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THE KNESSET
FOREIGN AFFAIRS AND DEFENCE COMMITTEE

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The Committee of Enquiry
into the Intelligence System
in Light of the War in Iraq

March 2004

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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.

MK Dr. Yuval Steinitz,
Chairman, the Commission of Enquiry

b. Background

On March 20, 2003, the United States and Britain initiated an attack, the end result of which was the occupation of Iraq for the purpose of defeating the regime of Saddam Hussein and his removal from power. One of the main motives for the war, which was given prominence in the diplomatic campaign that preceded the fighting, was the continued development, production and deployment of chemical and biological weapons (chemical agents and biological agents) and long range (above the 150 kilometers limit) ground-to-ground missiles. This was contrary to resolutions of the UN Security Council and in contradiction to Iraq's undertakings in this field.

The existence of weapons of mass destruction in Iraq, together with the aggressive intentions of Saddam Hussein – which had in the past been translated into aggression against his own people, against his neighbors and against Israel – were defined by the USA and its allies as a threat to the peace of the region and to the peace of the world. The stubborn refusal of the Iraqi dictator to permit UN inspectors to carry out effective inspection, and the lack of restrictions and conditions in the sphere of forbidden means of warfare, led the USA to the conclusion that there was no alternative to a military solution to the threat.

Upon completion of the conquest of Iraq, and as the fighting died down, the United States forces turned to getting their hands on the forbidden means of warfare; but, to this day, no sign has been found in Iraq of the existence of non-conventional means of warfare, such as long range ballistic missiles or launching systems for such missiles.

In the months that preceded the war, consultations were held by and situation evaluations were made the security system in Israel regarding the extent of the imminent threat to the State of Israel on the part of Iraq in light of the approaching war, and regarding the extent of the need for security preparations in order to forestall the danger.

In the sphere of capabilities - the IDF Intelligence Branch (hereinafter: Military Intelligence) and the Institution for Intelligence and Special Functions (hereinafter: *Mossad*) assessed just prior to the war, with a high probability approaching a certainty, that Iraq had “residual capability” in the sphere of chemical weapons and biological weapons as well as scores of ground-to-ground missiles capable of reaching Israel that could be armed with chemical and biological warheads.

In the sphere of intentions – Israeli intelligence assessed just prior to the war, with a generally low probability, that Saddam Hussein would attack the State of Israel with the non-conventional weapons in his possession; using either ground-to-ground missiles, fighter planes or unmanned aircraft that had been readied for this purpose.

In view of the intelligence assessments of capabilities and intentions, and in accordance with assessments of the situation, the Government of Israel decided to adopt a string of passive and active defensive measures, which included:

- A directive to the public to prepare sealed rooms against the penetration of chemical or biological agents.
- Full distribution of personal protective kits and a directive to the public to open them and keep them readily available.

- Preparation of vaccination doses against biological weapons and the inoculation of an initial group of some 17,000 security and medical staff (first responders) against the smallpox virus.
- Mobilization of thousands of reserve soldiers from the Home Front and preparations for non-conventional weapon injuries in Israel.
- Mobilization of reserve soldiers from the anti-aircraft units and the deployment of Arrow and Patriot missile batteries through the country, on stand-by to intercept enemy missiles and aircraft.
- Putting the planes of the Air Force on high alert, with air patrols to defend Israel's airspace and provide an assault response as necessary.

After the end of the war, when it became clear that the intelligence assessments regarding Iraqi capabilities were apparently inconsistent with the reality that came to light on the ground, the Chairman of the Foreign Affairs and Security Committee of the Knesset, Dr. Yuval Steinitz, decided to set up a sub-committee to investigate the functioning of Israeli intelligence vis-à-vis Iraq in the period that preceded the war and to examine the decision making processes of the political echelon and the extent to which they were reasonable.

It was also decided to expand the canvas and include in the work of the sub-committee an examination of general aspects of the functioning of the intelligence services of Israel, and the state of the intelligence services in view of the new challenges that have taken shape in recent decades, mainly with respect to non-conventional weapons and ground-to-ground missiles in the countries of the second and third tier and in general.

c. Method

As proposed by the Chairman, the task was given to the Sub-Committee for Intelligence and the Secret Services, comprising six members of the Knesset. The members of the committee are: MK Yuval Steinitz – chair, MK Ehud Yatom, MK David Levy, MK Haim Ramon, MK Eli Yishai and MK Ilan Leibovitch. MK Danny Yatom, who was replaced in the course of the committee's work as part of the rotation of members of the Labor faction in the Foreign Affairs and Defense Committee, also contributed to the work of the committee at the beginning.

Mr. Shabtai Shavit – a former head of the *Mossad* - served as a consultant to the committee. The committee takes this opportunity to thank him for his significant contribution. The senior professional assistant of the Foreign Affairs and Defense Committee, Colonel (res.) Shmuel Letko, served as the secretary of the committee. The work of the committee was closely accompanied by the incoming Director-General of the Committee, R. Admiral (res.) Avriel Bar-Joseph, and by the outgoing Director-General of the Committee, Mr. Baruch Friedner, who was also given the task of writing the report.

The Committee began its work in July 2003 and completed it recently. The Committee held some 30 plenum sessions and scores of smaller work meetings, in the course of which the following, inter alia, appeared before it:

The Prime Minister, Mr. Ariel Sharon

The Minister of Defense, Mr. Shaul Mofaz

The Deputy Minister of Defense, Mr. Zeev Boim

The Chief-of-Staff, Lieutenant General Moshe (Boogy) Ya'alon

The Head of Military Intelligence, Major-General Aharon (Farkash) Zeevi

The Head of the *Mossad*, Major-General (res.) Mr. Meir Dagan
The Head of the General Security Services, Mr. Avi Dichter
The Head of the Military Intelligence Research Division, Brigadier-General
Yossi Cooperwasser
The Head of the Air Intelligence Squadron
The Head of the IDF Operations Division, Major-General Yisrael Ziv
O/C Home Front Command, Major-General Yair Naveh
The Commander of the Air Force, Major-General General Dan Halutz
The outgoing Head of the National Security Council and former Head of the
Mossad, Mr. Efraim Halevy
Acting Head of the National Security Council, Mr. Israel Michaeli
The Director-General of the Ministry of Internal Security, Mr. Shmuel
Hershkowitz.

Other senior personnel in the IDF, the *Mossad* and the defense community, former heads and senior personnel of Military Intelligence and the *Mossad* and other former members of the intelligence community also appeared before the Committee. The Committee also heard a string of experts and professionals in security, political and intelligence matters from the world of academia and that of the media. (The list of the participants of those whose identities can be disclosed is in Appendix No. 4.)

During its work, the Committee reviewed, mainly through the Secretary and the professional team, thousands of documents, which were provided at its demand, including intelligence raw material concerning the intelligence on Iraq and other sensitive security material.

The birth pangs of the Committee were accompanied by a delay of some two weeks because of what can be defined as “misunderstandings”. The

reservations that were expressed in the IDF and Military Intelligence at the establishment of the Committee, and the demands that the Committee wait with its enquiry until all the investigations of the matter by the defense services were completed, were vehemently rejected by the Committee. The Committee, with the backing of the legal advisors of the Knesset and of the Committee, jurists Anna Schneider and Miriam Frenkel-Shor, notified the defense services of the Committee's authority to hold the investigation as it saw fit, without the form of the investigation or its mandate being subject to any sort of negotiations of give and take vis-à-vis the echelons under investigation.

The Committee notes that the Institution for Intelligence and Special Functions (*Mossad*) was at the disposal of the Committee of Enquiry from the outset, without reservation and in full and effective cooperation.

The Committee also notes with satisfaction that, from the stage when it was clarified that the Committee of Enquiry would indeed be probing the IDF in general and Military Intelligence in particular, they began to cooperate fully with the Committee, according to the directives of the Minister of Defense and the Chief-of-Staff. Representatives of the system attended its meetings at the highest professional level, by invitation.

The tendency of the investigation and the drawing of conclusions were directed from the outset with an eye to the future, that is to say, "not to search for culpable parties but to learn lessons". The Committee desisted, therefore, from drawing personal conclusions or recommending personnel changes. At the same time, it considered it its duty to get to the bottom of matters regarding the gravity of the problems and flaws which had come to light in the intelligence community, and did not desist from piercing

conclusions on everything to do with the necessary corrections to the organizational structure, patterns of action and processes for construction of the force.

The full report of the Committee, containing a variety of classified data and secret material as well as conclusions and recommendations relevant to specific intelligence sources, sensitive systems and sensitive cooperation with foreign intelligence services, will soon be made available to the Prime Minister, the Minister of Defense, the head of the National Security Council, the Chief-of-Staff and the heads of the intelligence community. For obvious reasons, the full report will not be published, and all the normal rules of privilege of sub-committee minutes will apply to it.

This general report, which is being published for the public, contains the main findings, conclusions and resolutions of the Committee of Enquiry.

1. PART ONE: INTELLIGENCE AND GOVERNMENT DECISIONS

1.1 INTELLIGENCE VIS-À-VIS IRAQ

1.11 The Place of Iraq in the Intelligence EEI

The intelligence EEI (Essential Elements of Information) is a term that expresses the list of topics and venues which constitute or could constitute a threat to the State and its citizens, and on which the Intelligence is supposed to focus its attention and its activity according to orders of priority, with the purpose of obtaining the essential information required for coping with the threat.

Accordingly, the EEI serves as a basis for construction of the work program of the intelligence services.

