



Intelligence and Security  
Committee  
Sierra Leone

Chairman:  
The Rt Hon Tom King CH MP

Intelligence Services Act 1994  
Chapter 13

Presented to Parliament by the Prime Minister  
by Command of Her Majesty  
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# INTELLIGENCE AND SECURITY COMMITTEE

The Rt. Hon. Tom King, CH, MP (Chairman)

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## Sierra Leone

1. In the Spring of last year, claims were made of British intelligence involvement in the events which led to the restoration of the Kabbah government in Sierra Leone, together with allegations of collusion in breaches of the arms embargo on that country. The Committee has looked into these matters. As a second issue, the Committee has also used these events in Sierra Leone to examine how well the Agencies respond to a situation where a crisis suddenly arises in a country that had not previously required any active intelligence effort. Thirdly, we were very struck by the public reports that the High Commissioner at a critical time apparently had no secure communications whatsoever, and was solely dependent on an open and insecure hotel fax. We wished to inquire how such an unsatisfactory situation had occurred, given significant investment by the Foreign Office in communications systems.

2. We took evidence from the Heads of SIS and GCHQ during the Summer. The Government, meanwhile, commissioned Sir Thomas Legg to conduct an investigation into what Government officials and Ministers knew about breaches of the arms embargo, and we agreed to suspend further inquiries pending publication of the Legg Report. Since then, we have taken evidence from the Chairman of the Joint Intelligence Committee (JIC), the Chief of Defence Intelligence (CDI) and from the High Commissioner, Mr Peter Penfold, and those FCO officials in charge of communications support.

# Findings

## *SIS involvement?*

3. The first matter we investigated was the question of possible SIS involvement in Sierra Leone. Allegations in the media and elsewhere in this regard may have been stimulated by the presence of a former SIS officer in Sierra Leone. He left the Service in 1993 and has since been employed by \*\*\*. He did have contact with the High Commissioner in both Conakry and London, but Mr Penfold told us that he had not in fact been aware until the Spring of 1998 that he had previously been, in his earlier career, a member of SIS. Separately, **we were advised by the Chief of SIS that the Service had had two incidental contacts with Executive Outcomes and Sandline International in the latter half of 1997, but that there were no active dealings with these companies. He also informed us \*\*\*.**

4. In respect of the wider issue of relations with Sandline International and similar companies, it is clear from the evidence that we were given by both the Chief of SIS and CDI that there is recognition of the difficulties that can arise from contacts with such companies. We were told that SIS's policy is – as far as possible and sensible – to keep its distance from such companies which, by their nature, attract former employees of the Service and others who may have had contacts with the Service in the past, and which may be pursuing their own separate agendas in countries in which the Agencies themselves are interested. Contacts are kept as infrequent as possible, and are not initiated by SIS. **We established that SIS is aware that companies operating in these fields sometimes seek to use informal contacts, and their employment of ex-members of the Service, to give a false impression that their actions carry SIS or British Government endorsement. It is therefore particularly important in our view for all members of the Service to be aware of the need to handle any such contacts with considerable care, recognising nonetheless that, in certain circumstances, these companies may have a constructive role to play including the provision of valuable information.**

5. In a briefing to the Committee last summer, CDI told us that while no code of conduct existed in the MOD for such contacts, the DIS attitude was similarly very cautious. He added, however, that one of the key duties of a Military Liaison Officer (MLO) such as Major Hicks – sent into a country where a situation is developing which could involve the deployment of UK forces – is to gather all available intelligence on a situation, and that this may involve talking to private military companies and others involved. We have since been told that draft guidelines have now been circulated in the MOD on contacts with these companies, and that instructions have been given to all CDI's staff, including MLOs, that any such contacts have to be notified.

6. We were given categorical assurances by the Chief of SIS that the Service was not involved in any way with the counter-coup in Sierra Leone, or with the activities of the private military company Sandline International in that country.

*Intelligence reporting: SIS*

7. We were told that, \*\*\*, SIS was able to produce intelligence reports on matters relating to Sierra Leone. The most important of these concerned

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At short notice, SIS was unable to contribute significantly during the time of the 1997 coup; reporting thereafter was produced \*\*\*. One such report, which we have seen, was issued by SIS on 12 February 1998. It suggested that President Kabbah had engaged Executive Outcomes/Sandline to prepare and lead a military force from bases in Liberia to oust the junta, in an operation that was to be launched in the Summer. The report was received in the FCO a week later and was discounted, according to the Legg Report, ‘because it referred to arms and Kamajor camps in the unlikely location of Liberia’. It is also the case that the report was received in SIS, and distributed to Whitehall departments, on the day that Nigerian forces had secured Freetown, and reinstalled President Kabbah’s government.

*Intelligence Reporting: GCHQ*

8. Increased manning levels and the deployment of sigint teams \*\*\* enabled GCHQ to produce some \*\*\* sigint reports over the period May 1997-May 1998 – mainly on the politico-military situation in West African countries. **The ability of GCHQ to generate this number of reports \*\*\* on a country that had not previously required any significant intelligence effort illustrates well the flexibility of intelligence collection by sigint.**

## **The assessments process**

9. In addition to the effectiveness of our collection systems, we also reviewed the quality of intelligence assessment during this crisis. We examined, and questioned directly the JIC Chairman on the six relevant JIC assessments that were circulated to Ministers and senior officials in Whitehall: five of these dealt specifically with Sierra Leone, the sixth more generally with the activities of UK mercenaries and private military forces.

