

Oil, the Dutch Iraq inquiry on the Iraq war, and the missing letter

Ann Talbot
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The Davids Commission, which investigated the role of the Netherlands in the 2003 Iraq war, has declared that the war was illegal. The panel of commissioners included experienced European jurists.

The report has also thrown up new evidence about the role of the British government under Prime Minister Tony Blair in preparing the war. In the course of the commission's investigation, it was alleged that in 2003 the British ambassador presented a letter from Blair to Jan Peter Balkenende, the Dutch prime minister. He insisted that this letter was for Balkenende's eyes only, and that the Dutch prime minister had to read it in his presence and immediately hand it back to him.

"It was a surprise for our committee when we discovered information about this letter," Rob Sebes told the press conference at the launch of the Davids Commission report. "It was not sent with a normal procedure between countries. Instead, it was a personal message from Tony Blair to our Prime Minister Jan Peter Balkenende, and had to be returned and not stored in our archives. We asked the British government to hand over the letter, but they refused."

The committee had every reason to express surprise. This was a remarkable breach of diplomatic procedure. Such communications would normally be archived by senders and recipients. That is the basis on which history is written and, perhaps more significantly in this case, such diplomatic archives, along with other key government papers, are the basis on which prosecutions under international law are built.

The British government have suppressed a key piece of evidence. The extraordinary way in which they made the case for war to the Dutch government suggests that Blair knew at the time that his arguments would not bear scrutiny.

Other UK papers were made available to the Davids

Commission. Until Blair's letter is produced, it can only be assumed that it contains damaging evidence which the British government wishes to hide.

It is not known if the British Chilcot Commission, which is currently investigating the Iraq war, has seen a copy of the letter, because there is no published list of the documents that have been made available to the inquiry. Chilcot may have been told, like the Davids Commission, that this was a personal letter. But if a letter between two prime ministers in a run-up to a war can be deemed personal, then many other relevant documents can be similarly concealed.

The Netherlands gave political support to the war, but they did not participate directly in the invasion. After the invasion, the Netherlands was among the few European countries to take part in the occupation of Iraq. Some 1,100 Dutch troops served under British command in the south. But there have been persistent rumours that Dutch special forces were involved at an earlier date.

According to the *Times* of London, Co Kolijn, a Dutch defence specialist, has pointed out that Dutch forces were involved in three other military operations in the area at the time of the invasion. It would therefore have been comparatively easy to organise covert military operations in Iraq.

Dutch special forces are currently serving in Afghanistan.

The Davids Commission said that it could find no evidence that Dutch special forces took part in the invasion. It expressed concern that commercial interests may have played a part in influencing the government decision to back the war. It recognised that "the Dutch business community stood to gain from the existence of a level playing field in post-war Iraq." These were the very words that Shell and BP used when they met the

UK government as the Iraq war began. They called for “a level playing field” for all oil companies after the war.

Commercial interests vital to both Britain and the Netherlands are at stake in Iraq. The Anglo-Dutch company Royal Dutch Shell has just won a major oil contract in the Iraqi Majnoon field, defeating the rival French company Total. Majnoon is thought to be the largest oil field in the world. It may hold some 12.8 billion barrels of oil reserves. Shell will have a major stake in it, alongside Malaysia’s Petronas. Shell also has interests in the West Qurna Phase 1 field jointly with Exxon Mobil.

As the *Financial Times* pointed out, “Royal Dutch Shell, in particular, is counting its blessings that Baghdad has opened up the world’s third-largest oil reserves more than 30 years after they were nationalised and six years after Saddam Hussein was overthrown by a US-led invasion force.

“Shell, out of all of its peers, is struggling most to step up its production as old, profitable fields decline and new reserves are proving increasingly difficult to secure.”

Shell’s role in Iraq goes back to the days of the British occupation after World War I, when deals were signed that were to persist into the 1950s and the overthrow of the British-backed monarch. The links between Shell and the British government remain close. At least two senior British civil servants have gone on to directorships at Shell when they retired from the Foreign Office.

The Davids Commission commented on the fact that the Dutch government had gone against the usual European orientation in its foreign policy and had allowed transatlantic influences to dominate its decision on Iraq. The report expressed regret that, “In the period examined by the Committee the ‘Atlantic reflex’ prevailed over a Eurocentric response.” As a result, the Netherlands has lost its ability to act as an intermediary between Britain on the one side and France and Germany on the other, the report concluded.

“The Dutch government lent its political support to a war whose purpose was not consistent with Dutch government policy,” the report stated. But it offered no explanation of why the government should have acted in this way. “It may therefore be said,” the report continued, “that the Dutch stance was to some extent

disingenuous.”

It is not only the Dutch government that is being disingenuous. The Davids Commission, which met behind closed doors, is also being far from frank. The report does not directly criticize the conduct of Shell or suggest that the close relationship between Shell and the British government may have led the Dutch government to break with its previous policy. Yet that is the inescapable implication contained in the report.



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