The Committee found that the place of Iraq in the order of priorities of the intelligence EEI since the first Gulf War in 1991 and until the date on which the UN inspection team (UNSCOM) left Iraq in 1998 was reasonable. This was in light of the gamut of security risks and threats facing Israel, and allowing for the restrictions on resources. The reasonableness of the intelligence attitude to Iraq, in this period, also relied on the post factum results of the war but, to no lesser an extent, on the following three facts: a. the existence of a regime of punctilious inspection by the UN in Iraq; b. the open eye of other western intelligence services on Iraq; c. the serious restrictions which the coalition countries imposed, with UN support, on Iraq's freedom of action.

At the same time, the Committee considers that the speed of reaction of Israeli intelligence to the changing circumstances following the

departure of the UN inspectors from Iraq in 1998 was faulty. Despite the formal change in the position of non-conventional weapons and ground-to-ground missiles in Iraq in the order of priorities and in the EEI, neither Military Intelligence and the *Mossad*, nor the political echelon over them, internalized the meaning of the change and did not make operational preparations at the requisite pace to give a fitting intelligence-collection response to developments.

As a sharp expression of this, it can be noted that the Iraqi matter did not receive the appropriate amount of attention in the two years prior to the war on the agenda of the Committee of the Heads of the Intelligence Services. The Committee determines that the cessation of inspections did not lead to a renewed and in-depth discussion regarding the state of intelligence on Iraq, nor to a new, more operative, Israeli assessment that would permit proper cover of non-conventional weapon and ground-to-ground missile matters throughout Iraq.

1.12 Intelligence-Collection & Development of the Intelligence Picture

The Committee determines that the varied information that the intelligence services did manage to garner by various intelligence-collection means prior to the war did not succeed in providing unequivocal indicators of the existence of non-conventional capabilities or of the existence of ground-to-ground missiles and their launchers in Iraq. At the same time, they were incapable of disproving the existence of these means of warfare in Iraq and of reducing concerns about them.

An analysis of the meaning of the uncertainty and the haziness of the intelligence-collection picture on non-conventional weapons and ground-to-ground missiles, despite the assessment regarding the possible existence of a potential acute threat, will be made at length in the chapter dealing with the functioning of the intelligence. At the same time, the Committee sees fit to note already at this stage that the level of intelligence-collection coverage, and the quality of its products in practice, turned out to be considerably lower than the impression that might have been formed on the basis of the reports and formulations of senior Military Intelligence personnel to the Subcommittee on Intelligence and Secret Services, to the full cabinet and to the plenum of the Foreign Affairs and Defense Committee in the periods preceding the war.

Moreover, the Committee discerned a noticeable gap between Military Intelligence evaluations and the degree of self-confidence shown by the head of Military Intelligence and his representatives in relation to the clear-cut status of their intelligence evaluations in the sphere of capabilities in the months preceding the war and their formulations in the same connection after the war.

On the other hand, the oral and written assessments that were conveyed to the Committee from the *Mossad* and the Air Force Intelligence, which were generally speaking similar to those of Military Intelligence, showed far greater modesty; these assessments expressed clear doubts and a constructive lack of confidence, as required by the scanty intelligence-collection with regard to non-conventional weapons and ground-to-ground missiles.

As to Military Intelligence, before the war the Iraqi capabilities (as distinct from intentions) in the sphere of non-conventional weapons and ground-to-ground missiles were described not at a level of low probability, but as a firm evaluation, relating to these capabilities as facts. A clear process took place of making these capabilities appear more potent, the closer the campaign came. Thus, for example, the assessments regarding the number of long-range missiles slowly rose from several to tens and, in the last weeks before fighting began, even to assessments of between a minimum of 50 and a maximum of 100 missiles. As to the likelihood of the existence of chemical or biological weapons, the head of Military Intelligence advised the Foreign Affairs and Defense Committee plenum of the Knesset, at the height of the war, that “I assess with a very high probability that there are non-conventional weapons” (April 8, 2003). The low probability of an attack against Israel was thus attributed, in those instances where it was argued by Military Intelligence, to Saddam Hussein’s intentions and an analysis of his personality, rather than to the sphere of capabilities.

On this matter, it should be recalled that, even in the advanced stages of the war, when the Iraqi army had been almost totally beaten by the armies of the USA and its allies, the security services hesitated to remove the state of alert and release the citizens of Israel from carrying their protective kits, on the suspicion that Israel could be attacked from the area of “Al Kayam” in north-west Iraq, which had not yet been conquered at that time. This decision gives concrete expression to the deeply-held belief of Military Intelligence that the Iraqi regime was in possession of non-conventional weapons and ground-to-ground missiles, and it illustrates the extent of the

confidence with which the data were presented to the decision-making echelons. The Committee discovered in the course of its work that several persons in the security services had doubts regarding the existence of 50 to 100 missiles and the existence of non-conventional capabilities in the months preceding the war, but this was not presented as a realistic option in the reports to the Government and to the Committee before the war. The Committee formed the impression that such doubts regarding some of the issues were more widespread, specifically in Air Force Intelligence.

Either way, even with respect to Iraqi intentions, the Committee found that the assessment of low probability became stronger after the war than before it. Before the war, Military Intelligence assessments fluctuated between all levels of probability. Thus, for example, several months before the war, the Sub-Committee received a report from Military Intelligence with a high probability assessment of an Iraqi air attack on Israel immediately upon the start of the fighting. After the war, and during the sessions of the Investigating Committee, the tone and content changed, in an attempt to widen the range of low probability that, before the war, had referred to the sphere of intentions only, so as also to cover, post factum, the mistakes revealed in the sphere of capabilities.

1.13 Cooperation with Foreign Agencies

As part of the cooperation between Israel's intelligence services and fellow intelligence agencies and organizations, Military Intelligence and the *Mossad* exchanged information and intelligence evaluations with respect to Iraq with various services, particularly the intelligence

services of the USA, with which cooperation became much closer prior to the war.

The intelligence picture that Military Intelligence and the *Mossad* formulated also relied, inter alia and to no inconsiderable degree, on the assessments of fellow intelligence services, which were fairly similar to the assessments of Israeli intelligence.

The Committee is of the opinion that the uniform international intelligence evaluation in relation to Iraq took root to a certain extent through a sort of vicious circle and by way of repeated reciprocal feedback, which often caused more damage than benefit. It was not impossible for assessments conveyed by the Israeli intelligence organization or any other intelligence organization to a fellow organization to do the rounds and play a central role in the formulation of the assessments of the foreign organization and, in the end, come back to the originating organization as an assessment of another intelligence service, to be immediately seized upon as reinforcement and encouragement from another reliable source for the original Israeli assessment. In this way, an inbuilt failure can take place, recalling somewhat Ephraim Kishon's story "The Chocolate Box". This is likely to lead to exaggerated self-confidence and lack of doubts in intelligence communities throughout the western world in general, relying on intuitions that developed in parallel, and to a large extent jointly, in various intelligence services.

During the deliberations of the Committee, the conjecture was raised that intelligence services naturally tend to share with each other evaluations made by those heading them, while placing less emphasis

on doubts and contrary arguments that have been rejected. It thus happens that the gamut of cooperation can generate a process of strengthening widely held evaluations and conceptions, while ignoring and pushing into a corner the skeptics and their misgivings.

The Committee is of the opinion that the Israeli intelligence services, mainly Military Intelligence and the *Mossad*, must give thought to inbuilt failures in the inter-service and international cooperation so that international cooperation will not become an impediment.

The Committee stresses that nothing stated above is intended to denigrate from the importance of international cooperation or to suggest that it should not continue. This cooperation is vitally important for a small country such as Israel; and it is even more essential in the case of Iraq, where other western intelligence services, particularly the American and the British, had advantages which are difficult to overstate, deriving from their physical presence on the borders of Iraq, their ability to work out of their bases in neighboring Arab countries such as Kuwait, and their ability to fly on a regular basis over the territory of Iraq in the service of the UN, virtually undisturbed.

1.14 The Logic of Evaluations

In the absence of concrete intelligence information as to the existence of non-conventional weapons and ground-to-ground missiles in Iraq, and on the basis of a shaky intelligence-collection base, the research bodies in Military Intelligence and the *Mossad* were faced with the requirement of completing missing parts of the puzzle through analysis of the information that was available to them.

In the material produced by the research departments just prior to the war, the difficulty of formulating a firm assessment and of clarifying the intelligence picture was clearly diagnosed. The difficulty was expressed, inter alia, in polemical and sometimes even evasive formulations and inconsistency, and more than once it could be discerned that the research attempt to paint the true picture contained a measure of feeling the way in the dark. The attempt to estimate the number of missiles held by Iraq as between a handful and several dozens on the basis of calculation by elimination was shown to have been unfounded.

Notwithstanding the aforesaid, and despite the fact that the intelligence assessments as to the capabilities and intentions did not meet the test of reality, the Committee, by majority opinion, accepts the rationale underlying the erroneous intelligence assessments regarding the capabilities or their operational availability as reasonable. The Committee determines that, given the paucity of intelligence-collection material in matters of non-conventional weapons and ground-to-ground missiles, the mistaken assessments that were finally formulated fall within the category of errors that do not exceed the limits of the reasonable and the professional; this being for the following extenuating reasons:

- The designation of “a bull known to gore” is applicable to the regime in question, which had acquired and equipped itself in the past with non-conventional weapons and ground-to-ground missiles and had even made aggressive use of them.