10. **In one case, the JIC assessment (of 8 December 1997) looked to be significantly at variance with that of the DIS, as recorded in the note of a meeting held at the FCO five days earlier.** The DIS desk officer at that meeting was recorded as having said that ‘the Nigerians and Executive Outcomes were arming and supplying the Kamajors’ – the first suggestion about arms following the UN Resolution. The later JIC assessment, however, distinguished between the provision of weapons to the Kamajors by the Nigerians, and the provision of training and technical support by Executive Outcomes. **We have been assured by both the JIC and the DIS that the JIC assessment was accurate, and that the record of the 3 December FCO meeting, discussed in paragraph 6.16 of the Legg Report, had in fact inaccurately compressed what had been said at the meeting.** To clarify this matter, we have inspected the actual \*\*\* reports on which CDI told us that the DIS officer’s report was based. What these reveal is consistent with the JIC’s conclusions, with the exception of a minor local initiative

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The reports were issued from July to September 1997, well in advance of the UN Resolution and subsequent Order in Council. The local initiative, which was discounted in the assessment process, would appear to be unconnected with the subsequent developments involving Sandline and President Kabbah.

11. **In a further case, the JIC assessment (of 28 January 1998) proved to be badly wrong,**

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**In examining how the accuracy of assessments could be improved, it was clear to us that one major failing was the fact that there was no direct consultation with the High Commissioner on this assessment, nor on the majority of the others produced by the JIC.** Mr Penfold told us of his close relationship with President Kabbah. He also told us of the meetings that took place every evening in Conakry of himself together with any available representatives of the UN, NGOs and others with contacts in Freetown and the rest of Sierra Leone. At these meetings, much new information on the current situation was forthcoming, and valuable intelligence was received. **Mr Penfold was clearly in possession of considerable information, and we are surprised that more effort was not made to use that information in the assessment process. We believe that this was a serious failing in the system.**

## Communications

12. A contributory factor in this failing was that none of the intelligence reports or assessments produced in Whitehall could be securely communicated to the High Commissioner, either in Freetown or during his removal to Guinea.

13. After the evacuation of Freetown and the loss of its non-portable communications equipment, the High Commissioner found himself with no secure voice or data communications of any kind, in a hotel room in Conakry. Mr Penfold told us that he did not feel able to make use of the facilities of the Honorary Consul in the town because these consisted of an 'office' in the front room of her private house. Following a meeting in London in June 1997, the FCO dispatched to him a secure fax machine. The equipment was sent to Conakry on 26 June, and arrived 11 days later. However, the equipment also required a security cabinet to protect it, the key material and any classified documents. The whole unit including cabinet was contained within packing cases which, on arrival, Mr Penfold assessed as being incapable of fitting through his hotel door in Conakry. He therefore left it at the airport, and it was subsequently returned to the UK.

14. A satellite telephone was also provided by the FCO, but the High Commissioner and his staff were unable to get it to work properly, and thereafter relied instead on a locally purchased satellite 'phone. In addition, an arrangement was made by which Mr Penfold was able to receive a number of classified telegrams via Bonn and the German Embassy in Conakry. However, he described this to us as a lengthy and cumbersome process, which could not be used too frequently: a telegram could take anything from 3-7 days to reach Conakry from London. He also said that it was not possible to send telegrams back to the UK via this route, because it was too slow and demanding on the local German Embassy.

15. In his evidence, Mr Penfold made clear that, at the time, he felt that he had to cope with what he had, and did not press the need for secure communications **There are, however, elements of farce in the sequence of events described above. We are not clear that Mr Penfold was fully aware of what it might have been possible to do to help him. Our view remains that the FCO's response to the situation was not what it should have been, and contrasted sharply with the position of the MLO, who arrived for his month-long deployment to Conakry and Freetown in February/March 1998 equipped with portable secure voice communications.** It is clear that there was considerable uncertainty initially as to how long the circumstances of Mr Penfold's removal to Conakry would last. In addition, the FCO did not assess this as a crisis and therefore did not initially send out crisis communications equipment. **The situation was then allowed to drift, however, and our High Commissioner was left in an undesirably exposed position for an extended period. Mr Penfold was in**

**possession of considerable information on the local situation, but was left unable to transmit securely this information back to the FCO, and could not be consulted on intelligence assessments being produced in London.**

16. If the particular circumstances of the situation prevented the FCO from being able to help, then GCHQ, and indeed SIS, could well have been in a position to help – but neither was asked. The Committee has been impressed on its visits \*\*\* by the considerable technical resources and ingenuity available to the Agencies in the field of communications. **These are, on occasion, deployed in direct support of the FCO, and we are surprised that more use was not made of them on this occasion.**

17. **The experience of these events, reinforced by more recent developments in Sierra Leone, enhances the importance of ensuring that when circumstances in a country suddenly change – as they did in this case – the FCO in London must be in a position to provide reliable communications at very short notice. We understand also that increasing numbers of missions overseas are without the particular secure communications necessary for the transmission of sensitive intelligence material. This may be acceptable in normal circumstances, but only on the clear understanding that if there is a serious change in the situation there may be an urgent and vital need for secure communications. We shall be questioning the FCO further on action being taken to ensure that there is a sufficient reserve of suitable emergency communications equipment.**

Signed TOM KING  
Chairman, on behalf of the  
Intelligence and Security Committee  
17 February 1999