and to deploy the Arrow and Patriot systems in a wide spread.

Had the vast amounts expended on defense of the Home Front been invested in other areas, such as the ISA budget, it would have been possible, in the opinion of MK Ramon, to save many victims from among the public.

4.4 PARTIAL LIST OF WITNESSES

Name:	Position:
MK Ze'ev Boim	Deputy Minister of Defense
Commander Meir Ben-Yishai	Head, Emergency Department, Israel Police
Dr. Uri Bar-Yosef	Senior lecturer, Department of International Relations, University of Haifa
Brigadier-General (res.) Shlomo Brom	Senior researcher at the Jaffe Center for Strategic Research
Colonel (res.) Dr. Shmuel Gordon	The Hebrew University
Major-General (res.) Amos Gilad	Former head of the Military Intelligence Research Department
Prof. Yoav Gelber	Head of the Herzl Institute, University of Haifa
Major-General (res.) Meir Dagan	Head of the <i>Mossad</i>
Mr. Avi Dichter	Head of the ISA
Brigadier-General Dangut	Head, Home Front Command
Mr. Ephraim Halevy	Former head of the <i>Mossad</i> and of the National Security Council
Mr. Shmuel Hershkowitz	Director-General, the Ministry of Internal Security
Mr. Dov Weisglass	Director, the Prime Minister's Office
Major-General Aharon (Farkash) Ze'evi	Head of Military Intelligence
Major-General Yisrael Ziv	Head, IDF Operations Division
Major-General Dan Halutz	Commander of the Air Force
Lieutenant-General Moshe Ya'alon	Chief-of-Staff
Colonel (res.) Itamar Ya'ar	Acting Deputy Head of the National Security Council for Defense Policy
Mr. Ehud Ya'ari	Senior journalist from the Channel Two News Company
Brigadier-General Eli Yaffe	Head, Air Intelligence Group
Brigadier-General Meir Kaliphi	Head, Operations Division, IDF Operations Wing
Lieutenant General (res.) Shaul Mofaz	Head, IDF Doctrine and Training Division
Mr. Israel Michaeli	Minister of Defense
Major-General (res.) Amos Malka	Acting Head, National Security Council
	Former Head of Military Intelligence

Name:	Position:
Brigadier-General (res.) Yossi Melamed	Defense advisor to the Minister of Internal Security
Major-General Yair Naveh	Home Front Commander
Prof. Asher Saser	Head of the Dayan Center, Tel Aviv University
Major-General (res.) Yaacov Ami-Dror	Former head of Military Intelligence Research Division and Commander of the Colleges
Major-General Menahem Finkelstein	Military Advocate General
Brigadier-General Aharon Franco	Deputy Head of Staff Division, Israel Police
Brigadier-General Yossi Cooperwasser	Head of Military Intelligence Research Division
Major-General Hanna Keller	Legal advisor to the Ministry of Internal Security
Colonel Dr. (res.) Ephraim Kam	Deputy Head, Jaffe Center for Strategic Research
Mr. Zeev Schiff	Senior journalist from Ha-aretz newspaper
MK Ariel Sharon	The Prime Minister