- The Iraqi regime headed by Saddam Hussein aspired to continue to possess non-conventional weapons and ground-to-ground missiles and to retain a potential of means of production and know-how, and its efforts in this direction had been exposed.
- Non-conventional weapons can be concealed with relative ease. The fact that the intelligence efforts to locate them failed cannot serve as firm evidence that they do not exist, particularly in the case of Saddam Hussein, who had already proved his determination in this matter and his great ingenuity in deception and deceit and in concealing prohibited means of warfare in the past.
- Although no missiles or launchers were located, fighter planes and unmanned aircraft were located, with a probability, approaching a certainty, that Iraq had readied them for the war for particularly long range attacks. The training configuration of these aircraft clearly testified to the preparation of aggressive options against the State of Israel or targets at a similar range.
- The strange behavior and stubborn refusal of Saddam Hussein to permit a team of UN inspectors to maintain full and unlimited inspection in the sphere of non-conventional weapons and ground-to-ground missiles, even though he knew that this endangered his regime, consolidated the suspicion that he had something to hide.
- The report that the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) submitted to the UN Security Council on March 6, 2003, supported the suspicion that Iraq continued to develop

non-conventional weapons and that it possessed long range ground-to-ground missiles.

- Assessments of foreign intelligence services received as part of the cooperation were similar, as noted, to those of Israeli intelligence and sometimes even more stringent (particularly in the sphere of the nuclear effort and in relation to the speed of activation of the chemical weapons, some 45 minutes from the moment of decision), constituting a natural anchor and some support for the evaluation of Israeli intelligence.

It may be further noted in this connection that Iraq's efforts, which were discovered by the inspectors (and which Israeli intelligence failed to disclose) just prior to the war, to increase the range of the Al-Tzumud missiles, held by them lawfully, from 150 kilometers to much longer ranges, even 600 kilometers or more (through the addition of motors in the bodies) testified both to the capabilities and to the aggressive intentions of the Iraqi regime.

This is the place to note that MK Haim Ramon, in an individual opinion, disagrees with this conclusion of the Committee and holds that the Intelligence failed in that it did not dare determine, in view of the gamut of data, that no real danger was in store for the State of Israel from Iraq and that the preparations in the sphere of home front defenses were exaggerated and unjustified. The position of MK Ramon, which was partially expressed behind closed doors (as part of the deliberations of the Committee) and also in the media, features as part of the appendixes.

1.15 Allegations of Distortions and Misleading Information

As to the claims regarding the existence of intentionally false presentations to the political echelon or the public in Israel, the Committee came to the conclusion that Israel's intelligence services acted on the Iraqi matter according to their best professional discretion, and that their position was formulated on the basis of a business-like analysis and was innocent of any attempt to reflect state or political moods. The Committee found that, in formulating its assessment, Israeli intelligence was influenced by materials and evaluations conveyed to it by fellow services, and even influenced them in the same way, with this influence being natural and reasonable in the relevant circumstances.

The Committee did not discover any findings supporting the suspicion of a decision to conceal or add information other than in good faith, and did not identify any signs pointing to intentional distortion of the intelligence picture in order to support the necessity of the war. The Committee notes, therefore, with satisfaction, that the arguments heard in Europe and in the USA and, to a lesser extent, also in Israel, suggesting that there had been some attempt to deceive the public in order to justify the war against Saddam, are rejected as being unsubstantiated at least as far as the Israeli front is concerned.

1.16 Iraq's WMDs

At the end of the chapter on the findings in the intelligence sphere with regard to the operation in Iraq, it is essential to recall that the enigma of the existence or non-existence of non-conventional weapons and ground-to-ground missiles in Iraq has not yet been resolved. The likelihood of the destruction or concealment of these

means of warfare in the vast expanses of Iraq, as well as the possibility that they were moved to Syria on the eve of the war, still exists. The discovery of Iraqi military warplanes which had been buried in the sand and which popped up like “sand birds” after the war, might testify as to how strange and unpredictable the regime of Saddam Hussein was, and how good it is that it no longer exists. At the same time, even if one assumes, for the sake of the discussion, that Iraq was in possession of such weapons in the months prior to the war – it is certain that, contrary to the picture which was drawn, the non-conventional weapons and ground-to-ground missiles were not deployed in the units and were not readied for use at the time of the war. If Iraq had prepared ahead of time a sophisticated mechanism for concealing and/or moving weapons of this sort, then the very existence of this mechanism and the preparations for concealment rather than for activation was not discovered by the intelligence services.

1.2 GOVERNMENT DECISIONS ON CIVIL DEFENCE

1.21 Government Arguments and their Logic

In the absence of concrete intelligence information that can verify or refute the hypothesis of residual capability, and on the basis of the intelligence assessments which were shown to the political echelon claiming a high probability of the existence of non-conventional weapons and ground-to-ground missiles in Iraq, the Government of Israel resolved to adopt a string of passive and active self-defense measures as specified in the background chapter of the report. These measures involved a financial outlay to the tune of hundreds of millions of shekels and the transition from routine to a certain level of

alertness in the IDF, including in the reserves, and among the civilian population.

The Government made its decisions in light of expected damage, defined as a multiple of the degree of probability that the threat would be realized by the gravity of the result of realization of the threat, or, more simply, due to the fear of disastrous results – both in terms of the direct damage anticipated as a result of an attack by non-conventional weapons and in terms of future damage to the image, deterrence and morale of society and the State in the event of a chemical or biological weapon being launched at Israel at a time when the security services and the citizens of the State were unprepared.

In analyzing the significance of the decision, it can be determined that the Government of Israel took no risk and chose to act according to the assessment of generally low probability of intentions, taken together with a near certain assessment of capabilities, as presented to it by military intelligence. At the same time, it can be determined that the Government would, in all probability, have chosen to act in a similar manner had there been no intelligence information or intelligence assessment by its intelligence services (zero intelligence).

1.22 The Soundness of Government Decisions

In addressing the question of whether there is room for criticism of the Government's decisions to make extensive preparations for protection of the home front, despite the intelligence assessment regarding the low probability of the scenario of an Iraqi attack against the State of Israel, it can indeed be argued that a state is not supposed

to invest vast amounts to totally prevent any risk to its citizens, even if the probability is very low.

The Committee, however, came to the conclusion, in a majority opinion of its members (as noted, the individual position of MK Haim Ramon is detailed in Appendix 4.3) that, in light of the firm intelligence evaluations that were presented to it before the war as to the Iraqi capabilities, according to which the Iraqi regime was equipped with non-conventional weapons, about 50 to 100 ground-to-ground missiles, and fighter aircraft capable of hitting Israel, and when, at the level of intentions, the possibility of an Iraqi decision to attack Israel is not disproved – there is no place to express criticism of the government decision and the actions it adopted to ensure the safety of the public. The cost of error and the expected damage, as defined above, together with the fact that the intelligence evaluations regarding the probability of an attack from Iraq were not based on firm intelligence grounds but on shaky psychological grounds, did not permit the Government to define the extent of the danger in such a way that it could ignore it.

The Committee thus determines that the government acted correctly, or at least within the sphere of the reasonable, when it made its decisions more on the basis of the intelligence evaluations of the capabilities of Iraq in the sphere of non-conventional weapons and ground-to-ground missiles, which were, as noted, of a very high probability level, and less on the basis of the assessment of Saddam Hussein's intentions, which were, as noted, of varying probability from high to very low, inasmuch as the latter are, by their very nature,

fluid speculative assumptions which cannot be relied on by themselves.

1.23 Explanations and Information for the Public

The Committee sees fit to extend criticism of the government in the sphere of explaining to and informing the public, on the eve of the war and during it. The Committee is of the opinion that the appointment of a “national explainer”, however authoritative and qualified he may have been, who was supposed to bring together and coordinate the information process, turned out to have been a mistake. This appointment was overdoing things and, rather than a merging of authorities under one roof, led to a dispute of authorities and prejudiced the good order and cooperation between the various information agents. In practice, the “national explainer” became a fifth and superfluous wheel in the information wagon, leading to a lack of clarity and even confusion amongst the public.

1.3 CONCLUSIONS

The events of the war in Iraq, from the point of view of Israel, the question marks that arose, and the findings of the Investigating Committee as detailed above lead to the conclusion that the State of Israel needs to better define its requirements in the sphere of intelligence and the perception of the way it works, the level of its expectations, and the degree to which it can put its trust in it in the future.

The Committee determines that the lessons of the war in Iraq constitute a warning sign against turning an Intelligence assessment from a work tool into something of no value, and against the danger that it might again in the future turn out to be a broken reed.

This is said specifically in view of the type of threat that Israel faced in this campaign – the threat of non-conventional weapons. This threat differs in its characteristics from the threats of conventional warfare and conventional terrorism, which have constituted the bedrock for the construction and development of Israeli intelligence from the establishment of the State and until now. The threats of non-conventional weapons and long range missiles, which could, by their very nature, be realized in all tiers and ranges – that is, in the first, second or third tier and even overseas – will likely continue to hang as a Damocles’ sword over the head of the State of Israel. The Israeli intelligence community has to adapt to this new challenge, not only in terms of its *modi operandi* but also from the point of view of its structure, order of priorities in building its force, and its interface with the political echelon that directs and is directed by it.

In the following chapter, we shall deal at length with this issue, as well as that of the desirable structure of the intelligence community, research of its performance and the extent of the command, control and supervision of the political echelons over it.

2. PART TWO: THE INTELLIGENCE NETWORK — STRUCTURE AND DOCTRINE

The functioning of the intelligence community regarding the Iraqi EEI, gave rise, as noted, to questions and pointed to issues requiring clarification and examination in relation to the overall perception of the operation of the intelligence services in Israel and the extent to which they meet the tasks and challenges facing them. Accordingly, the Committee placed this cardinal issue on its agenda and investigated it in depth in order to establish a position, to set directions for action and to indicate specific steps required by the conclusions.

Following are the diagnoses, conclusions and resolutions that the Committee reached on the matter.

2.1 A LOOK AT THE STRATEGIC SITUATION OF THE STATE OF ISRAEL

A look at the strategic situation of the State of Israel reveals two contradictory processes. The peace accords that Israel has signed with its neighbors, its former enemies, did not bring it closer to peace and quiet. Alongside the removal of Egypt and Jordan from the circle of war and the ongoing tense security situation on Israel's borders, the gamut of security threats faced by the State of Israel has grown wider and stronger. Threats of non-conventional weapons and ground-to-ground missiles in near and far tiers, the intense terrorist war that the Palestinians have forced on us, the outbreak of different types and streams of world terrorism, the rise in power of fundamentalist Islam, as manifested in Iran and its protégé in Lebanon, Hizbullah, with hatred of Israel and denial of its right to exist at the core of its ideology - all these and more require the State of Israel to continue investing vast resources to protect its security and its very existence.

On the other hand, there are signs on the horizon that could indicate positive changes and processes that inspire hope for a different reality in the region and a more auspicious world order. The globalization of the threat of terrorism has awakened the democratic world to recognition of the severity of the danger it poses and has motivated it to act in unison against it. The wars of the USA in Afghanistan and Iraq and their results have accelerated the ripening of recognition by the power centers in the Arab world of the power and influence of the USA as the world's only superpower and have increased their willingness to respond to its expectations and initiatives.

It should also be said that even though the peace treaties with Egypt and Jordan have not permitted the State of Israel to “beat its swords into ploughshares”, particularly in view of the continued massive strengthening of Egypt and the development of its military capabilities, the value of peace with it from the security-strategic aspect should not be underrated, even if it is cold and alienated. This is all the more true in relation to the peace with Jordan and its profoundly positive significance from the political and security points of view.

Either way, we should also take note of the military strength of the State of Israel and its capabilities in the field of defense technology, which serve as a deterrent.

The reality depicted above sets the intelligence services of the State of Israel new, world-embracing challenges, the main challenge being the need to identify in good time serious threats taking shape against the State of Israel, not only from the Middle East region but also from

various other parts of the world, both in the field of non-conventional weapons and ground-to-ground missiles and in the field of terrorism. This new task does not, of course, absolve the intelligence services from continuing to maintain the deterrent capacity in regular conventional warfare that has been required of them since the establishment of the State, the ability to provide intelligence assistance for the fighting in the event of a confrontation, and also the ability to help in the daily and Sisyphean struggle against Palestinian terrorism.

On the other hand, it behooves the intelligence community to be capable of diagnosing and characterizing positive strategic turning points from the point of view of Israel and to equip the leaders of the State with data and information from which to derive desirable political and defense *modus operandi* in practice.

2.2 THE STRUCTURE OF THE INTELLIGENCE COMMUNITY AND THE DIVISION OF FUNCTIONS

Let us first say that the issue of the desirable structure of the intelligence community of the State of Israel, the question of the division of responsibility and powers between Military Intelligence, the ISA and the *Mossad*, and the pattern of work of the three of them vis-à-vis the prime minister and the ministers have all been at the center of debate many times in the past. Various committees and individual examiners have been appointed over the years to look into the issue and formulate recommendations, either in the wake of traumatic events or as a matter of routine.

We can mention, inter alia, the Yadin-Scharf Commission (1963), the Agranat Commission (1973/74), the Zamir Commission (1974), the

Major-General (res.) A. Yariv committees (1984, 1986), the Inter-Service Commission of the Intelligence Community (1987), and the reports of Major-General (res.) R. Vardi, in the 1990s. The Government has had recourse to the subject on various opportunities and has passed resolutions on the matter. The State Comptroller has put the subject on his agenda and has submitted his findings and conclusions to the Knesset. The Sub-Committee for Intelligence of the Foreign Affairs and Defense Committee dealt with the issue in 1994 and presented a series of recommendations to the prime minister.

This topic has thus been clarified and discussed very extensively. Committees, experts and thinkers have turned it all ways around until there is hardly space left to take issue with them on this matter.

The problem is that some of the questions remain without a fitting answer, and the topic remains on the agenda. For this reason, and so long as there are open issues in this field that have not yet found their full resolution, the Committee, pursuant to its responsibility and parliamentary authority, considers it necessary for resolutions to be passed on this topic in order to set matters straight, for the sake of good order and effective procedures. If necessary, the Committee will initiate legislative steps to give validity to its resolutions.

The division of the work between the intelligence arms, Military Intelligence, the ISA and the *Mossad*, is based, as a rule, in the present structure of the community, geographically. There are areas which touch and areas of overlap, sometimes quite wide, between the organizations. The degree of inter-service coordination and

cooperation in the past fell substantially short and often prejudiced intelligence work in various matters. In recent years, there has been a real improvement in this sphere. The organizations have internalized the need for reciprocal feedback of intelligence information and for synchronization of certain activities that double the strengths and contribute to raising the level of achievements and the success rate. There are still topics open for discussion, and even in dispute, regarding the division of responsibility and the boundaries of the inter-service lines. In a document termed the “Magna Carta”, the heads of the services continue to try and formulate agreements in relation to a gamut of current matters. The Sub-Committee for Intelligence and Secret Services is following up on the subject, and checks the steps taken to settle the main issues of dispute in a business-like manner. As necessary, the Sub-Committee becomes actively involved in this field to ensure reasonable and proper work procedures for the benefit of the intelligence work. Beyond the routine aspect of the division of the responsibility between the organizations with which the “Magna Carta” deals, however, the Committee decided to give consideration to this subject with regard to the aspects of infrastructure and principles.

The historical development of the intelligence community gave the Intelligence Branch of the IDF tasks and spheres of activity which are not within the customary and accepted purview of military intelligence in most western countries. Thus, for example, the responsibility for intelligence research in the political field, or leading the sphere of Sigint are subjects that are not manifestly military. The State of Israel, in the first years of its existence, relied on the IDF as both an anchor and an instrument for the implementation of national

tasks, since it was a system with organizational ability, resources and available manpower. That being so, military intelligence also took upon itself functions for which it is not the natural address.

The Committee is of the opinion that, despite the historical permanence of the current structure, and despite the advantages which the research division of Military Intelligence and its Sigint unit have accumulated through their many years of experience, it would be appropriate for the structure of the intelligence community finally to be based on a correct division of labor, both in terms of professional designation and from the legislative-democratic point of view. There is, therefore, a need to reconsider the status and place of Sigint and also the transfer of certain strategic political areas and non-military subjects, currently the responsibility of Military Intelligence, to a civilian intelligence body.

2.3 THE QUESTION OF HIERARCHY AND CENTRALIZATION OF EVALUATION AND EEI

The Committee also discussed the question of the hierarchy between the intelligence organizations and determination of the body to lead the formulation of national intelligence evaluations. The Committee rejects the approach by which one of the intelligence services has been or should be crowned as “the national evaluator”. The consumers of intelligence, first and foremost the prime minister, should formulate their position in light of pluralistic and independent assessments of the intelligence bodies, each in its own special field and in the parallel and shared spheres of responsibility, and decide, in cases of differences of opinion, which evaluation to adopt and which to reject. The Committee determines that any attempt to grant superior status and to create a hierarchy between the various services

– even if this may be circumvented when necessary by direct contact with the prime minister – prejudices one of the most important recommendations of the Agranat Commission Report regarding the necessity for pluralism (this matter, and the issue of the concept, meaning and nature of intelligence evaluations, will be discussed below in the chapter dealing with intelligence research).

2.4 INTELLIGENCE STAFF AND INTELLIGENCE SECRETARY

Despite the aforesaid, the Committee favors the view that there is a manifest need for an intelligence wing that does not belong to one of the secret services. This wing, headed by the “intelligence secretary”, will coordinate the work of the intelligence organizations vis-à-vis the prime minister or a ministerial committee for intelligence; examine the intelligence products; coordinate work regarding determination of the EEI between the *Mossad*, the ISA and Military Intelligence; and also work vis-à-vis the prime minister regarding construction of the intelligence force and the five- and ten-year work plans. The staff will also provide the prime minister and the ministers, as shall be decided, with integrative working papers from the overall work of the intelligence organizations. (Details on this subject will be given in the section of recommendations and in the appendixes.)

2.5 DIVISION OF THE RESOURCES

The Committee gave thought to the subject of overlaps and duplication between the intelligence organizations, particularly in the spheres of technological infrastructures, the cost of which is ever-increasing, and in the context of the need for economies, greater efficiency and optimization of the investment in intelligence and maximization of its outputs.

Examination of national investment in intelligence and the security return it produces for the State of Israel is required, not only as a lesson from the war in Iraq, but also because of Israel's economic and budgetary reality. The basic law of economics, the law of limited resources, which in the past bypassed the defense establishment to a large extent, is now knocking on its door. The defense establishment as a whole and the intelligence services in particular are, therefore, required to economize, grow more efficient and even to meet cost / benefit tests.

The Committee finds that a certain degree of overlap between the intelligence services is justified, and even contains inherent advantages. The Committee is of the opinion that infrastructural and operative unification of the Sigint network should be transferred to a civilian national authority, which will specialize and coordinate it vis-à-vis the overall intelligence EEI, on the lines of the model which exists in this field in the United States (N.S.A.) and other countries.

Another matter connected with this aspect is the separation between the budget of Military Intelligence, which is an integral part of the whole IDF budget and is subject to changes in accordance with the order of priorities of the General Staff, and the budget of the ISA and *Mossad*. This separation makes an optimal allocation of resources to the intelligence network difficult and prevents an integrative budgetary view of intelligence requirements. The Committee is of the opinion that the budgets of all the services should be constructed on the basis of an overall viewpoint, and a uniform budgetary framework should be constructed for the three organizations.

2.6 THE FAILURE IN LIBYA

In recent months, the State of Israel was surprised to discover that Libya, under Muammar Gaddafi, has been intensively engaged in the development of a military nuclear capability, developing a variegated nuclear industry which is located at many sites, and that its program in this sphere has reached quite an advanced stage.

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The intelligence services of the USA (and of Britain) did not share with their colleagues in Israel in real time their recent and significant exposures of the Libyan nuclear program, and even concealed from the State of Israel the steps taken vis-à-vis the Libyan regime in the apparently successful attempt to bring about the liquidation of its nuclear industry and persuade it not to continue the development of its capabilities in the nuclear sphere.

One of the lessons which the State of Israel has to learn from the Libyan instance in the field of international intelligence cooperation, particularly with the USA, will be specified below in the section on international cooperation.

Hardly any of the professional witnesses who appeared before the Committee would dispute that in this instance there was a grave intelligence failure, which must give rise to a thorough examination and revamping of systems. The State of Israel cannot allow itself to be in a position where a hostile Arab state such as Libya, with a totalitarian and unpredictable regime such as that of Muammar Gaddafi, advances to nuclear capability without its intelligence services discerning or suspecting it. A number of senior witnesses even defined the matter as an “earthquake”, a “red light”, a “serious

failure” and the like. One of the experts even compared the intelligence failure, in terms of its gravity, to the failure of the Israeli intelligence services in 1960 known by the name “Operation Rotem”, when the Egyptian army concentrated massive armored forces in eastern Sinai at the edge of the Negev without this being discovered in good time by the intelligence services.

With regard to putting together EEI and orders of priority for intelligence service actions, the Libyan story, which is by way of a clear and unequivocal failure of the Israeli intelligence organizations, demonstrates the serious challenge they are facing. Was Libya positioned in the right place in the intelligence EEI in good time? And, if so, did the work program derived from the EEI match the EEI requirements? And, if so, did intelligence actions in practice match what was defined in the work program? And, if so, did the intelligence actions meet the test of efficiency and operational ability? In general, with the present division of matters, which organization has overall responsibility? Military Intelligence, which considers itself as having overall responsibility for the EEI and for the intelligence picture, or perhaps the *Mossad*, which considers itself responsible mainly for prevention? We will relate at length to these questions in the Libyan context and in the wider context in the framework of the classified report.

2.7 ASSEMBLING THE EEI

We note that the intelligence EEI challenge and its execution is a double challenge. The resource limitations and the variety of threats necessitate the investment of great thought in assembling the EEI and determining its orders of priorities. And once a subject has received

priority, it is incumbent upon the system to succeed, to penetrate the heart of the EEI, and to return with a bounty of intelligence of value and with a significant added value. The Committee holds that there is room for improvement in everything to do with Israel's intelligence services meeting these challenges.

Part of the improvement could be obtained by perfecting the processes of assembling EEI, the work programs and their approval. Nowadays, the intelligence EEI is approved within the defense system without the sufficiently significant involvement of the political echelon and without need of formally bringing the EEI for its approval, as required by correct constitutional order.

It may additionally be noted that this defect also characterizes the process of determining the relevant threat data. The relevant threat data refers to the group of threats to which the IDF is prepared to give a response, out of a wide range of potential risks and threats sketched in the intelligence picture, while making allowance for the resource limitations. Even the process of taking decisions on this cardinal subject, which in effect constitutes the system of security risk management of the State of Israel, ends at the level of the IDF General Staff and without obtaining any formal approval in the committees of the government and the Knesset.

The Committee holds that there is a need to set up a statutory ministerial committee for intelligence matters, which will discuss and approve the intelligence EEI and the relevant threat data, define for the intelligence services the tasks and achievements required in view of the EEI, and maintain a degree of command and control over

implementation of the tasks and the results thereof. The Committee will give expression to this opinion in the chapter of recommendations which ends the report.

2.8 INTELLIGENCE COLLECTION

Intelligence collection is at the very core of the intelligence industry, and the ability of an intelligence organization in this sphere is, in the opinion of the Committee, its first test.

Methods for collection of intelligence are various, and can be divided in general terms into human collection (Humint), media and electronic collection (Sigint) and visual collection (Visint) and the derivatives of these means and methods.

Having examined the intelligence-collection arrangements of Military Intelligence and the *Mossad* and their performances in this sphere, on the basis of the EEI requirements, the Committee determines that, alongside impressive and praiseworthy successes and achievements, there are topics where the results of the intelligence-collection work are inadequate.

It should be clarified that the work of intelligence collection is becoming more difficult and complex than in the past. Some of the important intelligence targets of the intelligence community are characterized by being very closed in from both an ideological and a physical point of view, remoteness and a high awareness of enemy intelligence, expressed, inter alia, by punctilious secrecy and suspicion, maintaining security of contacts and communications, and

demonstrating a repellant severity and cruelty towards those they suspect of being involved in espionage.

These changing conditions and other changes in the intelligence work environment present objective difficulties to any intelligence-collection system.

This is not the case with regard to the ISA, which works in near-optimal intelligence-collection conditions and in a situation of partial or full security control of the area, with all that this entails.

Although the technological breakthroughs of recent decades, together with impressive developments in the fields of communications and computers, electro-optics and space, have provided the intelligence services with very effective work tools for carrying out their intelligence-collection work, it is clear that technology is not the most important thing and, as the war in Iraq showed, will not alone be able to provide a complete intelligence-collection answer. The Committee found that in recent decades attention and resources were devoted to development and utilization of the new means to such an extent that this may sometimes have been at the expense of close attention and investment in high-quality human intelligence.

The process of intelligence collection involves heavy costs, and sometimes many risks as well. The Committee views it necessary to approach these activities on the basis of a focused definition of the goal of the activity and the achievement required from a system-wide aspect, and after careful examination and evaluation of the feasibility of attaining the defined goal. It is true that not everything can be

foreseen, and intelligence work, by its very nature, is based on trial and error; often coincidence or luck can determine the degree of success or failure. But the method of work described above will define and reduce the risk that large investments will go down the drain or that a program of action will start out but not reach the end of the road, because of impassible barriers that were not seen in advance or because it turns out that the task was hopeless from the outset.

The intelligence importance of a preliminary examination as to the possibility of achieving the goal is not only because of the need to prevent a waste of resources but also to show the security services and the Government the need to formulate a system-wide response to a predicted threat if the assessment is that the intelligence will be unable to achieve the required goal.

2.9 INTELLIGENCE RESEARCH

The role of intelligence research is to analyze and investigate the mass of raw information produced by the intelligence-collection system (beyond the screening and initial processing), to separate the wheat from the chaff, to know how to read between the lines, and, relying on the proficiency, experience and sharp wits of the investigator, to complete the missing parts of the information and/or to give it the correct interpretation and meaning. This is necessary to complete a lucid intelligence picture and formulate an “ad hoc” intelligence evaluation or a general, periodic evaluation in response to the various EEIs.

The research division at Military Intelligence is considered the largest and most established of the research wings, and has at its disposal

personnel from among those doing compulsory military service. It has already been noted that the Military Intelligence research division does not confine itself to the classic goals of military intelligence, that is, clearly military matters in potential confrontation states, but also deals with political, economic, defense industry, social and political research that does not necessarily have an inbuilt military end product. In other words, Military Intelligence currently serves not only as the intelligence officer of the IDF but also as the almost exclusive intelligence officer of the State.

The intelligence research departments of the ISA and the *Mossad* have developed and become established over the years, and today they fulfill an important research function while giving a reasonable response to the need for research pluralism in many spheres.

The Center for Political Research at the Ministry of Foreign Affairs, which earned praise in the field of intelligence research for a number of years after the Yom Kippur War as part of the implementation of the Agranat Commission recommendations, has declined over the years. The resources allocated to this Center are negligible in comparison with the other research departments, the manpower is minimal, and its specific contribution to the process of constructing intelligence assessments today is marginal, even negligible.

The Committee sees little reason for continuation of the present situation and, in its opinion, one of the following two courses of action should be followed:

- a. Placing the Center for Political Research on its feet and allocating the requisite means for it to function effectively;

- b. Giving up on the Center as a body contributing to formulation of national intelligence evaluation.

The lessons of the war in Iraq have pointed up the limitations of intelligence research in general, and the absence of a sufficiently wide and deep intelligence-collection infrastructure in particular. That being so, the Committee has come to the conclusion that the concept of “evaluation of the intelligence” which intelligence research produces for the defense establishment and the political echelon is a concept without meaning unless a label is attached to it specifying the sources and their quality and the concrete information on which the evaluation is based; or at least a partial label specifying the type of sources and their general level of reliability .

Although, as noted, the intelligence assessments regarding capabilities in the Iraqi case fell, even if only just, within the range of probability, the lessons of the war, as noted above, should be seen as a warning sign against turning “intelligence assessment” from a work tool into something of no value, and against the fear that it is liable to be revealed in the future “as a broken reed”. Accordingly, the Committee holds that there should be changes in the procedure for presenting the periodic and specific intelligence evaluations to the Government, and particularly to the limited Ministerial Committee for Intelligence which will be set up according to the recommendations, and to the Knesset (Sub-Committee on Intelligence of the Foreign Affairs and Defense Committee). There should be a move away from the pattern of a general review presenting the conclusions of the research departments on various topics, to a report containing reference to concrete information from which the assessment is

derived, or at least a reference to the level of reliability of the research insights.

The test of the significance and soundness of intelligence research products goes beyond the flood of question marks raised by the events of the war in Iraq. The great quantity of material which the research wings put out, as a matter of routine, for the consumers of intelligence reflects their accumulated intellect and intelligence and even their intimate familiarity with the intelligence EEI objectives. The Committee, however, is of the opinion that the practical benefit of the enormous quantity of material and paperwork is doubtful, and this is an understatement. Many of the reports and working papers which intelligence researchers produce contain learned interpretations and interesting hypotheses, but are frequently and in large part based on known facts, with a trivial analysis; they mainly leave the expanse of possibilities and instances in relation to substantive questions open in all directions, without the ability to reach any clear bottom line from within the huge range of conjecture from which a mode of action can be derived in practice.

The Committee is aware that in-depth professional research must not be superficial or one-dimensional, and it is natural that it will give rise to dilemmas and will point in different directions. The Committee does not underrate the contribution of such research to productive thought and to the benefit of the security and political debate on current affairs. Nevertheless, the Committee holds that the operative and operational perception of intelligence research has to be task-oriented and focused on an effort to draw a clear and sharp intelligence picture in accordance with the EEI requirements.

Together with this, the Committee emphasizes the importance of military infrastructure research and is of the opinion that Military Intelligence should sharpen the distinction between basic research of long-term trends and daily research intended to follow current events. This is to prevent the diversion of resources and inputs from what is important to what is urgent, while interrupting basic research.

On the strategic and political level, experience teaches that the predictive ability of intelligence research to forecast security and political processes and developments has not always proved itself, and it may be assumed that it is also destined to fail in the future. This does not necessarily stem from an inadequate standard of research or intelligence collection but rather from the fact that many of the variables in a forecasting model of this sort are clearly unpredictable. The aspiration, as far as it exists, of characterizing leaders and people in power in psychological terms, with the intention of predicting their conduct and actions, is exaggerated and might even constitute a real stumbling block. Either way, it is most doubtful whether these personality analyses and psychological diagnoses can be substantiated in the decision-making process.

It should also be noted, in view of the different positions heard in this respect, that within the IDF there needs to be a clarification of the role of the intelligence bodies of the Air Force and the Navy and their integration with Military Intelligence and the intelligence network as a whole (both at the intelligence-collection level and in the research sphere). In addition, it is necessary to weight the contribution of the intelligence units in the territorial commands, as units intended to

express the need for pluralism, against the Military Intelligence research division . The Committee did not accept the arguments regarding the need for additional intelligence-collection tools and the creation of greater independence between the air and naval intelligence and Military Intelligence in this sphere. The Committee found the present relationship between Military Intelligence and air and naval intelligence to be essentially correct. The Committee formed the impression that the competitive pluralism should be expressed mainly between the *Mossad* and Military Intelligence, and, in the future, between both of them and the National Security Council, rather than in the context of the different forces within the IDF.

In summary of this chapter, the Committee determines that the intelligence research wings, particularly the Military Intelligence research division, must undergo a thorough overhaul. This should include an examination of the educational levels required in positions having overall responsibility for a particular sphere, such as, for example, the heads of desks, as well as the issue of broad external academic training; the level of experience; and also the desirable length of time that a researcher should serve in a given function, in terms of optimizing his contribution to the formulation of intelligence evaluations. The same applies to the methodology and perception of research action and its direction within the system towards a more purposeful and focused response to security requirements and needs. In this context, the role of the control department should be examined, as well as the place of the “contrary arguments” function.

2.10 INTERNATIONAL COOPERATION AND CONFIDENTIALITY

The close cooperation between the Israeli intelligence services and US Intelligence and that of other fellow services vis-à-vis Iraq did not succeed in substantiating decisive evidence one way or the other as to Saddam Hussein's possession of non-conventional weapons and long range ground-to-ground missiles. One should not make the error of drawing conclusions from this regarding the importance of international intelligence cooperation. The Committee determines, on the basis of ongoing monitoring of the actions of the Israeli intelligence services, that this cooperation is of the greatest importance and has the inherent potential for exchanges of intelligence information which are worth their weight in gold. Furthermore, the intelligence services should take advice to reduce the danger of a reciprocal feedback failure that could result in serious obstacles as noted previously.

International cooperation in the field of intelligence and prevention acquires increased importance in the era of globalization of threats and the spread of sources of danger around the globe. The State of Israel must also recognize that, as in other areas, so, too, in that of intelligence, it cannot always provide for itself and by itself all the intelligence products of which it has need. The assistance of friends, as well as providing assistance to them in this field, is thus indispensable.

Because of this, the Committee sees itself as obligated to warn about instances of leaks of sensitive information, partly obtained from foreign intelligence services. The Committee determines that this

phenomenon has sometimes resulted in grave harm and could even sabotage the chances to continue developing this vital cooperation.

Apart from the direct damage to the work of the intelligence services caused as a result of these leaks, from the point of view of privileged sources, and in addition to the damage that could be done to the security of the State as a result of the disclosure of sensitive information, the State of Israel could be marked among fellow intelligence services as a partner that cannot be relied upon to deal responsibly with the keeping of secrets.

The Libya episode well demonstrates the meaning of this and it is by way of a painful lesson. The Committee calls on all relevant parties to apply redoubled caution with regard to the confidentiality of classified information so that it will not be necessary to have recourse to law enforcement authorities in order to stop up the leaks. On the other hand, and despite the friendship and cooperation with other western intelligence services, the Committee recommends adopting greater caution in relation to the direct or indirect exposure of Israeli sources and/or *modi operandi* to them, and to make do as far as possible with conveying items of information and assessments.

The Committee also recommends reconsideration of the prevalent custom of closed briefing meetings of senior officers in the intelligence community with writers and journalists from Israel and overseas. Even in those instances where the material which is finally published comes from a different source, this custom enables journalists who are considered to have contacts to present their information as based on their contacts with “senior intelligence

sources” in Israel, and leads to a relaxation of field security tension in the defense establishment. The Committee recommends that this custom be retained where necessary, if at all, only as a prerogative of the heads of the secret services themselves. In other cases, a public press briefing for all the media would be preferable to the norm of personal and undisclosed contacts between senior members of the intelligence community and the media.

2.11 GOVERNMENT CONTROL AND REGULATION OF THE INTELLIGENCE SERVICES

The head of the *Mossad* and the head of the ISA are directly subordinate to the Prime Minister and they maintain regular contact with him in order to convey full and detailed reports and obtain the necessary authorizations for their actions.

Under the Israel Security Agency Law, enacted in the Knesset in 2002 (and discussed in the framework of a joint committee of the Foreign Affairs and Defense Committee and the Constitution, Law and Justice Committee), a Ministerial Committee for Matters of the Service was set up and the procedures by which it would supervise the activity of the ISA were laid down in general terms, as was the obligation of the head of the ISA to report to this Committee.

The head of Military Intelligence is subordinate to the Chief-of-Staff, who is subordinate to the Minister of Defense. As an integral part of the IDF, Military Intelligence is also subject to the authority of the whole Government, in accordance with the Foundation of the Army Law. In addition to his subordinacy to the Chief-of-Staff and the Minister of Defense, the head of Military Intelligence, pursuant to his special responsibility, maintains direct contact with the Prime

Minister and meets with him at regular intervals for work meetings and reports.

In today's situation, the Prime Minister's Military Secretary coordinates the contacts between the Prime Minister and the heads of the services administratively and professionally and regularly participates (as an observer) in the meetings of the committee of heads of the services, who are currently the head of the *Mossad* (in the chair), the head of Military Intelligence and the head of the ISA. An intelligence officer with the rank of colonel, who is subordinate to the Military Secretary, is supposed to assist him with the content aspects of the contacts with the intelligence services.

Apart from the Prime Minister, and to a large extent also the Minister of Defense, as a rule the other government ministers and even the members of the political-security cabinet, do not have a close and in-depth familiarity with the intelligence services and they are not really exposed to their activities. The reviews and reports which the ministers receive from the heads of the services and their representatives in the framework of the ministerial committee for defense or for the security service are fairly general and do not constitute a basis for monitoring and examination of the performance of the services.

The Committee found that in practice, the intelligence organizations and the secret services enjoy great independence and the extent of the command and control of the political echelon over them is insufficient. The Committee holds that this situation is unhealthy and

does not, in the long run, benefit the ability of the organizations to achieve the aims for which they exist.

The Committee is of the opinion that the Prime Minister lacks the optimal tools and conditions to instigate and guide the work of the heads of the services, to examine their approach and control their activity, and to determine the EEI and build the force for the long term. The prime ministers over the decades have tended to trust the services and, as a rule, adopt their positions and act in accordance with their recommendations.

The situation described is the outcome of historical development in a country which is in a constant state of war over its existence, as well as of the need to insist on maintaining the great secrecy that characterizes the work of the services, by compartmentalization and reducing the number of those who are party to the secret.

The Committee agrees that a heavy cover of secrecy in the operation of the intelligence services is a necessary condition for their success. The Committee determines at the same time that this understood necessity does not exempt either the intelligence services or the government from maintaining the requisite command and control for assuring the propriety, efficiency and success of the work of the services. The Committee formed the impression that the existing situation in defense matters is still as criticized by Major-General (res.) Talik in his book *National Security*, according to which “the IDF has in practice, over the years, turned into an autonomous and dominant institution, that proceeds under its own steam ... the

responsibility and authority of the military go far beyond the limits which were set for it in the first days of the State”.

In accordance with the above, and so as to take steps to rectify the situation, the Committee finds that a statutory ministerial committee for intelligence affairs should be set up, whose members shall be: the Prime Minister, the Minister of Defense, the Minister of Foreign Affairs and two other ministers who do not necessarily have an obvious security background. Alternatively, the composition of the committee could overlap the ministerial committee for ISA affairs which has already been established in the framework of the ISA Law.

This ministerial committee will serve as supreme guide of the intelligence services, will determine general tasks, will debate and formulate together with the intelligence services the intelligence EEI and the work programs of the intelligence services and will approve them. Likewise, the committee will discuss and approve the IDF relevant threat data. The ministerial committee, with the assistance of the National Security Council, will maintain follow-up and control as to how the intelligence services are meeting the goals set for them and will examine the readiness of the intelligence and the *modi operandi* required of them.

2.12 PARLIAMENTARY OVERSIGHT OF THE INTELLIGENCE SERVICES

The Sub-Committee of the Foreign Affairs and Defense Committee on Intelligence and Secret Services maintains regular contacts with the heads of Military Intelligence, the ISA and the *Mossad* and with additional bodies associated with intelligence work. The committee holds frequent meetings with the heads of the services and with other

senior personnel in the intelligence organizations in order to obtain reports on current affairs and for professional discussions which the committee initiates on specific matters relating to structural, operating and operational aspects of the intelligence work.

From time to time and as necessary, the Sub-Committee on Intelligence and Secret Services meets with the Prime Minister to discuss with him a subject on its agenda that, in its opinion, requires the involvement of the Prime Minister.

Members of the Sub-Committee are exposed to a large degree to the intelligence work in its various channels, and receive fairly detailed reports from the heads of the services and their representatives about their actions, each in its area, and also in shared areas of responsibility of two or three of the organizations. The heads of the services review the annual intelligence evaluations before the committee and present the EEI principles and their work programs. By virtue of its authority under the law, the committee debates the budgets of the *Mossad* and the ISA and approves every detail. The budget of Military Intelligence is approved by the Joint Committee for the Defense Budget (the Joint Committee of the Foreign Affairs and Defense Committee and the Finance Committee of the Knesset), as part of the general discussion of the budget of the IDF and the Ministry of Defense.

At the same time, the Sub-Committee for Intelligence intends to introduce a number of rules which will guide its continued activity to ensure, pursuant to parliamentary authority, that the conduct of the intelligence community will be in harmony with the principles laid

down by the investigating committee in this report. Inter alia, the Committee will make more effective use of its exclusive power to approve the budgets of the services for a more pedantic examination of the EEI and of the work programs.

The Committee will demand that a combined budget for all the intelligence services be presented to it by the Prime Minister's Office and the Ministry of Finance, such that the Military Intelligence budget (which is approved in a different framework) will reflect its share in the total investment in intelligence, and in such a way as will facilitate examination of the work programs and the efficiency of the allocation of the budgetary resources between the arms of the community, with the aim of attaining optimal use of the resources.

The Committee will increase its accessibility to the working ranks and to the people in the field, and will meet with them more frequently so as to have a closer and unmediated understanding of the state of affairs in the field of intelligence.

The Committee will aspire to maintain regular contacts with the ministerial committee for intelligence matters and to formulate a pattern of consultation and transfer of findings and conclusions, when it is established.

2.13 STATE CONTROL VIS-A-VIS THE INTELLIGENCE COMMUNITY

All the institutions and units of the intelligence community come under the purview of the State Comptroller in accordance with the provisions of Section 9 of the State Comptroller Law (Consolidated Version), 5718 – 1958. As part of the Division for Audit of the Defense Establishment at the Office of the State Comptroller, audits

are conducted from time to time and control reports are produced and submitted to the Knesset on matters in the field of intelligence. This is in accordance with the work program of the Office and of the Division and the degree of priority given to this area by the State Comptroller.

The problem is that according to Section 17c of the said Law, “the State Comptroller may, if the Government gives him reasonable grounds to his satisfaction, make a limited report on a branch or unit that he has audited or refrain from giving a report on them...”

The practical significance of this section in the Law is that an audit and audit reports which are drawn up by the Office of the State Comptroller under this section, including the most sensitive reports about the intelligence and the secret services, are not submitted to the Knesset and are not discussed there in the appropriate framework. This is despite the fact that the State Comptroller is a branch and representative of the Knesset according to the law for the purpose of auditing institutions of the executive authority, and despite the fact that there are forums in the Knesset, such as the Sub-Committee for Intelligence of the Foreign Affairs and Defense Committee, which are also parties to the sensitive matters in the said reports of the State Comptroller.

The Committee views the provisions of the said Section as an obsolete restriction and the existence of a barrier placed at the door of the Knesset in this area as something that should be changed. (Steps initiated in the past in this regard have not helped.) The Committee will soon initiate, in conjunction with the State Comptroller and the

Knesset State Control Committee, an amendment to the legislation that will regulate the issue and determine that every report of the State Comptroller on sensitive defense issues be submitted to the Knesset and discussed in the appropriate framework within the Foreign Affairs and Defense Committee. This will contribute to the promotion and effectiveness of parliamentary supervision over the intelligence organizations and the secret services.

Furthermore, the Committee will act to increase coordination with the State Control Committee on everything to do with the classified reports of the State Comptroller in the field of intelligence (and in the defense field in general) which are currently submitted to the State Control Committee regarding findings that should cause concern and which the Foreign Affairs and Defense Committee, the primary parliamentary arm for supervision of the defense system, is not aware of.

2.14 INTERNAL AUDIT

Internal auditing takes place at the *Mossad* in accordance with the Internal Audit Law, 5752 – 1992. At the ISA, this audit operates pursuant to the ISA Law. Military Intelligence is subject in principle to the audit of the control and monitoring department which serves in effect as the internal audit unit of the IDF General Staff. There is also a control department within Military Intelligence which checks intelligence evaluations and products with a professional, critical approach, including the well-known “contrary arguments” function. Moreover, a comptroller for the defense system operates in the framework of the Ministry of Defense, is subject to the Minister of Defense and conducts an audit of the IDF and of the Ministry.

The Sub-Committee for Intelligence and Secret Services will include an examination of the functioning of the internal audit among the intelligence services in its work program for this year, and will look into its activity and contribution to finding defects and faults in the system and to initiating processes of improvement and greater efficiency. The Committee sees fit to praise the level of audit documents and the drawing of conclusions produced in the framework of the Military Intelligence Audit Department after the war in Iraq. The Committee found an overlap in various matters between its critique and the findings of the Military Intelligence internal audit and recommends to the *Mossad* that it set up a similar function under its auspices.

The Committee will consider introducing a procedure by which a copy of the control and internal audit reports produced by each of the intelligence services will be placed on its table.

2.15 RELATED TOPICS

During its deliberations, the Committee dealt with a number of topics that are not in the pure intelligence sphere but which touch on it in certain aspects or were a significant part of the preparations for the war in Iraq. One of these topics is the issue of the Home Front Command and the question of the correct framework for its activity, within the IDF or outside the IDF as part of the Ministry of Internal Security. The Committee is aware of the arguments that the natural place for the Home Front Command is indeed in the Ministry of Internal Security but the Committee did not manage to reach an operative conclusion that such a change is immediately called for and

necessary, or that the time and organizational and budgetary conditions are ripe for a system change of this sort.

Another topic which was discussed in the Committee was that of the National Security Council. Despite its necessity, attempts to establish it on a firm basis and to give it the hoped-for weight and degree of influence have been of no avail, including in the field of intelligence and the issue of formulating an assessment of the national situation. The Committee is of the opinion that one of the essential conditions for this is the transfer of the National Security Council offices to the Prime Minister's Office and its physical presence there.

The Foreign Affairs and Defense Committee will continue to deal with the issue of the National Security Council, both through the relevant sub-committees and through legislative initiatives . Further information on the position of the Committee on the question of the functions and status of the National Security Council will be given in the chapter on Recommendations.

3. PART THREE: RECOMMENDATIONS

In the wake of the Committee's findings and in accordance with its conclusions, both regarding the lessons from the war in Iraq and as a result of its investigation of intelligence functions, the Committee sets out below a string of system recommendations for implementation.

Most of the recommendations of the Committee should lead to changes and re-organization of the structure of the intelligence community and also to greater efficiency and sophistication of the modes of command, control and supervision over the processes of building the intelligence force and the modus operandi of the intelligence services. The purpose of all this is to make the intelligence work more efficient and to advance its ability to attain its goals and succeed in performance of its tasks.

3.1 BUILDING THE INTELLIGENCE FORCE

3.11 Sigint

On this subject, the Committee submits two alternate recommendations, creating three alternatives: a comprehensive reform (Option A); leaving the situation as is (Option B); and, an interim possibility of partial reform (Option C). Great care must be exercised, after further professional consideration, in choosing between them:

- a. Removal of Unit 8200, the central Sigint unit, from the framework of Military Intelligence and turning it into a national Sigint agency, under civilian management. This agency will act as an intelligence authority in its own right and will concentrate most of the Sigint intelligence work of the State of Israel, not only in the military sphere but also in that of terrorism and non-conventional weapons and in the political-

strategic sphere. Existing infrastructures will be merged in the context of establishing this agency.

b. Examination of the current situation with its advantages and disadvantages and the possibility that at this juncture this situation should remain as is.

c. Alternatively, the Committee recommends a more limited reform through establishment of an advisory council (a sort of board of directors) for the existing Sigint unit of Military Intelligence, with representatives from all the intelligence arms, to be headed by a civilian to be appointed by the Prime Minister and to be directly subordinate to him. This council will determine, in cooperation with all the heads of the services, the order of priorities for the existing Sigint unit and the principles for construction of the force and allocation of future investments, in accordance with the intelligence EEI and the division of functions between all the intelligence arms. This is to permit construction and activation of the force according to a general national order of priority, without any bias for the benefit of the needs of purely military intelligence.

3.12 Visint

The Committee recommends accelerating the development of a satellite spy system for Israel as a Visint long-range intelligence infrastructure. This system will be constructed such that it will be capable of giving a response to threats to the State of Israel in the close and remote tiers, with the ability to locate, identify and neutralize industrial and military technological infrastructures.

The Committee recommends that the satellites be activated under the joint management and direction of the IDF and the *Mossad*, through establishment of a joint body for this purpose, according to a pattern to be set in the future. In the development and operation of the satellites, a certain priority will be accorded to strategic-technological matters, including military industries in general and nuclear industries in particular, according to immediate military needs in the countries of the first tier which are also subject to attention through other means.

3.13 Humint

The Committee recommends appointment of an inter-service team to examine and evaluate the state of affairs in the area of human intelligence. The team will diagnose and point out shortcomings and areas of weakness of the Humint setup, as well as the strong points in this field, and will formulate ways to deal with the subject and to improve its success in places and fields where this is required, and to the extent required. It will also draw more extensive conclusions as to the Humint situation and the difficulties in obtaining quality Humint as demonstrated in Iraq, and the lessons that can be learned from this. Either way, the Committee is of the opinion that the necessary strengthening of Humint in certain areas and at certain levels requires the reinforcement of the *Mossad* as the main Humint operator at long distances and even throughout the whole globe.

3.14 Training and Education

The Committee recommends creation of an academic training course for the intelligence field in cooperation with the existing institutions of higher education. The Committee recommends making positions of command in the field of research and intelligence-collection

conditional on a broad academic education both in subjects touching on the areas of the intelligence interest, such as geography, Middle Eastern studies, international relations, and also on topics that broaden horizons, such as mathematics and probability studies, philosophy and the philosophy of science, history and military history. In senior positions, advanced degrees (masters and doctorates) can and should be required in these disciplines.

The Committee recommends considering the establishment of an academy for the study of the various disciplines of the intelligence world. A qualification from this or another academy will become a condition for placement in some of the intelligence roles, in particular that of intelligence research. The Committee further determines that the Talpiot courses should be reinforced, and more high quality personnel from this framework should be referred to the *Mossad* and the ISA. The Committee rejects the proposal that the ISA and the *Mossad* should agree to open their wallets and develop a separate Talpiot course for their own requirements.

3.2 IMPROVING CONTROL BY THE POLITICAL ECHELON

3.21 The Prime Minister's Intelligence Secretary

The Committee recommends the appointment of an intelligence secretary for the Prime Minister, who will be a civilian with a status identical to that of the military secretary. The intelligence secretary will be in charge of a staff / secretariat for intelligence matters, which will be a professional body with the role of coordinating, examining and integrating a comprehensive view of the work of the intelligence services. The intelligence staff will serve as a connecting link

between the intelligence community and the Prime Minister and will assist the Prime Minister in directing the work of the services, supervising their activity and construction of their force. The Committee refers to a special document on the subject of preliminary characteristics of the “intelligence secretary” in Appendix 4.2.

3.22 Establishment of a Ministerial Intelligence Committee

Following the establishment of the Ministerial Committee for ISA Matters, under the auspices of the ISA Law, the Committee recommends establishment of a ministerial committee for intelligence matters with an identical (or similar) composition to the Ministerial Committee for ISA Matters.

This committee will serve as a counselor to the intelligence services and will maintain command and political control over the activity of the intelligence services. This Ministerial Committee will determine, as stated, the construction of the intelligence force and the intelligence EEI for the medium and long term and will approve the short-term EEI. The committee will examine on a permanent basis the functioning of the intelligence services and the extent to which they meet the EEI and work program targets.

3.23 The Intelligence Law

The Sub-Committee on Intelligence and Secret Services will initiate enactment of the Intelligence Law for the purpose of implementation of some of its recommendations. The Intelligence Law will be advanced in an attempt to reach maximum coordination with the Government and the Prime Minister. The law will deal, inter alia, with establishment of the functions of the intelligence secretary in the Prime Minister's Office and with establishment of the aforementioned

ministerial committee, and will lay the legal and legislative infrastructure for the work of the intelligence services. The law will define the structure of the intelligence community, and the accompanying rules and the division of functions and spheres of responsibility between the intelligence services. Similarly, in this law, methods of governmental and parliamentary supervision and control over the intelligence services and their work will be determined.

3.3 STRUCTURAL REFORMS

3.31 General

The Committee recommends that, upon completion of the reform, the intelligence community will comprise three or four independent intelligence bodies as well as the National Security Council. The distinction between them will be based (with the exception of the Sigint authority, if set up) on subjects and areas of responsibility of each of the bodies.

Military Intelligence — whose main area of responsibility is military intelligence, war deterrence according to capabilities and the development of capabilities, and the creation of deterrents and production of goals during a war or limited confrontation.

Mossad — whose main area of responsibility, in addition to prevention, is political-strategic intelligence, including the stability of regimes, as well as industrial-scientific-technological and nuclear intelligence and global terrorism.

ISA — whose main area of responsibility is security of the State, its systems and citizens, vis-à-vis the threats of Palestinian and other terrorism and vis-à-vis threats of internal subversion.

Sigint Authority — which, if established, will serve all the above services according to the EEI and in accordance with priorities to be determined by the political echelon.

The National Security Council — which is entrusted with formulating an assessment of the national situation in view of the total intelligence picture and preparing possible political and security responses.

Following are the recommendations of the Committee in relation to Military Intelligence and the *Mossad*:

3.32 Military Intelligence

The Committee recommends redefining the framework of intelligence responsibility of Military Intelligence and limiting its activity to matters of classic military intelligence, with a focus on the immediate tiers and their capabilities, in order to provide a deterrent against war and intelligence support for the fighting forces. There is no intention of preventing Military Intelligence from conducting intelligence research in the widest sense, including in political areas, as necessary pursuant to fulfilling its military intelligence function. It should, however, be ensured that Military Intelligence will in the future desist from engaging in political research that has no military derivatives and that touches on the civilian-political arena.

The Committee is of the opinion that the situation in which Military Intelligence functions as a multi-tasking espionage organization acting with a wide variety of materials, subjects and fronts could prejudice its efficiency, by way of “biting off more than it can chew”. In this situation, there is no proper focus on any one of the topics, and the division of attention and effort to the many fields could harm all of them.

The Committee determines, on the one hand, that the IDF should have the service of a purely military intelligence, focused in its tasks, and not excessively spread over other areas; and, on the other hand, that the State of Israel and its political leadership should have political-strategic intelligence not subject to budget restraints and orders of preference of the military system that are set in the course of internal debates in the General Staff.

3.33 *Mossad*

The Committee recommends imposing upon the Institution for Intelligence and Special Functions the leadership of intelligence research in the political-strategic sphere. Thus, the *Mossad* will change from being a body whose main orientation is prevention to an intelligence body conducting collection and infrastructure research, for direct prevention purposes, but also in the wider political, strategic, industrial and scientific contexts of national security. To this end, the research function of the *Mossad* has to be strengthened and it has to be allowed to accept into its ranks quality personnel in the framework of the Security Service Law; including an enlarged quota of those serving in the framework of the Talpiot project, as well as an allocation of candidates for the security service from the

Academic Reserve. The Committee is of the opinion that the Government should consider a program of building a force and strengthening it intensively over a number of years, in which context-significant increments of budget and personnel will be allocated to the *Mossad* for building the force.

The Committee is of the opinion that increasing the strength of the *Mossad* to enable it to expand the range of its activity and cover, in intelligence terms, strategic threats, non-conventional weapons, ground-to-ground missiles and global terrorism throughout the world, and create a quality and multi-layer Humint in additional areas is an urgent national task of prime importance.

The Committee is of the opinion that broadly based political-strategic-technological-industrial and, of course, nuclear, intelligence has to be at the top of the order of priorities; in other words, at the same level as military intelligence for which Military Intelligence is responsible and intelligence for internal terrorism and guerilla warfare for which the ISA is responsible – if not higher.

3.4 EEI FORMULATION PROCESSES AND NATIONAL INTELLIGENCE EVALUATION

3.41 Intelligence Evaluation and National Alert

The Committee recommends that the process of formulating the intelligence evaluation take place from now on through a concentration of the intelligence assessments of each of the intelligence services in its own sphere; and that this be vis-à-vis the Intelligence Staff to be set up by the Prime Minister and the Ministerial Committee for Intelligence.

The limited Intelligence Staff of the Prime Minister will perform a regular integration of intelligence assessments received from the intelligence bodies. The National Security Council will place before the Prime Minister and the Ministerial Committee for Intelligence an annual national situation evaluation on the basis of the intelligence assessment.

3.42 The Process of EEI Assembly and Construction of Working Plans

The Committee recommends that the intelligence EEI for the medium and long term should be determined by the Ministerial Committee for Intelligence, on the basis of recommendations of the intelligence services, the Intelligence Staff of the Prime Minister and the National Security Council. The EEI will be reported to the Sub-Committee for Intelligence and Secret Services of the Foreign Affairs and Defense Committee. Formulation of the intelligence EEI for the short term will be carried out within the internal framework of each of the intelligence services, in coordination and cooperation. The short-term EEI will be brought for the approval of the Prime Minister and the Ministerial Committee and will be reported to the Sub-Committee for Intelligence.

3.5 REPORTING AND FOLLOW-UP

The Prime Minister will be asked to report to the Sub-Committee for Intelligence and Secret Services on the steps taken for implementation of its recommendations within six months of the date of publication of this report.

The Sub-Committee for Intelligence and Secret Services and the plenum of the Foreign Affairs and Defense Committee, will maintain,

as relevant, a continuous and ongoing follow-up vis-à-vis the Prime Minister, the Minister of Defense and the heads of the *Mossad*, the National Security Council and Military Intelligence, regarding implementation of the recommendations in the short and long term.

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